

**West Park School District**  
Board Policy Manual

## Board Policy Manual

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**Policy 1000: Concepts And Roles**

**Status:** DRAFT

**Original Adopted Date:** Pending

The Governing Board desires to represent the community and provide leadership in addressing community issues related to education. In order to identify community concerns and enlist support for the schools, the Board shall establish effective two-way communication systems between schools and the community.

Schools, parents/guardians, community members and local organizations must continually collaborate as partners. The Board and the Superintendent or designee shall work together with city and county agencies and organizations to promote and facilitate coordinated services for children, and shall seek to develop partnerships with local businesses.

The Board recognizes that schools are an important community resource and encourages community members to make appropriate use of school facilities. Community members are also encouraged to attend Board meetings, participate in school activities, and take an active interest in issues that affect the schools. The Board and Superintendent or designee shall keep community members well informed about district needs and accomplishments and shall ensure that they have opportunities to share in developing educational policies, programs and evaluation processes.

The Board recognizes that its ability to fulfill the community's expectations for a high-quality educational program depends on the level of support provided by the state and federal government as well as the community. The Board therefore shall study legislative processes and issues, establish ongoing relationships with state and local leaders and the media, adopt positions on key issues, set priorities for advocacy, and collaborate with other organizations and coalitions in legislative and legal advocacy efforts.

**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

**State References**

Ed. Code 35160

Ed. Code 35172

**Description**

Authority of governing boards -

<https://simbli.eboardsolutions.com/SU/FFplus3PC2rsgGxvplus8DVSsrkQ==>

Promotional activities -

<https://simbli.eboardsolutions.com/SU/mVfx6wBztjEsmgOccplusEJNQ==>

**Management Resources References**

Website

**Description**

CSBA District and County Office of Education Legal Services -

<https://simbli.eboardsolutions.com/SU/UdykszdmPETuDslshXk6R5akQ==>

**Policy 1100: Communication With The Public**

**Status:** DRAFT

**Original Adopted Date:** Pending

The Governing Board recognizes the district's responsibility to keep the public informed regarding the goals, programs, achievements, and needs of the schools and district and to be responsive to the concerns and interests of the community. The Superintendent or designee shall establish strategies for effective two-way communications between the district and the public and shall consult with the Board regarding the role of Board members as advocates for the district's students, programs, and policies.

The Superintendent or designee shall provide the Board and staff with communications protocols and procedures to assist the district in presenting a consistent, unified message on district issues. Such protocols and procedures may include, but are not limited to, identification of the spokesperson(s) authorized to speak to the media on behalf of the district, strategies for coordinating communications efforts and activities, and legal requirements pertaining to confidentiality as well as the public's right to access records.

The Superintendent or designee shall utilize a variety of methods to provide information to the public with access to information. Such methods may include, but are not limited to, district and school newsletters, web sites, social media, electronic communications, mailings, notices sent home with students, recorded telephone messages for parent/guardian information, community forums and public events, news releases, meetings with education reporters and editorial boards, presentations at parent organization meetings, and meetings with representatives of local governments, community organizations, and businesses.

In developing communications strategies, the Superintendent or designee shall take into account the needs of all members of the public, including individuals with disabilities and those whose primary language is not English.

The Superintendent or designee may provide staff members with professional development to assist them in effectively responding to requests for information or assistance by parents/guardians or members of the public.

The Superintendent or designee shall provide multiple avenues and opportunities for members of the public to give input on district and school issues and operations. Community members are encouraged to become involved in school activities, participate on district and school committees, provide input at Board meetings, submit suggestions to district staff, and use the district's complaint procedures as appropriate.

**Mass Mailings at Public Expense**

Newsletters or mass mailings regarding ballot measures, candidates, legislative activities, or any other campaign activities shall be sent and distributed in accordance with law and Board policy.

A mass mailing is prohibited if all of the following criteria are met: (Government Code 89001-89002)

1. The mailing involves sending a tangible item, such as a videotape, record, button, or written document, which is delivered by any means to recipients at their residence, place of employment or business, or post office box.
2. The item features a Board member or includes the name, office, photograph, or other reference to a Board member and is prepared or sent in cooperation, consultation, coordination, or concert with the Board member.
3. The costs of distribution, or any costs of design, production, and printing exceeding \$50, are paid with district funds.
4. More than 200 substantially similar items, as defined in Government Code 89002, are sent in a single calendar month.

The above prohibition does not apply to the types of mass mailings specified in Government Code 89002(b), including, but not limited to: (Government Code 89002)

1. An item in which the Board member's name appears only in a roster containing the names of all Board members or in the letterhead or logotype of the stationery, forms, and envelopes of the district, a district committee, or the Board member
2. An announcement including only a single mention of the Board member's name which concerns a public

meeting related to the Board member's duties or any official district event(s) for which the district is providing the use of its facilities, staff, or other financial support

3. A business card that contains only one mention of the Board member's name and no photograph of the Board member

However, any of the excepted mailings listed in items #1-3 above that meets the criteria for prohibited mass mailings shall not be sent within 60 days preceding an election in which a Board member to whom the mailing relates will appear on the ballot as a candidate. (Government Code 89003)

### Comprehensive Communications Plan

The Superintendent or designee shall develop a written communications plan which establishes priorities for proactive community outreach to build support for district programs and issues. The plan shall identify specific communications goals aligned with the district's vision and goals for student learning. For each communications goal, the plan shall identify key messages, individuals or groups that can help the district achieve its goal, strategies tailored to each target audience, timelines, persons responsible for each activity, and budget implications.

As appropriate for each issue, target audiences may include parents/guardians, the media, local governmental agencies, businesses, community organizations and civic groups, postsecondary institutions, health care professionals, child care providers, community leaders, state or federal legislators or agencies, and/or other segments of the public.

The plan shall incorporate strategies for effective communications during a crisis or other emergency situation that may arise.

The Superintendent or designee shall periodically evaluate the implementation and effectiveness of the district's communications plan and recommend to the Board whether the goals and key issues identified in the plan need to be revised to meet changing circumstances or priorities.

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#### State References

2 CCR 18901.1

Ed. Code 35145.5

Ed. Code 35172

Ed. Code 38130-38139

Ed. Code 48980-48985

Ed. Code 7054

Gov. Code 54957.5

Gov. Code 82041.5

Gov. Code 89001-89003

#### Description

Campaign related mailings sent at public expense -

<https://simbli.eboardsolutions.com/SU/RAW1BilSYaSu54mCUAzRMQ==>

Board meetings; public participation -

<https://simbli.eboardsolutions.com/SU/FsPALBrAtQJnP93DNC8ixQ==>

Promotional activities -

<https://simbli.eboardsolutions.com/SU/mVfx6wBztjEsmgOccplusEJNQ==>

Civic Center Act -

<https://simbli.eboardsolutions.com/SU/tloM8gkAiBJoSSNvFbplum4w==>

Parent/Guardian notifications -

<https://simbli.eboardsolutions.com/SU/OGG2hQSHUKWQdnkmNllckg==>

Use of district property or funds re: ballot measures and candidates -

<https://simbli.eboardsolutions.com/SU/zsQbGD629AZeslshbpluserHcegA==>

Meeting agendas and materials -

<https://simbli.eboardsolutions.com/SU/7vEZRhIGDWCGTK6d07W9pQ==>

Mass mailing -

<https://simbli.eboardsolutions.com/SU/oltrqWfQNxlN10EAbalquw==>

Newsletter or mass mailing -

<https://simbli.eboardsolutions.com/SU/BLZstQR4MBYiukZvLZSqHA==>

#### Federal References

28 CFR 35.101-35.190

#### Description

Americans with Disabilities Act

**Management Resources References**

Website

**Description**

CSBA District and County Office of Education Legal Services -  
<https://simbli.eboardsolutions.com/SU/UdykszdmPETuDslshXk6R5akQ==>

Website

California School Public Relations Association -  
<https://simbli.eboardsolutions.com/SU/csB0m6f7E6wVaFPfZWZFcw==>

Website

Fair Political Practices Commission -  
<https://simbli.eboardsolutions.com/SU/C2dGDtcJnwsIshMnGhy8IJcbw==>

Website

CSBA -  
<https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==>

**Policy 1112: Media Relations**

**Status:** DRAFT

**Original Adopted Date:** Pending

The Governing Board respects the public's desire for and right to information and recognizes that the media significantly influence the community's understanding of school programs, student achievement, and school safety. In order to develop and maintain positive media relations, the Board and Superintendent shall reasonably accommodate media requests for information and provide accurate, reliable, and timely information.

In conjunction with the Superintendent or designee, the Board shall periodically establish priorities and key messages for proactively communicating with the media regarding current district issues, activities, or needs.

Media representatives are welcome at all public Board meetings and shall receive meeting agendas upon request in accordance with Board policy.

Media representatives, like all other visitors, shall register immediately upon entering any school building or grounds when school is in session.

Staff may provide the media with student directory information, as identified in AR 5125.1 - Release of Directory Information, unless the student's parent/guardian has submitted a written request that such information not be disclosed. The district shall not release other student records or personally identifiable student information that is private or confidential as required by law, Board policy, or administrative regulation.

**Interviewing and Photographing Students**

The district shall not impose restraints on students' right to speak freely with media representatives. However, interviewing and photographing students shall not create substantial disruption to the orderly operation of the school or impinge on the rights or safety of students. Therefore, the district shall encourage media representatives who wish to interview or photograph students at school to make prior arrangements with the principal.

**Media Contacts/Spokespersons**

The Superintendent or designee shall identify the district's and/or site's primary media contact to whom all media inquiries shall be routed. Spokespersons designated to speak to the media on behalf of the district include the Board president, Superintendent, public information officer, or district communications director. Other Board members and/or staff may be asked by the Superintendent or designee to speak to the media on a case-by-case basis, depending on their expertise on an issue or appropriateness given a particular situation.

The Superintendent or designee shall provide training on effective media relations to all designated spokespersons.

**Crisis Communications Plan**

The Superintendent or designee shall develop strategies for working with the media to provide timely and accurate information to students, parents/guardians, and the community during a crisis or natural disaster. The crisis communications plan may include, but not be limited to, identification of a media center, strategies for press conference logistics, and development and integration of both internal and external notification systems, including public address systems, social media, web site postings, and text alerts.

The Superintendent or designee shall include local law enforcement, media representatives, and district technology personnel in the crisis planning process.

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**State References**

Ed. Code 32210-32212

**Description**

Willful disturbance; public schools or meetings -  
<https://simbli.eboardsolutions.com/SU/fVO0OHpeh6ozwKgKAlVaRg==>



Ed. Code 35144	Special meeting - <a href="https://simbli.eboardsolutions.com/SU/oslshF1qJh5uvQZLIQuslshl9pluscw==">https://simbli.eboardsolutions.com/SU/oslshF1qJh5uvQZLIQuslshl9pluscw==</a>
Ed. Code 35145	Public meetings - <a href="https://simbli.eboardsolutions.com/SU/2zbplusTYPnqJITCLZ5nGLluA==">https://simbli.eboardsolutions.com/SU/2zbplusTYPnqJITCLZ5nGLluA==</a>
Ed. Code 35160	Authority of governing boards - <a href="https://simbli.eboardsolutions.com/SU/EFplus3PC2rsgGxvplus8DVSsrkQ==">https://simbli.eboardsolutions.com/SU/EFplus3PC2rsgGxvplus8DVSsrkQ==</a>
Ed. Code 35172	Promotional activities - <a href="https://simbli.eboardsolutions.com/SU/mVfx6wBztjEsmgOccplusEJNQ==">https://simbli.eboardsolutions.com/SU/mVfx6wBztjEsmgOccplusEJNQ==</a>
Evid. Code 1070	Refusal to disclose news source - <a href="https://simbli.eboardsolutions.com/SU/G0df39akR12l8UUbSkcAkA==">https://simbli.eboardsolutions.com/SU/G0df39akR12l8UUbSkcAkA==</a>
Pen. Code 627-627.10	Access to school premises - <a href="https://simbli.eboardsolutions.com/SU/slsh08lJ0UW1slshWi5m7e7pv96w==">https://simbli.eboardsolutions.com/SU/slsh08lJ0UW1slshWi5m7e7pv96w==</a>

### **Management Resources References**

Attorney General Opinion

Court Decision

Website

Website

### **Description**

95 Ops.Cal.Atty.Gen. 509 (1996)

Lopez v. Tulare Joint Union High School District, (1995) 34 Cal.App.4th 1302

CSBA District and County Office of Education Legal Services -  
<https://simbli.eboardsolutions.com/SU/UdykszdmPETuDslshXk6R5akQ==>

CSBA -  
<https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==>

**Policy 1113: District And School Websites**

**Status:** DRAFT

**Original Adopted Date:** Pending

To enhance communication with students, parents/guardians, staff, and community members, the Governing Board encourages the Superintendent or designee to develop and maintain district and school websites. The use of district and school websites shall support the district's vision and goals and shall be coordinated with other district communications strategies.

**Design Standards**

The Superintendent or designee shall establish design standards for district and school websites in order to maintain a consistent identity, professional appearance, and ease of use.

District design standards shall require an evaluation of products, features, and content accessible to students on district and school websites to prevent access to harmful or potentially harmful material.

The district's design standards shall address the accessibility of district and school websites to individuals with disabilities, including compatibility with commonly used assistive technologies.

**Website Content**

The Superintendent or designee shall develop content guidelines for district and school websites and assign staff to review and approve content prior to posting.

Board policy pertaining to advertising in district and school publications, as specified in BP 1325 - Advertising and Promotion, shall also apply to advertising on district and school websites.

**Privacy Rights**

The Superintendent or designee shall ensure that the privacy rights of students, parents/guardians, staff, Board members, and other individuals are protected on district and school websites.

Telephone numbers and home and email addresses of students and/or their parents/guardians shall not be published on district or school websites.

The district regards photographs as a category of directory information that would not generally be considered harmful or an invasion of privacy if disclosed. Therefore, a student's photograph, together with the student's name, may be published on district or school websites unless the student's parent/guardian has notified the district in writing to not release the student's photograph without prior written consent, in accordance with BP/AR 5125.1 - Release of Directory Information.

If students' names are not included, photographs of individual students or groups of students, such as at a school event, may be published on school or district websites.

Employees' home addresses, personal telephone numbers, and personal email addresses shall not be posted on district or school websites.

The home address or telephone number of any elected or appointed official including, but not limited to, a Board member or public safety official, shall not be posted on district or school websites without the prior written permission of that individual. (Government Code 3307.5, 7928.205, 7920.535)

No public safety official shall be required to consent to the posting on the Internet of the public safety official's photograph or identity as a public safety officer for any purpose if that officer reasonably believes that the disclosure may result in a threat, harassment, intimidation, or harm to the officer or the officer's family. (Government Code 3307.5)

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## State References

Bus. and Prof. Code 22580-22582

Bus. and Prof. Code 22584-22585

Bus. and Prof. Code 22586-22587

Civ. Code 1798.99.31

Ed. Code 32096

Ed. Code 32526

Ed. Code 35182.5

Ed. Code 35258

Ed. Code 48852.6

Ed. Code 48907

Ed. Code 48950

Ed. Code 49061

Ed. Code 49073

Ed. Code 60048

Gov. Code 11135

Gov. Code 12950

Gov. Code 3307.5

Gov. Code 7920.000 - 7930.170

Pen. Code 14029.5

Pub. Res. Code 21082.1

## Federal References

16 CFR 312.1-312.13

17 USC 101-122

17 USC 504

20 USC 1232g

29 USC 705

29 USC 794

34 CFR 104.1-104.61

## Description

Privacy rights for California minors in the digital world -  
<https://simbli.eboardsolutions.com/SU/XpZUgtS77ETvzOJMtcapFA==>

Student Online Personal Information Protection Act -  
<https://simbli.eboardsolutions.com/SU/EnauJhplusaffvcCQodyGJjng==>

Early Learning Personal Information Protection Act -  
<https://simbli.eboardsolutions.com/SU/HVBisqFqyGv3GFCOYAFARQ==>

California Age-Appropriate Design Code Act

COVID-19 testing in schools

COVID Emergency Appropriations for Education

Contracts for advertising -  
<https://simbli.eboardsolutions.com/SU/b1Cx8OTDYoo5teAWplusUlkoQ==>

Internet access to school accountability report cards -  
<https://simbli.eboardsolutions.com/SU/XpBEzfkV16CA5mk0f4jdmw==>

Information regarding homelessness -  
<https://simbli.eboardsolutions.com/SU/2XllcQFsAF9sqPWzKDVdWQ==>

Exercise of free expression; time, place and manner rules and regulations -  
<https://simbli.eboardsolutions.com/SU/KDSjnurlB1r2KdV5numJiQ==>

Speech and other communication -  
<https://simbli.eboardsolutions.com/SU/Q5itwgUPloTFejGslshDadJ4g==>

Definitions; directory information -  
<https://simbli.eboardsolutions.com/SU/LPocR56LXBUBhFSFEV34Mw==>

Release of directory information -  
<https://simbli.eboardsolutions.com/SU/YMNtqKuf1psO3LRpEQNrpg==>

Commercial brand names, contracts or logos -  
<https://simbli.eboardsolutions.com/SU/oXTlqPTqmMSDT1KZK7k1rQ==>

Prohibition of discrimination -  
<https://simbli.eboardsolutions.com/SU/PcUFWeMcCJnzBrKAL0EtFQ==>

California Civil Rights Department posters -  
<https://simbli.eboardsolutions.com/SU/h4EWslsh77h5LPVLOIU3XnZ3A==>

Publishing identity of public safety officers -  
<https://simbli.eboardsolutions.com/SU/sKArQFpSmt5PEFNhDyUFQQ==>

California Public Records Act -  
<https://simbli.eboardsolutions.com/SU/IBl6lfok6zP3Bde1F55TFg==>

Prohibition against publishing personal information of person in witness protection program -  
<https://simbli.eboardsolutions.com/SU/DNXnXBD3W3alPrplusZtAF91g==>

California Environmental Quality Act environmental review documents -  
<https://simbli.eboardsolutions.com/SU/G2phQcgAplus97RflzXOhEOfQ==>

## Description

Children's Online Privacy Protection Act

Subject matter and scope of copyright

Penalties for copyright infringement

Family Educational Rights and Privacy Act (FERPA) of 1974

Definitions; Vocational Rehabilitation Act

Rehabilitation Act of 1973; Section 504

Nondiscrimination on the basis of disability

34 CFR 99.1-99.67  
42 USC 12101-12213

### Management Resources References

CA Civil Rights Department Publication  
CA Civil Rights Department Publication  
CA Civil Rights Department Publication  
CA Civil Rights Department Publication  
CA Civil Rights Department Publication  
Court Decision  
Court Decision  
U.S. Department of Agriculture Publication  
U.S. Department of Justice Publication  
U.S. DOE Office for Civil Rights Publication  
U.S. DOE, Office for Civil Rights Publication  
Website  
Website  
Website  
Website  
Website  
Website  
Website  
Website  
World Wide Web Consortium Publication

Family Educational Rights and Privacy  
Americans with Disabilities Act

### Description

Sexual Harassment  
Family Care and Medical Leave and Pregnancy Disability Leave  
California Law Prohibits Workplace Discrimination and Harassment  
Transgender Rights in the Workplace  
Your Rights and Obligations as a Pregnant Employee  
Aaris v. Las Virgenes Unified School District, (1998) 64 Cal.App.4th 1112  
City of San Jose v. Superior Court, (2017) 2 Cal.5th 608  
Unpaid Meal Charges: Local Meal Charge Policies, SP 46-2016, July 2016  
Accessibility of State and Local Government Websites to People with Disabilities, June 2003  
Joint Dear Colleague Letter: Electronic Book Readers, June 29, 2010  
Dear Colleague Letter, May 26, 2011  
CSBA District and County Office of Education Legal Services -  
<https://simbli.eboardsolutions.com/SU/UdykszdmPETuDslshXk6R5akQ==>  
Governor's Office of Planning and Research, The California Environmental Quality Act -  
<https://simbli.eboardsolutions.com/SU/n5xh7yqpDOayP5DTOPda0A==>  
California Department of Education, Web Accessibility Standards -  
<https://simbli.eboardsolutions.com/SU/ZXERSyLLs5Tm5Y5TnRi4NA==>  
California School Public Relations Association -  
<https://simbli.eboardsolutions.com/SU/csB0m6f7E6wVaFPfZWZFcw==>  
U.S. Department of Justice, Civil Rights Division, Disability Rights Section -  
<https://simbli.eboardsolutions.com/SU/9sZBTK5qxS65pFY07h6ktA==>  
World Wide Web Consortium, Web Accessibility Initiative -  
<https://simbli.eboardsolutions.com/SU/bidXfpUplusS7mVvEQmsT1yhA==>  
CSBA -  
<https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==>  
U.S. Department of Education, Office for Civil Rights -  
<https://simbli.eboardsolutions.com/SU/xmCPrTcoZle111WmbX10Vg==>  
California Civil Rights Department -  
<https://simbli.eboardsolutions.com/SU/RRvNseNogmlnMLyl8K40jw==>  
Web Content Accessibility Guidelines, December 2008

**Regulation 1113: District And School Websites**

**Status:** DRAFT

**Original Adopted Date:** Pending

**Design Standards**

The Superintendent or designee shall develop design standards for district and school web sites that include, but are not limited to, guidelines to ensure the clear organization of the material, readability of the font type and size, and simplicity of the navigation structure linking the content on the web site. Such standards shall take into consideration the ease of use on a wide range of devices.

In accordance with the requirements of the Americans with Disabilities Act and Section 504 of the federal Rehabilitation Act of 1973, district and school web sites shall contain features that ensure accessibility for individuals with disabilities, which may include, but are not limited to, captions for videos and multimedia presentations, text alternatives to images, provision of sufficient time to use the content, avoidance of flashing images, adequate contrast in visual presentations, and/or other features that meet applicable standards for web site accessibility. The Superintendent or designee shall regularly review district and school web sites and modify them as needed to ensure legal compliance with accessibility standards.

**Web Site Content**

As applicable, district and school web sites shall provide current information regarding the district's mission and goals, district/school programs and operations, district/school news, agendas and minutes of Governing Board meetings, School Accountability Report Cards, school calendars, and links to educational resources.

With approval of the principal, individual teachers may create web pages linked to the district or school web site to provide information pertaining to class assignments, expectations, and activities.

Student work may be published on district or school web sites provided that both the student and his/her parent/guardian provide written permission or the work is part of an existing publication such as a school newspaper.

Any copyrighted material to be posted on a district or school web site shall be submitted to the Superintendent or designee together with the permission of the copyright owner to reprint the material. Any copyrighted material submitted without the copyright owner's permission shall only be posted on a district or school web site if the Superintendent or designee determines that the material is in the public domain or that the intended use meets the criteria for fair use or another exception pursuant to 17 USC 107-122. When any copyrighted material is posted, the web site shall include a notice crediting the copyright owner and, as necessary, shall note that permission to reprint the material was granted.

Whenever a district or school web site includes links to external web sites, it shall include a disclaimer that the district is not responsible for the content of external web sites.

**Roles and Responsibilities**

Any employee assigned as a district or school webmaster shall be responsible for the uploading of material to the web site(s) upon approval of the Superintendent or designee. He/she shall review district and school web sites to ensure consistency with district standards, regularly check links for accuracy and appropriateness, keep the web server free of outdated or unused files, and provide technical assistance as needed.

The Superintendent or designee may assign additional staff members to conduct editorial reviews of all materials submitted for publication on district or school web sites and to make corrections as needed in spelling, grammar, or accuracy of content.

The Superintendent or designee shall provide staff development opportunities related to district content guidelines, design standards, and accessibility laws and standards to district communications and technology staff, district and school webmasters, and/or other appropriate staff.

**Security**

The Superintendent or designee shall establish security procedures for the district's computer network to prevent unauthorized access and changes to district and school web sites. To the extent possible, the host computer(s) shall be in a lockable room with restricted access.

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## State References

Bus. and Prof. Code 22580-22582

Bus. and Prof. Code 22584-22585

Bus. and Prof. Code 22586-22587

Civ. Code 1798.99.31

Ed. Code 32096

Ed. Code 32526

Ed. Code 35182.5

Ed. Code 35258

Ed. Code 48852.6

Ed. Code 48907

Ed. Code 48950

Ed. Code 49061

Ed. Code 49073

Ed. Code 60048

Gov. Code 11135

Gov. Code 12950

Gov. Code 3307.5

Gov. Code 7920.000 - 7930.170

Pen. Code 14029.5

Pub. Res. Code 21082.1

## Description

Privacy rights for California minors in the digital world -

<https://simbli.eboardsolutions.com/SU/XpZUgtS77ETvzOJMtcapFA==>

Student Online Personal Information Protection Act -

<https://simbli.eboardsolutions.com/SU/FnauJhplussaffvcCQodyGJjng==>

Early Learning Personal Information Protection Act -

<https://simbli.eboardsolutions.com/SU/HVBisqFqyGv3GFCOYAFARQ==>

California Age-Appropriate Design Code Act

COVID-19 testing in schools

COVID Emergency Appropriations for Education

Contracts for advertising -

<https://simbli.eboardsolutions.com/SU/b1Cx8OTDYoo5teAWplusUlkoQ==>

Internet access to school accountability report cards -

<https://simbli.eboardsolutions.com/SU/XpBEzfkV16CA5mk0f4jdmw==>

Information regarding homelessness -

<https://simbli.eboardsolutions.com/SU/2XllcQFsAF9sqPWzKDVdWQ==>

Exercise of free expression; time, place and manner rules and regulations -

<https://simbli.eboardsolutions.com/SU/KDSjnurlBlr2KdV5numJiQ==>

Speech and other communication -

<https://simbli.eboardsolutions.com/SU/Q5itwgUPloTFejGslshDadJ4g==>

Definitions; directory information -

<https://simbli.eboardsolutions.com/SU/LPocR56LXBUBhFSFEV34Mw==>

Release of directory information -

<https://simbli.eboardsolutions.com/SU/YMNtqKufplsO3LRpEQNrpg==>

Commercial brand names, contracts or logos -

<https://simbli.eboardsolutions.com/SU/oXTlqPTqmMSDT1KZK7k1rQ==>

Prohibition of discrimination -

<https://simbli.eboardsolutions.com/SU/PcUFWeMcCJnzBrKAL0EtfQ==>

California Civil Rights Department posters -

<https://simbli.eboardsolutions.com/SU/h4EWslsh77h5LPVLOIU3XnZ3A==>

Publishing identity of public safety officers -

<https://simbli.eboardsolutions.com/SU/sKArQEpSmt5PEFNhDyUFQQ==>

California Public Records Act -

<https://simbli.eboardsolutions.com/SU/IBl6lfok6zP3Bde1F55TFg==>

Prohibition against publishing personal information of person in witness protection program -

<https://simbli.eboardsolutions.com/SU/DNXnXBD3W3alPrplusZtAF91g==>

California Environmental Quality Act environmental review documents -

<https://simbli.eboardsolutions.com/SU/G2phQcgAplus97RflzXOhEOfQ==>

## Federal References

16 CFR 312.1-312.13

17 USC 101-122

## Description

Children's Online Privacy Protection Act

Subject matter and scope of copyright

17 USC 504  
 20 USC 1232g  
 29 USC 705  
 29 USC 794  
 34 CFR 104.1-104.61  
 34 CFR 99.1-99.67  
 42 USC 12101-12213

### Management Resources References

CA Civil Rights Department Publication  
 CA Civil Rights Department Publication  
 CA Civil Rights Department Publication  
 CA Civil Rights Department Publication  
 CA Civil Rights Department Publication  
 Court Decision  
 Court Decision  
 U.S. Department of Agriculture Publication  
 U.S. Department of Justice Publication  
 U.S. DOE Office for Civil Rights Publication  
 U.S. DOE, Office for Civil Rights Publication  
 Website  
 Website  
 Website  
 Website  
 Website  
 Website  
 Website  
 Website  
 Website  
 World Wide Web Consortium Publication

Penalties for copyright infringement  
 Family Educational Rights and Privacy Act (FERPA) of 1974  
 Definitions; Vocational Rehabilitation Act  
 Rehabilitation Act of 1973; Section 504  
 Nondiscrimination on the basis of disability  
 Family Educational Rights and Privacy  
 Americans with Disabilities Act

### Description

Sexual Harassment  
 Family Care and Medical Leave and Pregnancy Disability Leave  
 California Law Prohibits Workplace Discrimination and Harassment  
 Transgender Rights in the Workplace  
 Your Rights and Obligations as a Pregnant Employee  
 Aaris v. Las Virgenes Unified School District, (1998) 64 Cal.App.4th 1112  
 City of San Jose v. Superior Court, (2017) 2 Cal.5th 608  
 Unpaid Meal Charges: Local Meal Charge Policies, SP 46-2016, July 2016  
 Accessibility of State and Local Government Websites to People with Disabilities, June 2003  
 Joint Dear Colleague Letter: Electronic Book Readers, June 29, 2010  
 Dear Colleague Letter, May 26, 2011  
 CSBA District and County Office of Education Legal Services - <https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ==>  
 Governor's Office of Planning and Research, The California Environmental Quality Act - <https://simbli.eboardsolutions.com/SU/n5xh7yqpDOayP5DTOPda0A==>  
 California Department of Education, Web Accessibility Standards - <https://simbli.eboardsolutions.com/SU/ZXERSyLLs5Tm5Y5TnRi4NA==>  
 California School Public Relations Association - <https://simbli.eboardsolutions.com/SU/csB0m6f7E6wVaFPfZWZFcw==>  
 U.S. Department of Justice, Civil Rights Division, Disability Rights Section - <https://simbli.eboardsolutions.com/SU/9sZBTK5qxS65pFY07h6ktA==>  
 World Wide Web Consortium, Web Accessibility Initiative - <https://simbli.eboardsolutions.com/SU/bidXfpUplusS7mVvEQmsT1yhA==>  
 CSBA - <https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==>  
 U.S. Department of Education, Office for Civil Rights - <https://simbli.eboardsolutions.com/SU/xmCPrTcoZle111WmbX10Vg==>  
 California Civil Rights Department - <https://simbli.eboardsolutions.com/SU/RRvNseNogmlnMLyl8K40jw==>  
 Web Content Accessibility Guidelines, December 2008



**Exhibit 1113-E(1): District And School Websites**

**Status:** DRAFT

**Original Adopted Date:** Pending

**MATERIALS REQUIRED TO BE POSTED ON DISTRICT WEBSITE**

**Materials to Prominently Display**

The following must be posted in a prominent location on the district's website, such as on the home page when required by law:

1. The district's local control and accountability plan (LCAP), any updates or revisions to the LCAP, and the local control funding formula budget overview (Education Code 52064.1, 52065). See AR 0460 - Local Control and Accountability Plan.
2. A direct link to the current board agenda containing the time and location of the meeting and a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session, or a link to the district's agenda management platform where the current agenda shall be the first available (Government Code 54954.2, 54956). Post at least 72 hours before a regular board meeting or 24 hours before a special meeting. See BB 9320 - Meetings and Notices and BB 9322 - Agenda/Meeting Materials.
3. The district's policy on student suicide prevention including, for grades K-6, the age appropriateness of the policy (Education Code 234.6). See BP 5141.52 - Suicide Prevention.
4. 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 (Education Code 234.6). See AR 5131.2 - Bullying and AR 5145.3 - Nondiscrimination/Harassment.
5. The district's policy on preventing and responding to hate violence, if the district has adopted such a policy (Education Code 234.6). See BP 5145.9 - Hate-Motivated Behavior.
6. The definition of discrimination and harassment based on sex as described in Education Code 230, including the rights set forth in Education Code 221.8 (Education Code 234.6). See AR 5145.3 - Nondiscrimination/Harassment.
7. Information regarding Title IX prohibitions against discrimination based on a student's sex, gender, gender identity, pregnancy, and parental status, including the name and contact information of the Title IX Coordinator, the rights of students and the public as specified in Education Code 221.8, the responsibilities of the district under Title IX, web links to information about those rights and responsibilities on the websites of the Office for Equal Opportunity and the U.S. Department of Education's Office for Civil Rights, a description of how to file a complaint of noncompliance under Title IX with specified components, and a link to Title IX information posted on the California Department of Education's (CDE) website (Education Code 221.6, 221.61, 234.6; 34 CFR 106.8). See AR 5145.3 - Nondiscrimination/Harassment and AR 5145.7 - Sexual Harassment.
8. 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 (Education Code 234.5, 234.6). See AR 5145.3 - Nondiscrimination/Harassment.
9. Posters published by the California Civil Rights Department (CRD) including, "California Law Prohibits Workplace Discrimination and Harassment," and for districts with five or more employees, "The Rights of Employees Who Are Transgender or Gender Nonconforming," "Your Rights and Obligations as a Pregnant Employee," and "Family Care and Medical Leave and Pregnancy Disability Leave" (Government Code 12950). See AR 4030 - Nondiscrimination in Employment and AR 4161.8/4261.8/4361.8 - Family Care and Medical Leave.
10. If the district has formed a community facilities district (Mello-Roos district) for the acquisition or improvement of school facilities, a copy of the annual report for the fiscal year if requested pursuant to Government Code



53343.1, the report provided to the California Debt and Investment Advisory Commission pursuant to Government Code 53359.5, and the report provided to the State Controller's office pursuant to Government Code 12463.2 (Government Code 53343.2). Post within seven months after the last day of the fiscal year. See BP 7212 - Mello-Roos Districts.

### Other Postings

The following materials are also required to be posted on the district website. However, there are no specific requirements related to where they are posted on the website.

1. The Special Education Local Plan Area's approved comprehensive local plan for special education, annual budget plan, annual service plan, and annual assurances support plan and any updates or revisions to the plans (Education Code 56205.5). See AR 0430 - Comprehensive Local Plan for Special Education.
2. The district's nondiscrimination policy and regulation, including the complaint procedure and the compliance coordinator's contact information (34 CFR 100.6, 106.8). See BP 0410 - Nondiscrimination in District Programs and Activities and AR 4030 - Nondiscrimination in Employment.
3. Training materials used to train the Title IX Coordinator, investigator(s), decisionmaker(s), and any person(s) who facilitates an informal resolution process in response to a Title IX sexual harassment complaint (34 CFR 106.45). See AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures and AR 5145.71 - Title IX Sexual Harassment Complaint Procedures.
4. Contact information for the district's liaison(s) for homeless students and other persons as required by Education Code 48852.6, and information regarding the educational rights and resources available to persons experiencing homelessness (Education Code 48852.6). See AR 6173 - Education for Homeless Children.
5. For all schools offering competitive athletics, the total enrollment of the school classified by gender, the number of students enrolled at the school who participate in competitive athletics classified by gender, and the number of boys' and girls' teams classified by sport and by competition level (Education Code 221.9). The information shall be posted at the end of the school year on the school's website or, if the school does not have a website, on the district's website. See AR 6145.2 - Athletic Competition.
6. If the district has interdistrict attendance agreement(s), the procedures and timelines for requesting an interdistrict transfer permit, including, but not limited to, a link to the board's policy on interdistrict attendance, the date that the district will begin accepting applications, reasons that the district may approve/deny the request, the process for appeal, that failure to meet timelines will be deemed an abandonment of the request, and the condition under which an existing interdistrict transfer permit may be revoked or rescinded (Education Code 46600.2). See AR 5117 - Interdistrict Transfer.
7. If the district has elected to be a school district of choice, application information including, at a minimum, any applicable form, the timeline for a transfer, and an explanation of the selection process (Education Code 48301). See AR 5117 - Interdistrict Transfer.
8. For districts that offer grade 9, the district's policy and protocols related to student placement in mathematics courses (Education Code 51224.7). See AR 6152.1 - Placement in Mathematics Courses.
9. The section(s) of the district's employee code of conduct addressing interactions with students. These section(s) or a link to them shall be posted on each school's website or, if a school does not have its own website, on the district's website in a manner that is accessible to the public without a password. (Education Code 44050) See BP 4119.21/4219.21/4319.21 - Professional Standards and BP 4119.24/4219.24/4319.24 - Maintaining Appropriate Adult-Student Interactions.
10. The district's meal payment collection policy and procedures (U.S. Department of Agriculture (USDA) Memorandum SP 46-2016). See BP/AR 3551 - Food Services Operations/Cafeteria Fund.
11. If the district includes information about the free and reduced-priced meal program on its website, a nondiscrimination statement about the district's status as an equal opportunity provider and the address of the agency with responsibility to handle complaints made against the district (USDA FNS Instruction 113-1). For the required wording of the statement, see E(1) 3555 - Nutrition Program Compliance.

12. The school's or district's integrated pest management plan, whenever a school chooses to use a pesticide not exempted pursuant to Education Code 17610.5 The plan shall be posted on the school's website or, if the school does not have a website, then on the district's website. (Education Code 17611.5) See AR 3514.2 Integrated Pest Management.
13. When the California Environmental Quality Act requires an environmental impact report, negative declaration, or mitigated negative declaration, those environmental review documents, public notice of the preparation and availability of such documents within a reasonable period of time prior to certification of the environmental impact report, adoption of a negative declaration, or determination that a proposed subsequent project will have no additional significant effect on the environment, and specified notices when written requests for notices have been filed (Public Resources Code 21082.1, 21092, 21092.2).
14. When a citizens' oversight committee is formed after the approval of a bond under the 55 percent majority threshold, the committee's minutes, documents received, and reports issued (Education Code 15280). See AR 7214 - General Obligation Bonds.
15. Copy of each school's school accountability report card, on or before February 1 of each year (Education Code 35258). See BP 0510 - School Accountability Report Card.
16. Results of the Western Association of Schools and Colleges (WASC) or other accrediting agency's inspection of a school, within 60 days of receiving the results. (This notification could be made in writing to parents/guardians instead of or in addition to posting the results on the district's website.) In addition, if a school loses its WASC or other agency's accreditation, the district and school shall post on their websites a notice of the loss of accreditation and potential consequences (Education Code 35178.4). See BP 6190 - Evaluation of the Instructional Program.
17. The district's COVID-19 testing plan (Education Code 32096).
18. Using the template developed by CDE, the use of Learning Recovery Emergency Funds, with interim reports posted by December 1, 2024 and December 1, 2027, and a final report by December 1, 2029. (Education Code 32526)
19. An age appropriate and culturally relevant digitized poster that identifies approaches and shares resources about student mental health, distributed to students online at the beginning of each school year. (Education Code 49428.5)

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**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

#### State References

#### Description

Bus. and Prof. Code 22580-22582	Privacy rights for California minors in the digital world - <a href="https://simbli.eboardsolutions.com/SU/XpZUgtS77ETvzOJMtcapFA==">https://simbli.eboardsolutions.com/SU/XpZUgtS77ETvzOJMtcapFA==</a>
Bus. and Prof. Code 22584-22585	Student Online Personal Information Protection Act - <a href="https://simbli.eboardsolutions.com/SU/FnauJhplusaffvcCQodyGJjng==">https://simbli.eboardsolutions.com/SU/FnauJhplusaffvcCQodyGJjng==</a>
Bus. and Prof. Code 22586-22587	Early Learning Personal Information Protection Act - <a href="https://simbli.eboardsolutions.com/SU/HVBisqFqyGv3GFcoYAFARQ==">https://simbli.eboardsolutions.com/SU/HVBisqFqyGv3GFcoYAFARQ==</a>
Civ. Code 1798.99.31	California Age-Appropriate Design Code Act
Ed. Code 32096	COVID-19 testing in schools
Ed. Code 32526	COVID Emergency Appropriations for Education
Ed. Code 35182.5	Contracts for advertising - <a href="https://simbli.eboardsolutions.com/SU/b1Cx8OTDYoo5teAWplusUlkoQ==">https://simbli.eboardsolutions.com/SU/b1Cx8OTDYoo5teAWplusUlkoQ==</a>
Ed. Code 35258	Internet access to school accountability report cards - <a href="https://simbli.eboardsolutions.com/SU/XpBEzfkV16CA5mk0f4jdmw==">https://simbli.eboardsolutions.com/SU/XpBEzfkV16CA5mk0f4jdmw==</a>
Ed. Code 48852.6	Information regarding homelessness - <a href="https://simbli.eboardsolutions.com/SU/2XllcQFSAF9sqPWzKDvdWQ==">https://simbli.eboardsolutions.com/SU/2XllcQFSAF9sqPWzKDvdWQ==</a>

Ed. Code 48907	Exercise of free expression; time, place and manner rules and regulations - <a href="https://simbli.eboardsolutions.com/SU/KDSjnurlBlr2KdV5numJiQ==">https://simbli.eboardsolutions.com/SU/KDSjnurlBlr2KdV5numJiQ==</a>
Ed. Code 48950	Speech and other communication - <a href="https://simbli.eboardsolutions.com/SU/Q5itwgUPloTFejGslshDadJ4g==">https://simbli.eboardsolutions.com/SU/Q5itwgUPloTFejGslshDadJ4g==</a>
Ed. Code 49061	Definitions; directory information - <a href="https://simbli.eboardsolutions.com/SU/LPocR56LXBUBhFSFEV34Mw==">https://simbli.eboardsolutions.com/SU/LPocR56LXBUBhFSFEV34Mw==</a>
Ed. Code 49073	Release of directory information - <a href="https://simbli.eboardsolutions.com/SU/YMNtqKufplsO3LRpEQNrpg==">https://simbli.eboardsolutions.com/SU/YMNtqKufplsO3LRpEQNrpg==</a>
Ed. Code 60048	Commercial brand names, contracts or logos - <a href="https://simbli.eboardsolutions.com/SU/oXTlqPTqmMSDT1KZK7k1rQ==">https://simbli.eboardsolutions.com/SU/oXTlqPTqmMSDT1KZK7k1rQ==</a>
Gov. Code 11135	Prohibition of discrimination - <a href="https://simbli.eboardsolutions.com/SU/PcUFWeMcCJnzBrKAL0EtfQ==">https://simbli.eboardsolutions.com/SU/PcUFWeMcCJnzBrKAL0EtfQ==</a>
Gov. Code 12950	California Civil Rights Department posters - <a href="https://simbli.eboardsolutions.com/SU/h4EWslsh77h5LPVLOIU3XnZ3A==">https://simbli.eboardsolutions.com/SU/h4EWslsh77h5LPVLOIU3XnZ3A==</a>
Gov. Code 3307.5	Publishing identity of public safety officers - <a href="https://simbli.eboardsolutions.com/SU/sKArQEpSmt5PEFNhDyUFQQ==">https://simbli.eboardsolutions.com/SU/sKArQEpSmt5PEFNhDyUFQQ==</a>
Gov. Code 7920.000 - 7930.170	California Public Records Act - <a href="https://simbli.eboardsolutions.com/SU/IBl6lfok6zP3Bde1F55TFg==">https://simbli.eboardsolutions.com/SU/IBl6lfok6zP3Bde1F55TFg==</a>
Pen. Code 14029.5	Prohibition against publishing personal information of person in witness protection program - <a href="https://simbli.eboardsolutions.com/SU/DNXnXBD3W3alPrplusZtAF91g==">https://simbli.eboardsolutions.com/SU/DNXnXBD3W3alPrplusZtAF91g==</a>
Pub. Res. Code 21082.1	California Environmental Quality Act environmental review documents - <a href="https://simbli.eboardsolutions.com/SU/G2phQcgAplus97RflzXOhEOfQ==">https://simbli.eboardsolutions.com/SU/G2phQcgAplus97RflzXOhEOfQ==</a>

### Federal References

16 CFR 312.1-312.13  
17 USC 101-122  
17 USC 504  
20 USC 1232g  
29 USC 705  
29 USC 794  
34 CFR 104.1-104.61  
34 CFR 99.1-99.67  
42 USC 12101-12213

### Management Resources References

CA Civil Rights Department Publication  
CA Civil Rights Department Publication  
CA Civil Rights Department Publication  
CA Civil Rights Department Publication  
CA Civil Rights Department Publication  
Court Decision  
Court Decision  
U.S. Department of Agriculture Publication  
U.S. Department of Justice Publication  
U.S. DOE Office for Civil Rights Publication

### Description

Children's Online Privacy Protection Act  
Subject matter and scope of copyright  
Penalties for copyright infringement  
Family Educational Rights and Privacy Act (FERPA) of 1974  
Definitions; Vocational Rehabilitation Act  
Rehabilitation Act of 1973; Section 504  
Nondiscrimination on the basis of disability  
Family Educational Rights and Privacy  
Americans with Disabilities Act

### Description

Sexual Harassment  
Family Care and Medical Leave and Pregnancy Disability Leave  
California Law Prohibits Workplace Discrimination and Harassment  
Transgender Rights in the Workplace  
Your Rights and Obligations as a Pregnant Employee  
Aaris v. Las Virgenes Unified School District, (1998) 64 Cal.App.4th 1112  
City of San Jose v. Superior Court, (2017) 2 Cal.5th 608  
Unpaid Meal Charges: Local Meal Charge Policies, SP 46-2016, July 2016  
Accessibility of State and Local Government Websites to People with Disabilities, June 2003  
Joint Dear Colleague Letter: Electronic Book Readers, June 29, 2010

U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter, May 26, 2011
Website	CSBA District and County Office of Education Legal Services - <a href="https://simbli.eboardsolutions.com/SU/UdykszdmPETuDslshXk6R5akQ==">https://simbli.eboardsolutions.com/SU/UdykszdmPETuDslshXk6R5akQ==</a>
Website	Governor's Office of Planning and Research, The California Environmental Quality Act - <a href="https://simbli.eboardsolutions.com/SU/n5xh7yqpDOayP5DToPda0A==">https://simbli.eboardsolutions.com/SU/n5xh7yqpDOayP5DToPda0A==</a>
Website	California Department of Education, Web Accessibility Standards - <a href="https://simbli.eboardsolutions.com/SU/ZXERSvLLs5Tm5Y5TnRi4NA==">https://simbli.eboardsolutions.com/SU/ZXERSvLLs5Tm5Y5TnRi4NA==</a>
Website	California School Public Relations Association - <a href="https://simbli.eboardsolutions.com/SU/csB0m6f7E6wVaFPfZWZFcw==">https://simbli.eboardsolutions.com/SU/csB0m6f7E6wVaFPfZWZFcw==</a>
Website	U.S. Department of Justice, Civil Rights Division, Disability Rights Section - <a href="https://simbli.eboardsolutions.com/SU/9sZBTK5qxS65pFY07h6ktA==">https://simbli.eboardsolutions.com/SU/9sZBTK5qxS65pFY07h6ktA==</a>
Website	World Wide Web Consortium, Web Accessibility Initiative - <a href="https://simbli.eboardsolutions.com/SU/bidXfpUplusS7mVvEQmsT1yhA==">https://simbli.eboardsolutions.com/SU/bidXfpUplusS7mVvEQmsT1yhA==</a>
Website	CSBA - <a href="https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==">https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==</a>
Website	U.S. Department of Education, Office for Civil Rights - <a href="https://simbli.eboardsolutions.com/SU/xmCPrTcoZle111WmbX10Vg==">https://simbli.eboardsolutions.com/SU/xmCPrTcoZle111WmbX10Vg==</a>
Website	California Civil Rights Department - <a href="https://simbli.eboardsolutions.com/SU/RRvNseNogmlnMLyl8K40jw==">https://simbli.eboardsolutions.com/SU/RRvNseNogmlnMLyl8K40jw==</a>
World Wide Web Consortium Publication	Web Content Accessibility Guidelines, December 2008

**Policy 1114: District-Sponsored Social Media**

**Status:** DRAFT

**Original Adopted Date:** Pending

The Governing Board recognizes the value of technology such as social media platforms in promoting community involvement and collaboration. The purpose of any official district social media platform shall be to further the district's vision and mission, support student learning and staff professional development, and enhance communication with students, parents/guardians, staff, and community members.

The Superintendent or designee shall develop content guidelines and protocols for official district social media platforms to ensure the appropriate and responsible use of these resources and compliance with law, Board policy, and regulation.

**Guidelines for Content**

Official district social media platforms shall be used only for their stated purposes and in a manner consistent with this policy and administrative regulation. By creating these official sites and allowing for public comment, the Board does not intend to create a limited public forum or otherwise guarantee an individual's right to free speech.

The Superintendent or designee shall ensure that the limited purpose of the official district social media platforms is clearly communicated to users. Each site shall contain a statement that specifies the site's purposes along with a statement that users are expected to use the site only for those purposes. Each site shall also contain a statement that users are personally responsible for the content of their posts.

Official district social media platforms may not contain content that is obscene, libelous, or so incites students as to create a clear and present danger of the commission of unlawful acts on school premises, violation of school rules, or substantial disruption of the school's orderly operation.

Staff or students who post prohibited content shall be subject to discipline in accordance with district policies and administrative regulations.

Users of official district social media platforms should be aware of the public nature and accessibility of social media and that information posted may be considered a public record subject to disclosure under the Public Records Act. The Board expects users to conduct themselves in a respectful, courteous, and professional manner.

**Privacy**

The Superintendent or designee shall ensure that the privacy rights of students, parents/guardians, staff, Board members, and other individuals are protected on official district social media platforms.

Board policy pertaining to the posting of student photographs and the privacy of telephone numbers, home addresses, and email addresses, as specified in BP 1113 - District and School Web Sites, shall also apply to official district social media platforms.

Social media and networking sites and other online platforms shall not be used by district employees to transmit confidential information about students, employees, or district operations.

**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

**State References**

Ed. Code 32260-32262

Ed. Code 35182.5

Ed. Code 48900

**Description**

Interagency School Safety Demonstration Act of 1985 -

<https://simbli.eboardsolutions.com/SU/jdNoRMj8hvBZyplusMPmFRm3w==>

Contracts for advertising -

<https://simbli.eboardsolutions.com/SU/b1Cx8OTDYoo5teAWplusUlkoQ==>

Grounds for suspension or expulsion -

<https://simbli.eboardsolutions.com/SU/ty00CSnFfkJelBt0Nh9REw==>

Ed. Code 48907	Exercise of free expression; time, place and manner rules and regulations - <a href="https://simbli.eboardsolutions.com/SU/KDSjnurlBlr2KdV5numJiQ==">https://simbli.eboardsolutions.com/SU/KDSjnurlBlr2KdV5numJiQ==</a>
Ed. Code 48950	Speech and other communication - <a href="https://simbli.eboardsolutions.com/SU/Q5itwgUPloTFejGslshDadJ4g==">https://simbli.eboardsolutions.com/SU/Q5itwgUPloTFejGslshDadJ4g==</a>
Ed. Code 49061	Definitions; directory information - <a href="https://simbli.eboardsolutions.com/SU/LPocR56LXBUBhFSFEV34Mw==">https://simbli.eboardsolutions.com/SU/LPocR56LXBUBhFSFEV34Mw==</a>
Ed. Code 49073	Release of directory information - <a href="https://simbli.eboardsolutions.com/SU/YMNtqKufplsO3LRpEQNrpg==">https://simbli.eboardsolutions.com/SU/YMNtqKufplsO3LRpEQNrpg==</a>
Ed. Code 60048	Commercial brand names, contracts or logos - <a href="https://simbli.eboardsolutions.com/SU/oXTlqPTqmMSDT1KZK7k1rQ==">https://simbli.eboardsolutions.com/SU/oXTlqPTqmMSDT1KZK7k1rQ==</a>
Gov. Code 3307.5	Publishing identity of public safety officers - <a href="https://simbli.eboardsolutions.com/SU/sKArQEpSmt5PEFNhDyUFQQ==">https://simbli.eboardsolutions.com/SU/sKArQEpSmt5PEFNhDyUFQQ==</a>
Gov. Code 54952.2	Brown Act; definition of meeting - <a href="https://simbli.eboardsolutions.com/SU/FaxV0vQpbORslshl5jqwd6yOA==">https://simbli.eboardsolutions.com/SU/FaxV0vQpbORslshl5jqwd6yOA==</a>
Gov. Code 6254.21	Publishing addresses and phone numbers of officials
Gov. Code 6254.24	Definition of public safety official
Gov. Code 7920.000 - 7930.170	California Public Records Act - <a href="https://simbli.eboardsolutions.com/SU/IBl6lfok6zP3Bde1F55TFg==">https://simbli.eboardsolutions.com/SU/IBl6lfok6zP3Bde1F55TFg==</a>

#### **Federal References**

17 USC 101-1101	Federal copyright law
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
29 USC 157	Employee rights to engage in concerted, protected activity
29 USC 794	Rehabilitation Act of 1973; Section 504
34 CFR 99.1-99.67	Family Educational Rights and Privacy

#### **Management Resources References**

Court Decision	Board of Education, Island Trees Union Free School District, et.al. v. Pico, (1982) 457 U.S. 853
Court Decision	Page v. Lexington County School District, (2008, 4th Cir.) 531 F.3d 275
Court Decision	Perry Education Association v. Perry Local Educators' Association, (1983) 460 U.S. 37
Court Decision	Aaris v. Las Virgenes Unified School District, (1998) 64 Cal.App.4th 1112
Court Decision	Downs v. Los Angeles Unified School District, (9th Cir. 2000) 228 F.3d 1003
Facebook Publication	Facebook for Educators Guide, 2011
National Labor Relations Board Decision 18-CA-1908	Sears Holdings, December 4, 2009
Website	CSBA District and County Office of Education Legal Services - <a href="https://simbli.eboardsolutions.com/SU/UdykszdmpETuDslshXk6R5akQ==">https://simbli.eboardsolutions.com/SU/UdykszdmpETuDslshXk6R5akQ==</a>
Website	Facebook for Educators - <a href="https://simbli.eboardsolutions.com/SU/TpZpjdAr4fhrbnysMYr3lw==">https://simbli.eboardsolutions.com/SU/TpZpjdAr4fhrbnysMYr3lw==</a>
Website	Facebook in Education - <a href="https://simbli.eboardsolutions.com/SU/g8QHQUYdf4GeaERIFhb9EQ==">https://simbli.eboardsolutions.com/SU/g8QHQUYdf4GeaERIFhb9EQ==</a>
Website	Facebook, privacy resources - <a href="https://simbli.eboardsolutions.com/SU/CfAKw8SwHFF6plushO1ZgAuOQ==">https://simbli.eboardsolutions.com/SU/CfAKw8SwHFF6plushO1ZgAuOQ==</a>
Website	California School Public Relations Association - <a href="https://simbli.eboardsolutions.com/SU/csB0m6f7E6wVaFPfZWZFcw==">https://simbli.eboardsolutions.com/SU/csB0m6f7E6wVaFPfZWZFcw==</a>

Website

CSBA -

<https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==>

**Regulation 1114: District-Sponsored Social Media**

**Status:** DRAFT

**Original Adopted Date:** Pending

**Definitions**

Social media means any online platform for collaboration, interaction, and active participation, including, but not limited to, social networking sites such as Facebook, Twitter, YouTube, LinkedIn, or blogs.

Official district social media platform is a site authorized by the Superintendent or designee. Sites that have not been authorized by the Superintendent or designee but that contain content related to the district or comments on district operations, such as a site created by a parent-teacher organization, booster club, or other school-connected organization or a student's or employee's personal site, are not considered official district social media platforms.

**Authorization for Official District Social Media Platforms**

The Superintendent or designee shall authorize the development of any official district social media platform. Teachers and coaches shall obtain approval from the principal before creating an official classroom or team social media platform.

**Guidelines for Content**

The Superintendent or designee shall ensure that official district social media platforms provide current information regarding district programs, activities, and operations, consistent with the goals and purposes of this policy and regulation. Official district social media platforms shall contain content that is appropriate for all audiences.

The Superintendent or designee shall ensure that copyright laws are not violated in the use of material on official district social media platforms.

The Superintendent or designee shall ensure that official district social media platforms are regularly monitored. Staff members responsible for monitoring content may remove posts based on viewpoint-neutral considerations, such as lack of relation to the site's purpose or violation of the district's policy, regulation, or content guidelines.

Each official district social media platform shall prominently display:

1. The purpose of the site along with a statement that users are expected to use the site only for those intended purposes.
2. Information on how to use the security settings of the social media platform.
3. A statement that the site is regularly monitored and that any inappropriate post will be promptly removed. Inappropriate posts include those that:
  - a. Are obscene, libelous, or so incite students as to create a clear and present danger of the commission of unlawful acts on school premises, violation of school rules, or substantial disruption of the school's orderly operation
  - b. Are not related to the stated purpose of the site, including, but not limited to, comments of a commercial nature, political activity, and comments that constitute discrimination or harassment
4. Protocols for users, including expectations that users will communicate in a respectful, courteous, and professional manner.
5. A statement that users are personally responsible for the content of their posts and that the district is not responsible for the content of external online platforms.
6. A disclaimer that the views and comments expressed on the site are those of the users and do not necessarily reflect the views of the district.
7. A disclaimer that any user's reference to a specific commercial product or service does not imply endorsement



or recommendation of that product or service by the district.

8. The individual(s) to contact regarding violation of district guidelines on the use of official district social media platforms.

### Appropriate Use by District Employees

District employees who participate in official district social media platforms shall adhere to all applicable district policies and procedures, including, but not limited to, professional standards related to interactions with students.

When appropriate, employees using official district social media platforms shall identify themselves by name and district title and include a disclaimer stating that the views and opinions expressed in their post are theirs alone and do not necessarily represent those of the district or school.

All staff shall receive information about appropriate use of the official district social media platforms.

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**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

#### State References

	Description
Ed. Code 32260-32262	Interagency School Safety Demonstration Act of 1985 - <a href="https://simbli.eboardsolutions.com/SU/jdNoRMj8hvBZyplusMPmFRm3w==">https://simbli.eboardsolutions.com/SU/jdNoRMj8hvBZyplusMPmFRm3w==</a>
Ed. Code 35182.5	Contracts for advertising - <a href="https://simbli.eboardsolutions.com/SU/b1Cx8OTDYoo5teAWplusUlkoQ==">https://simbli.eboardsolutions.com/SU/b1Cx8OTDYoo5teAWplusUlkoQ==</a>
Ed. Code 48900	Grounds for suspension or expulsion - <a href="https://simbli.eboardsolutions.com/SU/ty00CSnFfkJelBt0Nh9REw==">https://simbli.eboardsolutions.com/SU/ty00CSnFfkJelBt0Nh9REw==</a>
Ed. Code 48907	Exercise of free expression; time, place and manner rules and regulations - <a href="https://simbli.eboardsolutions.com/SU/KDSjnurLBlr2KdV5numJiQ==">https://simbli.eboardsolutions.com/SU/KDSjnurLBlr2KdV5numJiQ==</a>
Ed. Code 48950	Speech and other communication - <a href="https://simbli.eboardsolutions.com/SU/Q5itwgUPloTFejGslshDadJ4g==">https://simbli.eboardsolutions.com/SU/Q5itwgUPloTFejGslshDadJ4g==</a>
Ed. Code 49061	Definitions; directory information - <a href="https://simbli.eboardsolutions.com/SU/LPocR56LXBUBhESFEV34Mw==">https://simbli.eboardsolutions.com/SU/LPocR56LXBUBhESFEV34Mw==</a>
Ed. Code 49073	Release of directory information - <a href="https://simbli.eboardsolutions.com/SU/YMNtqKufIpsO3LRpEQNrpg==">https://simbli.eboardsolutions.com/SU/YMNtqKufIpsO3LRpEQNrpg==</a>
Ed. Code 60048	Commercial brand names, contracts or logos - <a href="https://simbli.eboardsolutions.com/SU/oXTlqPTqmMSDT1KZK7k1rQ==">https://simbli.eboardsolutions.com/SU/oXTlqPTqmMSDT1KZK7k1rQ==</a>
Gov. Code 3307.5	Publishing identity of public safety officers - <a href="https://simbli.eboardsolutions.com/SU/sKArQEpSmt5PEFNhDyUFQQ==">https://simbli.eboardsolutions.com/SU/sKArQEpSmt5PEFNhDyUFQQ==</a>
Gov. Code 54952.2	Brown Act; definition of meeting - <a href="https://simbli.eboardsolutions.com/SU/FaxV0vQpbORslsh5jqwd6yOA==">https://simbli.eboardsolutions.com/SU/FaxV0vQpbORslsh5jqwd6yOA==</a>
Gov. Code 6254.21	Publishing addresses and phone numbers of officials
Gov. Code 6254.24	Definition of public safety official
Gov. Code 7920.000 - 7930.170	California Public Records Act - <a href="https://simbli.eboardsolutions.com/SU/IBl6lfok6zP3Bde1F55TFg==">https://simbli.eboardsolutions.com/SU/IBl6lfok6zP3Bde1F55TFg==</a>

#### Federal References

	Description
17 USC 101-1101	Federal copyright law
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
29 USC 157	Employee rights to engage in concerted, protected activity
29 USC 794	Rehabilitation Act of 1973; Section 504
34 CFR 99.1-99.67	Family Educational Rights and Privacy

**Management Resources References****Description**

Court Decision	Board of Education, Island Trees Union Free School District, et.al. v. Pico, (1982) 457 U.S. 853
Court Decision	Page v. Lexington County School District, (2008, 4th Cir.) 531 F.3d 275
Court Decision	Perry Education Association v. Perry Local Educators' Association, (1983) 460 U.S. 37
Court Decision	Aaris v. Las Virgenes Unified School District, (1998) 64 Cal.App.4th 1112
Court Decision	Downs v. Los Angeles Unified School District, (9th Cir. 2000) 228 F.3d 1003
Facebook Publication	Facebook for Educators Guide, 2011
National Labor Relations Board Decision 18-CA-1908	Sears Holdings, December 4, 2009
Website	CSBA District and County Office of Education Legal Services - <a href="https://simbli.eboardsolutions.com/SU/UdykszdmPETuDslshXk6R5akQ==">https://simbli.eboardsolutions.com/SU/UdykszdmPETuDslshXk6R5akQ==</a>
Website	Facebook for Educators - <a href="https://simbli.eboardsolutions.com/SU/TpZpjdAr4fhrbnysMYr3lw==">https://simbli.eboardsolutions.com/SU/TpZpjdAr4fhrbnysMYr3lw==</a>
Website	Facebook in Education - <a href="https://simbli.eboardsolutions.com/SU/g8QHQUYdf4GeaERIFhb9EQ==">https://simbli.eboardsolutions.com/SU/g8QHQUYdf4GeaERIFhb9EQ==</a>
Website	Facebook, privacy resources - <a href="https://simbli.eboardsolutions.com/SU/CfAKw8SwHFF6plushO1ZgAuoQ==">https://simbli.eboardsolutions.com/SU/CfAKw8SwHFF6plushO1ZgAuoQ==</a>
Website	California School Public Relations Association - <a href="https://simbli.eboardsolutions.com/SU/csB0m6f7E6wVaFPfZWZFcw==">https://simbli.eboardsolutions.com/SU/csB0m6f7E6wVaFPfZWZFcw==</a>
Website	CSBA - <a href="https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==">https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==</a>

**Policy 1150: Commendations And Awards**

**Status:** DRAFT

**Original Adopted Date:** Pending

To encourage community involvement in district programs and activities, the Governing Board may publicly recognize and commend parents/guardians, community members, businesses, and organizations that make outstanding contributions or provide longstanding service to the district or district students.

Any Board member, employee, parent/guardian, student, or community member may recommend an individual or organization for Board recognition. He/she shall submit to the Superintendent or designee the name of the individual or organization and a description of the outstanding contribution or service.

At the Board's discretion, the Board may present a letter of recognition, Board resolution, plaque, or other award at a public Board meeting or may hold a reception or informal recognition activity. The Board also may designate a day, week, or month for special recognition of volunteers.

The Board encourages similar forms of recognition for achievement or services as part of school-level commendation programs.

**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

**State References**

**Description**

CA Constitution Article 16, Section 6

Gifts of public funds -  
<https://simbli.eboardsolutions.com/SU/JNdsIshgcJMhslsh6hQWqsKTR8Vw==>

Ed. Code 35160

Authority of governing boards -  
<https://simbli.eboardsolutions.com/SU/FFplus3PC2rsgGxyplus8DVSsrkQ==>

Ed. Code 35160.1

Broad authority of school districts -  
<https://simbli.eboardsolutions.com/SU/ewe0Cc8cKGTgDzaAt5MKhw==>

Ed. Code 44015

Awards to employees and students -  
<https://simbli.eboardsolutions.com/SU/XGslshRoXMbF8owRPmVP5CkGQ==>

**Management Resources References**

**Description**

Website

CSBA District and County Office of Education Legal Services -  
<https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ==>

**Policy 1160: Political Processes**

**Status:** DRAFT

**Original Adopted Date:** Pending

The Governing Board has a responsibility to actively advocate fiscal and public policy that supports the district's schools and the children in the community. The Board shall be proactive in defining the district's advocacy agenda based on the district's vision and goals and the needs of the district and community. The Board's advocacy efforts shall be conducted in accordance with legal requirements.

**Ballot Measures/Candidates**

No district funds, services, supplies, or equipment shall be used to urge the support or defeat of any ballot measure or candidate, including any candidate for election to the Board. (Education Code 7054)

The Board may discuss and study the potential effect of proposed or qualified ballot measures on the district's schools at an open and agendized Board meeting. The Board's discussion of the effect of such measures shall include an opportunity for staff and members of the public to speak on all sides of the issue. At that meeting, the Board may adopt a position or resolution in support of or in opposition to a ballot measure. The language in any resolution adopted by the Board shall not urge the public to take any action regarding the measure.

The Board's position on a ballot measure, including any resolution, shall be publicized only through normal district procedures and consistent with regular district practice for reporting Board actions. Such publicity shall be for informational purposes and shall not attempt to influence voters.

The Superintendent or designee may use district resources to provide students, parents/guardians, and community members with fair and impartial information related to ballot measures, including information about the impact of ballot measures on the district. (Education Code 7054)

In preparing or distributing such informational material, the Superintendent or designee shall analyze the material to help ensure that it is an appropriate informational activity, provides a fair analysis of the issues, and does not advocate passage or defeat of a measure or candidate.

District resources, including email or computer systems, shall not be used to disseminate campaign literature. In addition, district resources shall not be used to purchase advertisements, bumper stickers, posters, or similar promotional items that advocate an election result or urge voters to take any action in support of or in opposition to a measure.

Political activity related to district bond measures shall, in addition to the above, be subject to the following conditions:

1. The Superintendent or designee may research, draft, and prepare a district bond measure or other initiative for the ballot, but shall not use district resources to influence voters or otherwise campaign for the measure.
2. Upon request, Board members and district administrators may appear at any time before a citizens' group to explain why the Board called for an election on a bond measure and to answer questions. (Education Code 7054.1)

If the presentation occurs during working hours, the employee representing the district shall not urge a citizens' group to vote for or against the bond measure.

3. The Board or any individual Board member may file a written argument for the ballot that is either for or against any school measure. (Elections Code 9501)

**Legislation**

The Board's responsibility as an advocate for the district may include lobbying and outreach at the state, national, and local levels. The Board and Superintendent or designee shall work to establish and maintain ongoing relationships with elected officials, community leaders, and the media in order to communicate district positions and concerns.

The Board and Superintendent shall develop an advocacy action plan to define expectations and responsibilities. This

plan may include, but is not limited to, legislative priorities, strategies for outreach to the media and community, development of key messages and talking points, and adoption of positions on specific legislation, regulations, or budget proposals.

In order to strengthen legislative advocacy efforts, the district may work with organizations and coalitions and may join associations whose representatives lobby on behalf of their members in accordance with Government Code 53060.5.

The district may provide fair and impartial information about legislative issues affecting schools and children and shall inform the community about its advocacy activities. However, informational materials about legislation shall not urge the public to lobby the legislature, Governor, or state agencies on behalf of the district.

As necessary, the Board may direct the Superintendent or designee to draft legislative or regulatory proposals which serve the district's interests.

### Legal Advocacy

The Board recognizes that some issues are more appropriately addressed judicially rather than legislatively. When a legal issue is likely to set a state or national precedent, the district may join with other districts or parties in order to resolve the issue through litigation or other appropriate means.

### Political Forums

Forums on political issues may be held in district facilities as long as the forum is made available to all sides of the issue on an equitable basis. (Education Code 7058)

**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

### State References

### Description

2 CCR 18600-18640	Lobbyists - <a href="https://simbli.eboardsolutions.com/SU/EslshK5xMWM1lebnL4su0sMvA==">https://simbli.eboardsolutions.com/SU/EslshK5xMWM1lebnL4su0sMvA==</a>
2 CCR 18901.1	Campaign related mailings sent at public expense - <a href="https://simbli.eboardsolutions.com/SU/RAW1BiISYaSu54mCUAzRMQ==">https://simbli.eboardsolutions.com/SU/RAW1BiISYaSu54mCUAzRMQ==</a>
Ed. Code 35160	Authority of governing boards - <a href="https://simbli.eboardsolutions.com/SU/FFplus3PC2rsgGxvplus8DVSsrkQ==">https://simbli.eboardsolutions.com/SU/FFplus3PC2rsgGxvplus8DVSsrkQ==</a>
Ed. Code 35172	Promotional activities - <a href="https://simbli.eboardsolutions.com/SU/mVfx6wBztjEsmgOccplusEJNQ==">https://simbli.eboardsolutions.com/SU/mVfx6wBztjEsmgOccplusEJNQ==</a>
Ed. Code 35172	Promotional activities - <a href="https://simbli.eboardsolutions.com/SU/mVfx6wBztjEsmgOccplusEJNQ==">https://simbli.eboardsolutions.com/SU/mVfx6wBztjEsmgOccplusEJNQ==</a>
Ed. Code 7050-7058	Political activities of school officers and employees - <a href="https://simbli.eboardsolutions.com/SU/5YoLGlwWfbAw1M58GNpvRw==">https://simbli.eboardsolutions.com/SU/5YoLGlwWfbAw1M58GNpvRw==</a>
Ed. Code 7054	Use of district property - <a href="https://simbli.eboardsolutions.com/SU/zsQbGD629AZeslshbpluserHcegA==">https://simbli.eboardsolutions.com/SU/zsQbGD629AZeslshbpluserHcegA==</a>
Ed. Code 7054.1	Requested appearance - <a href="https://simbli.eboardsolutions.com/SU/Aj68x9ZUmpid2oqLqp92mg==">https://simbli.eboardsolutions.com/SU/Aj68x9ZUmpid2oqLqp92mg==</a>
Ed. Code 7056	Soliciting or receiving political funds - <a href="https://simbli.eboardsolutions.com/SU/Dgd5hd1rGngWjtEZXNbEtA==">https://simbli.eboardsolutions.com/SU/Dgd5hd1rGngWjtEZXNbEtA==</a>
Elec. Code 9501	School district elections; arguments for or against a measure - <a href="https://simbli.eboardsolutions.com/SU/nlgWApEAqXTrLbmLWAAV8w==">https://simbli.eboardsolutions.com/SU/nlgWApEAqXTrLbmLWAAV8w==</a>
Gov. Code 53060.5	Attendance at legislative body; expenses - <a href="https://simbli.eboardsolutions.com/SU/IY8slshOA9fuwkYIMvvagUVew==">https://simbli.eboardsolutions.com/SU/IY8slshOA9fuwkYIMvvagUVew==</a>
Gov. Code 54953.5	Audio or video recording of proceedings - <a href="https://simbli.eboardsolutions.com/SU/pglHf3CJute3LspDNfIFwA==">https://simbli.eboardsolutions.com/SU/pglHf3CJute3LspDNfIFwA==</a>

Gov. Code 54953.6	Broadcasts of proceedings - <a href="https://simbli.eboardsolutions.com/SU/VAvd4eXAMI6WSOnhCnKLWA==">https://simbli.eboardsolutions.com/SU/VAvd4eXAMI6WSOnhCnKLWA==</a>
Gov. Code 81000-91014	Political Reform Act - <a href="https://simbli.eboardsolutions.com/SU/cwwtrq4bYUOUIHslshire6A2g==">https://simbli.eboardsolutions.com/SU/cwwtrq4bYUOUIHslshire6A2g==</a>
Gov. Code 82031	Definition of independent expenditure - <a href="https://simbli.eboardsolutions.com/SU/SmslshpAAJBrvGeoUrN24p15A==">https://simbli.eboardsolutions.com/SU/SmslshpAAJBrvGeoUrN24p15A==</a>
Gov. Code 8314	Unlawful use of state resources - <a href="https://simbli.eboardsolutions.com/SU/wxE0E3jai89V8gV1GsXZaA==">https://simbli.eboardsolutions.com/SU/wxE0E3jai89V8gV1GsXZaA==</a>

### **Management Resources References**

	<b>Description</b>
Attorney General Opinion	73 Ops.Cal.Atty.Gen. 255 (1990)
Attorney General Opinion	88 Ops.Cal.Atty.Gen. 46 (2005)
Court Decision	Choice-in-Education League et al v. Los Angeles Unified School District, (1993) 17 Cal.App.4th 415
Court Decision	League of Women Voters v. Countywide Criminal Justice Coordination Committee, (1988) 203 Cal.App.3d 529
Court Decision	Miller v. Miller, (1978) 87 Cal.App.3d 762
Court Decision	Santa Barbara County Coalition Against Automobile Subsidies v. Santa Barbara County Association of Governments, (2008) 167 Cal.App.4th 1229
Court Decision	Stanson v. Mott, (1976) 17 Cal. 3d 206
Court Decision	Vargas v. City of Salinas, (2009) 46 Cal. 4th 1
Court Decision	Yes on Measure A v. City of Lake Forest, (1997) 60 Cal.App.4th 620
CSBA Publication	Legal Guidelines for Lobbying Activity, Fact Sheet, February 2011 - <a href="https://simbli.eboardsolutions.com/SU/VoslshjslshS5kMzj7oWci5W50fQ==">https://simbli.eboardsolutions.com/SU/VoslshjslshS5kMzj7oWci5W50fQ==</a>
CSBA Publication	Legal Guidelines: Use of Public Resources for Ballot Measures and Candidates, Fact Sheet, February 2011
Institute for Local Government Publication	Legal Issues Associated with Use of Public Resources and Ballot Measure Activities, June 2010
Website	CSBA District and County Office of Education Legal Services - <a href="https://simbli.eboardsolutions.com/SU/UdykszdmpETuDslshXk6R5akQ==">https://simbli.eboardsolutions.com/SU/UdykszdmpETuDslshXk6R5akQ==</a>
Website	Institute for Local Government - <a href="https://simbli.eboardsolutions.com/SU/U2G2edhR1agbQ5dqpTfmA==">https://simbli.eboardsolutions.com/SU/U2G2edhR1agbQ5dqpTfmA==</a>
Website	Fair Political Practices Commission - <a href="https://simbli.eboardsolutions.com/SU/C2dGDtcJnwlshMnGhy8Jcbw==">https://simbli.eboardsolutions.com/SU/C2dGDtcJnwlshMnGhy8Jcbw==</a>
Website	CSBA - <a href="https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==">https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==</a>

**Regulation 1220: Citizen Advisory Committees**

**Status:** DRAFT

**Original Adopted Date:** Pending

**Committee Charge**

When committees are appointed, committee members shall receive written information which includes, but is not limited to:

1. The committee members' names
2. The procedure to be used in the selection of the committee chairperson and other committee officers
3. The name(s) and contact information of staff member(s) assigned to support the work of the committee
4. The goals and specific charge(s) of the committee, including its topic(s) for study
5. The specific period of time that the committee is expected to serve
6. Legal requirements regarding meeting conduct and public notifications
7. Resources available to help the committee perform its tasks
8. Timelines for progress reports and/or final report
9. Relevant Board policies and administrative regulations

**Committees Subject to Brown Act Requirements**

Brown Act requirements pertaining to open meetings, notices, and public participation pursuant to Government Code 54950-54963 shall be complied with by any committee created by formal action of the Governing Board, including, but not limited to, the following:

1. Advisory committee established pursuant to Education Code 56190-56194 related to special education
2. Advisory committee established pursuant to Education Code 8070 related to career technical education
3. Committee established to assist in development of a student wellness policy pursuant to 42 USC 1758b
4. Committee established pursuant to Education Code 17387-17391 related to the use or disposition of excess real property
5. Citizens' oversight committee established to examine the expenditure of general obligation bond or school facilities improvement bond revenues passed with a 55 percent majority of the voters pursuant to Education Code 15278 and 15359.3

**Committees Not Subject to Brown Act Requirements**

The following committees shall comply with procedural meeting requirements established in Education Code 35147:

1. Parent advisory committee and English learner parent advisory committee established pursuant to Education Code 52063 to review and comment on the local control and accountability plan
2. School site councils established pursuant to Education Code 65000-65001 to develop and approve a school plan for student achievement
3. District or school advisory committees established pursuant to Education Code 52176 related to programs for English learners
4. School advisory committees established pursuant to Education Code 54425(b) related to compensatory education

5. Any district advisory committee established pursuant to Education Code 54444.2 related to migrant education programs
6. School committees established pursuant to Education Code 11503 related to parent involvement

Meetings of the above councils or committees shall be open to the public, and any member of the public shall have the opportunity to address the council or committee during the meeting on any item within its jurisdiction. Notice of the meeting shall be posted at the school site or other appropriate accessible location at least 72 hours before the meeting, specifying the date, time, and location of the meeting and containing an agenda that describes each item of business to be discussed or acted upon. (Education Code 35147)

The above councils or committees shall not take action on any item not listed on the agenda unless all members present unanimously find that there is a need to take immediate action and that this need came to the council's or committee's attention after the agenda was posted. In addition to addressing items on the agenda, members of the council, committee, or public may ask questions or make brief statements that do not have a significant effect on district students or employees or that can be resolved solely by providing information. (Education Code 35147)

Any council or committee violating the above procedural requirements must, at the demand of any person, reconsider the item at the next meeting, first allowing for public input on the item. (Education Code 35147)

Any materials provided to a council or committee shall be made available to any member of the public upon request pursuant to the California Public Records Act, Government Code 6250-6270. (Education Code 35147)

### Committees Created by Superintendent

Committees which are created by the Superintendent or designee to advise the administration, do not report to the Board, and are not specified in Education Code 35147 shall not be subject to the requirements of the Brown Act or Education Code 35147.

**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

### State References

### Description

Ed. Code 11503	Parent involvement programs in Title I schools - <a href="https://simbli.eboardsolutions.com/SU/WQgyojlHVioZr87hsXXBIQ==">https://simbli.eboardsolutions.com/SU/WQgyojlHVioZr87hsXXBIQ==</a>
Ed. Code 15278-15282	Citizens' oversight committee - <a href="https://simbli.eboardsolutions.com/SU/W25tEERcA9QqmxndKoP7OQ==">https://simbli.eboardsolutions.com/SU/W25tEERcA9QqmxndKoP7OQ==</a>
Ed. Code 15359.3	School facilities improvement districts - <a href="https://simbli.eboardsolutions.com/SU/wbQG2y7i3FCN1ArcEb0jXQ==">https://simbli.eboardsolutions.com/SU/wbQG2y7i3FCN1ArcEb0jXQ==</a>
Ed. Code 17387-17391	Advisory committees for use of excess school facilities - <a href="https://simbli.eboardsolutions.com/SU/9lgRNRDDE1mRiSAkMlpkPQ==">https://simbli.eboardsolutions.com/SU/9lgRNRDDE1mRiSAkMlpkPQ==</a>
Ed. Code 35147	School site councils and advisory committees - <a href="https://simbli.eboardsolutions.com/SU/3Z0fFX6vLxaH72oPiEaUPg==">https://simbli.eboardsolutions.com/SU/3Z0fFX6vLxaH72oPiEaUPg==</a>
Ed. Code 44032	Travel expense payment - <a href="https://simbli.eboardsolutions.com/SU/fKw3aguyKevlUcLLwE1wdw==">https://simbli.eboardsolutions.com/SU/fKw3aguyKevlUcLLwE1wdw==</a>
Ed. Code 52060	Local control and accountability plan - <a href="https://simbli.eboardsolutions.com/SU/7Jpt9Ap0jqp3Krz68P2cAw==">https://simbli.eboardsolutions.com/SU/7Jpt9Ap0jqp3Krz68P2cAw==</a>
Ed. Code 52176	Advisory committees; limited-English proficient students program - <a href="https://simbli.eboardsolutions.com/SU/p7v5plusXRlmgGmrv5H6FdwQ==">https://simbli.eboardsolutions.com/SU/p7v5plusXRlmgGmrv5H6FdwQ==</a>
Ed. Code 54425	Advisory committees; compensatory education - <a href="https://simbli.eboardsolutions.com/SU/llow55EBZslshc4plusCtWE4TmBA==">https://simbli.eboardsolutions.com/SU/llow55EBZslshc4plusCtWE4TmBA==</a>
Ed. Code 54444.1-54444.2	Parent advisory councils; services to migrant children - <a href="https://simbli.eboardsolutions.com/SU/56YV98b2cqplupQnlp2KrGg==">https://simbli.eboardsolutions.com/SU/56YV98b2cqplupQnlp2KrGg==</a>



Ed. Code 56190-56194	Community advisory committee; special education - <a href="https://simbli.eboardsolutions.com/SU/ilc0A6CVQDeSyKBFIWlQrA==">https://simbli.eboardsolutions.com/SU/ilc0A6CVQDeSyKBFIWlQrA==</a>
Ed. Code 62002.5	Continuing parent advisory committees - <a href="https://simbli.eboardsolutions.com/SU/LMQNcCT6PAglmVnd9eVSiQ==">https://simbli.eboardsolutions.com/SU/LMQNcCT6PAglmVnd9eVSiQ==</a>
Ed. Code 64001	School plan for student achievement; consolidated application programs - <a href="https://simbli.eboardsolutions.com/SU/upluszklmgwll58slshU3z7Tsm3w==">https://simbli.eboardsolutions.com/SU/upluszklmgwll58slshU3z7Tsm3w==</a>
Ed. Code 65000-65001	School site councils - <a href="https://simbli.eboardsolutions.com/SU/0EAplZMGH2XevzVUbza2cw==">https://simbli.eboardsolutions.com/SU/0EAplZMGH2XevzVUbza2cw==</a>
Ed. Code 8070	Career technical education advisory committee - <a href="https://simbli.eboardsolutions.com/SU/bni7u78ASc48VJR9hgZtoQ==">https://simbli.eboardsolutions.com/SU/bni7u78ASc48VJR9hgZtoQ==</a>
Gov. Code 54950-54963	The Ralph M. Brown Act - <a href="https://simbli.eboardsolutions.com/SU/Zh2Bb3plus0XDQweT5vBx4GSg==">https://simbli.eboardsolutions.com/SU/Zh2Bb3plus0XDQweT5vBx4GSg==</a>
Gov. Code 7920.000 - 7930.170	California Public Records Act - <a href="https://simbli.eboardsolutions.com/SU/IBl6lfok6zP3Bde1F55TFg==">https://simbli.eboardsolutions.com/SU/IBl6lfok6zP3Bde1F55TFg==</a>
Gov. Code 810.2	Tort claims act; definition employee - <a href="https://simbli.eboardsolutions.com/SU/cb92F3BfazbNFsACplusGBQ8g==">https://simbli.eboardsolutions.com/SU/cb92F3BfazbNFsACplusGBQ8g==</a>
Gov. Code 810.4	Tort claims act; definition employment - <a href="https://simbli.eboardsolutions.com/SU/hl6QhoEfUX9d4vLAp0dilg==">https://simbli.eboardsolutions.com/SU/hl6QhoEfUX9d4vLAp0dilg==</a>
Gov. Code 815.2	Injuries by employees within scope of employment - <a href="https://simbli.eboardsolutions.com/SU/c9Mu6nGpPvQPAFVLtm0EEfw==">https://simbli.eboardsolutions.com/SU/c9Mu6nGpPvQPAFVLtm0EEfw==</a>
Gov. Code 820.9	Members of local public boards not vicariously liable - <a href="https://simbli.eboardsolutions.com/SU/w7h3UaZs43GslshdVAaolypPA==">https://simbli.eboardsolutions.com/SU/w7h3UaZs43GslshdVAaolypPA==</a>

### **Federal References**

42 USC 1758b

### **Description**

Local wellness policy

### **Management Resources References**

Court Decision

Frazer v. Dixon Unified School District, (1993) 18 Cal.App.4th 781

Website

CSBA District and County Office of Education Legal Services -  
<https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ==>

Website

California Department of Education -  
<https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==>

Website

CSBA -  
<https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==>

**Policy 1220: Citizen Advisory Committees**

**Status:** DRAFT

**Original Adopted Date:** Pending

The Governing Board recognizes that citizen advisory committees enable the Board to better understand the interests and concerns of the community.

The Board shall establish citizen advisory committees when required by law, to strengthen the effectiveness of district and school operations, or to enhance student learning. The purpose of any such committees shall be clearly defined and aligned to the district's vision, mission, and goals. The Board may dissolve any advisory committee not required by law when the committee has fulfilled its duties or at any time the Board deems it necessary.

The Superintendent or designee may establish advisory committees which shall report to him/her in accordance with law, Board policy, and administrative regulation.

Citizen advisory committees shall serve in an advisory capacity; they may make recommendations, but their actions shall not be binding on the Board or Superintendent.

The membership of citizen advisory committees should reflect the diversity of the community and represent a diversity of viewpoints.

The Superintendent or designee shall provide training and information, as necessary, to enable committee members to understand the goals of the committee and to fulfill their role as committee members.

Within budget allocations, the Superintendent or designee may approve requests for committee travel and may reimburse committee members for expenses at the same rates and under the same conditions as those provided for district employees.

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**State References**

**Description**

Ed. Code 11503	Parent involvement programs in Title I schools - <a href="https://simbli.eboardsolutions.com/SU/WQgyojJHVioZr87hsXXBIQ==">https://simbli.eboardsolutions.com/SU/WQgyojJHVioZr87hsXXBIQ==</a>
Ed. Code 15278-15282	Citizens' oversight committee - <a href="https://simbli.eboardsolutions.com/SU/W25tEERcA9QqmxndKoP7OQ==">https://simbli.eboardsolutions.com/SU/W25tEERcA9QqmxndKoP7OQ==</a>
Ed. Code 15359.3	School facilities improvement districts - <a href="https://simbli.eboardsolutions.com/SU/wbQG2y7i3FCN1ArcEb0jXQ==">https://simbli.eboardsolutions.com/SU/wbQG2y7i3FCN1ArcEb0jXQ==</a>
Ed. Code 17387-17391	Advisory committees for use of excess school facilities - <a href="https://simbli.eboardsolutions.com/SU/9lGRNrDDE1mRiSAkMlpkPQ==">https://simbli.eboardsolutions.com/SU/9lGRNrDDE1mRiSAkMlpkPQ==</a>
Ed. Code 35147	School site councils and advisory committees - <a href="https://simbli.eboardsolutions.com/SU/3Z0fFX6vLxaH72oPiEaUPg==">https://simbli.eboardsolutions.com/SU/3Z0fFX6vLxaH72oPiEaUPg==</a>
Ed. Code 44032	Travel expense payment - <a href="https://simbli.eboardsolutions.com/SU/fKw3aguyKevlUcLLwE1wdw==">https://simbli.eboardsolutions.com/SU/fKw3aguyKevlUcLLwE1wdw==</a>
Ed. Code 52060	Local control and accountability plan - <a href="https://simbli.eboardsolutions.com/SU/7Jpt9Ap0jq3KrZ68P2cAw==">https://simbli.eboardsolutions.com/SU/7Jpt9Ap0jq3KrZ68P2cAw==</a>
Ed. Code 52176	Advisory committees; limited-English proficient students program - <a href="https://simbli.eboardsolutions.com/SU/p7v5plusXRXImGGmrv5H6FdwQ==">https://simbli.eboardsolutions.com/SU/p7v5plusXRXImGGmrv5H6FdwQ==</a>
Ed. Code 54425	Advisory committees; compensatory education - <a href="https://simbli.eboardsolutions.com/SU/llo55EBZslshc4plusCtWE4TmBA==">https://simbli.eboardsolutions.com/SU/llo55EBZslshc4plusCtWE4TmBA==</a>
Ed. Code 54444.1-54444.2	Parent advisory councils; services to migrant children - <a href="https://simbli.eboardsolutions.com/SU/56YV98b2cqpluspQnlpp2KrGg==">https://simbli.eboardsolutions.com/SU/56YV98b2cqpluspQnlpp2KrGg==</a>
Ed. Code 56190-56194	Community advisory committee; special education - <a href="https://simbli.eboardsolutions.com/SU/ilc0A6CVQDeSyKBFIWIQrA==">https://simbli.eboardsolutions.com/SU/ilc0A6CVQDeSyKBFIWIQrA==</a>

Ed. Code 62002.5	Continuing parent advisory committees - <a href="https://simbli.eboardsolutions.com/SU/LMQNcCT6PAglmVnd9eVSiQ==">https://simbli.eboardsolutions.com/SU/LMQNcCT6PAglmVnd9eVSiQ==</a>
Ed. Code 64001	School plan for student achievement; consolidated application programs - <a href="https://simbli.eboardsolutions.com/SU/upluszklmgwIL58slshU3z7Tsm3w==">https://simbli.eboardsolutions.com/SU/upluszklmgwIL58slshU3z7Tsm3w==</a>
Ed. Code 65000-65001	School site councils - <a href="https://simbli.eboardsolutions.com/SU/0EApLzMGH2XevzVUbza2cw==">https://simbli.eboardsolutions.com/SU/0EApLzMGH2XevzVUbza2cw==</a>
Ed. Code 8070	Career technical education advisory committee - <a href="https://simbli.eboardsolutions.com/SU/bni7u78ASc48VJR9hgZtoQ==">https://simbli.eboardsolutions.com/SU/bni7u78ASc48VJR9hgZtoQ==</a>
Gov. Code 54950-54963	The Ralph M. Brown Act - <a href="https://simbli.eboardsolutions.com/SU/Zh2Bb3plus0XDQweT5vBx4GSg==">https://simbli.eboardsolutions.com/SU/Zh2Bb3plus0XDQweT5vBx4GSg==</a>
Gov. Code 7920.000 - 7930.170	California Public Records Act - <a href="https://simbli.eboardsolutions.com/SU/IBl6lfok6zP3Bde1F55TFg==">https://simbli.eboardsolutions.com/SU/IBl6lfok6zP3Bde1F55TFg==</a>
Gov. Code 810.2	Tort claims act; definition employee - <a href="https://simbli.eboardsolutions.com/SU/cb92F3BfazbNFsACplusGBQ8g==">https://simbli.eboardsolutions.com/SU/cb92F3BfazbNFsACplusGBQ8g==</a>
Gov. Code 810.4	Tort claims act; definition employment - <a href="https://simbli.eboardsolutions.com/SU/hl6QhoEfUX9d4vLAp0dilg==">https://simbli.eboardsolutions.com/SU/hl6QhoEfUX9d4vLAp0dilg==</a>
Gov. Code 815.2	Injuries by employees within scope of employment - <a href="https://simbli.eboardsolutions.com/SU/c9Mu6nGpPvQPAFVLTm0EFw==">https://simbli.eboardsolutions.com/SU/c9Mu6nGpPvQPAFVLTm0EFw==</a>
Gov. Code 820.9	Members of local public boards not vicariously liable - <a href="https://simbli.eboardsolutions.com/SU/w7h3UaZs43GslshdVAaolypPA==">https://simbli.eboardsolutions.com/SU/w7h3UaZs43GslshdVAaolypPA==</a>

#### **Federal References**

42 USC 1758b

#### **Description**

Local wellness policy

#### **Management Resources References**

Court Decision

Website

Website

Website

#### **Description**

Frazer v. Dixon Unified School District, (1993) 18 Cal.App.4th 781

CSBA District and County Office of Education Legal Services -  
<https://simbli.eboardsolutions.com/SU/UdykszdmPETuDslshXk6R5akQ==>

California Department of Education -  
<https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==>

CSBA -  
<https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==>

**Policy 1230: School-Connected Organizations**

**Status:** DRAFT

**Original Adopted Date:** Pending

The Governing Board recognizes that parents/guardians and community members may wish to organize parent organizations and/or booster clubs for the purpose of supporting the district's educational and extracurricular programs. The Board appreciates the contributions made by such organizations toward the Board's vision for student learning and for providing all district students with high-quality educational opportunities.

Persons proposing to establish a school-connected organization shall submit a request to the Board for authorization to operate within the district or at a district school.

A school-connected organization, including a booster club, parent-teacher association or organization, or other organization that does not include an associated student body or other student organization, shall be established and maintained as a separate entity from the school or district. Each school-connected organization shall be subject to its own bylaws and operational procedures or to the rules or bylaws of its affiliated state or national organization, as applicable.

In addition, activities by school-connected organizations shall be conducted in accordance with law, Board policies, administrative regulations, and any rules of the sponsoring school.

The Superintendent or designee shall establish appropriate rules for the relationship between school-connected organizations and the district.

A school-connected organization shall obtain the written approval of the Superintendent or designee prior to soliciting funds upon the representation that the funds will be used wholly or in part for the benefit of a district school or the students at that school. (Education Code 51521)

A school-connected organization may consult with the principal to determine school needs and priorities.

Any participation in fundraising activities by students and their parents/guardians and/or any donation of funds or property shall be voluntary. (Education Code 49011)

**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

**State References**

**Description**

11 CCR 300-312.1	Fundraising for charitable purposes - <a href="https://simbli.eboardsolutions.com/SU/3BniO7l8ltgU2fslshN0ONotQ==">https://simbli.eboardsolutions.com/SU/3BniO7l8ltgU2fslshN0ONotQ==</a>
5 CCR 15500	Food sales in elementary schools
5 CCR 15501	Food sales in high schools and junior high schools
5 CCR 15575-15578	Requirements for foods and beverages outside the federal meals program
5 CCR 4900-4965	Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance
Bus. Code 17510-17510.95	Charitable solicitations - <a href="https://simbli.eboardsolutions.com/SU/Nlp1YHHUFHilKCqfGACa0w==">https://simbli.eboardsolutions.com/SU/Nlp1YHHUFHilKCqfGACa0w==</a>
Bus. Code 25608	Alcohol on school property; use in connection with instruction - <a href="https://simbli.eboardsolutions.com/SU/FNTmwCbl5wapMSIUJRgAkW==">https://simbli.eboardsolutions.com/SU/FNTmwCbl5wapMSIUJRgAkW==</a>
Ed. Code 200-262.4	Prohibition of discrimination - <a href="https://simbli.eboardsolutions.com/SU/ytTLslshoozWGUAbNL6kKkgxQ==">https://simbli.eboardsolutions.com/SU/ytTLslshoozWGUAbNL6kKkgxQ==</a>
Ed. Code 35160	Authority of governing boards - <a href="https://simbli.eboardsolutions.com/SU/FFplus3PC2rsgGxyplus8DVSsrkQ==">https://simbli.eboardsolutions.com/SU/FFplus3PC2rsgGxyplus8DVSsrkQ==</a>
Ed. Code 38130-38138	Civic Center Act; use of school property for public purposes - <a href="https://simbli.eboardsolutions.com/SU/tloM8gkAiBJoSSNvFbplum4w==">https://simbli.eboardsolutions.com/SU/tloM8gkAiBJoSSNvFbplum4w==</a>

Ed. Code 48931	Authorization for sale of food by student organization - <a href="https://simbli.eboardsolutions.com/SU/M2xNBPhMBA9SbMs3wo3DUw==">https://simbli.eboardsolutions.com/SU/M2xNBPhMBA9SbMs3wo3DUw==</a>
Ed. Code 48932	Authorization for fund-raising activities by student organization - <a href="https://simbli.eboardsolutions.com/SU/3dRGmWUOjtNjXNRqslshUlkFw==">https://simbli.eboardsolutions.com/SU/3dRGmWUOjtNjXNRqslshUlkFw==</a>
Ed. Code 49011	Student fees - <a href="https://simbli.eboardsolutions.com/SU/plusdQn4SsavIVslshMBaglQ5qNQ==">https://simbli.eboardsolutions.com/SU/plusdQn4SsavIVslshMBaglQ5qNQ==</a>
Ed. Code 49431-49431.7	Nutritional standards - <a href="https://simbli.eboardsolutions.com/SU/Vblde2N1RyrO8XDSzoAlsA==">https://simbli.eboardsolutions.com/SU/Vblde2N1RyrO8XDSzoAlsA==</a>
Ed. Code 51520	Prohibited solicitation on school premises - <a href="https://simbli.eboardsolutions.com/SU/OHINokWcmplusTbNcUoyiAtzQ==">https://simbli.eboardsolutions.com/SU/OHINokWcmplusTbNcUoyiAtzQ==</a>
Ed. Code 51521	Fundraising projects - <a href="https://simbli.eboardsolutions.com/SU/slshcl6PBgZiWC04MUXdf4tWg==">https://simbli.eboardsolutions.com/SU/slshcl6PBgZiWC04MUXdf4tWg==</a>
Gov. Code 12580-12599.10	Fundraisers for Charitable Purposes Act - <a href="https://simbli.eboardsolutions.com/SU/3CdgdYfapkv49In3YUSJQ==">https://simbli.eboardsolutions.com/SU/3CdgdYfapkv49In3YUSJQ==</a>
Pen. Code 319-329	Lottery; raffle - <a href="https://simbli.eboardsolutions.com/SU/Ukj7jM8Fj6b2BvP2tsFRpw==">https://simbli.eboardsolutions.com/SU/Ukj7jM8Fj6b2BvP2tsFRpw==</a>

### **Federal References**

20 USC 1681-1688  
7 CFR 210.11  
7 CFR 220.12

### **Description**

Title IX of the Education Amendments of 1972; discrimination based on sex  
Competitive food services  
Competitive food services

### **Management Resources References**

Court Decision	Serrano v. Priest, (1976) 18 Cal. 3d 728
Fiscal Crisis & Management Assistance Team Pub.	2015 ASB Accounting Manual, Fraud Prevention Guide and Desk Reference
Website	CSBA District and County Office of Education Legal Services - <a href="https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsishXk6R5akQ==">https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsishXk6R5akQ==</a>
Website	California Office of the Attorney General, charitable trust registry - <a href="https://simbli.eboardsolutions.com/SU/0wLhFoALnslshjdwnlsjulfqg==">https://simbli.eboardsolutions.com/SU/0wLhFoALnslshjdwnlsjulfqg==</a>
Website	California State Parent Teacher Association - <a href="https://simbli.eboardsolutions.com/SU/WpQSM7bTSBIBBwMA6DJ5JA==">https://simbli.eboardsolutions.com/SU/WpQSM7bTSBIBBwMA6DJ5JA==</a>
Website	CSBA - <a href="https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==">https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==</a>
Website	Fiscal Crisis and Management Assistance Team - <a href="https://simbli.eboardsolutions.com/SU/1KDBnxplus9GCiDTyFvbLOOxQ==">https://simbli.eboardsolutions.com/SU/1KDBnxplus9GCiDTyFvbLOOxQ==</a>

**Regulation 1230: School-Connected Organizations**

**Status:** DRAFT

**Original Adopted Date:** Pending

A school-connected organization's request for authorization to operate within the district or at a district school shall contain, as appropriate:

1. The name and purpose of the organization
2. The date of application
3. Bylaws, rules, and procedures under which the organization will operate, including procedures for maintaining the organization's finances, membership qualifications, if any, and an agreement that the group will not engage in unlawful discrimination
4. The names, addresses, and phone numbers of all officers
5. A list of specific objectives
6. An agreement to grant the district the right to audit the group's financial records, either by district personnel or a certified public accountant, whenever any concern is raised regarding the use of the funds
7. The name of the bank where the organization's account will be located and the names of those authorized to withdraw funds
8. The signature of the principal of the supporting school
9. Planned use for any money remaining at the end of the year if the organization is not continued or authorized to continue in the future
10. An agreement to provide evidence of liability and/or directors and officers insurance when and in the manner required by law

Requests for subsequent authorization shall be annually submitted to the Superintendent or designee, along with a financial statement showing all income and expenditures from fundraisers. If the Superintendent or designee proposes to deny the request for reauthorization, he/she shall present his/her recommendation to the Governing Board for approval.

When deemed necessary by the Board or the Superintendent or designee, the authorization for a school-connected organization to conduct activities in the district may be revoked at any time.

Each school-connected organization shall abide by the following rules:

1. The organization shall not act as an agent of the district or school.
2. The organization shall not use the district's tax-exempt status and identification number. It shall be responsible for its own tax status, accounting, internal controls, financial reporting, retention of records, and other operations.
3. The organization shall use a separate name and logo. Any use of a name or logo affiliated with the district, a district school, or a school team shall require the prior consent of the Superintendent or designee.
4. Funds of the school-connected organization shall not be co-mingled with district funds, including associated student body funds.
5. The organization shall not hire or directly pay any district employee. If a school-connected organization wishes to pay for additional and/or extracurricular services, the person to provide the services shall be hired through the district's personnel department, provided the Board approves the position. At their discretion, employees may volunteer to perform activities for school-connected organizations during nonworking hours.

**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

## State References

11 CCR 300-312.1	Fundraising for charitable purposes - <a href="https://simbli.eboardsolutions.com/SU/3BniO7l8ltgU2fslshN0ONOtQ==">https://simbli.eboardsolutions.com/SU/3BniO7l8ltgU2fslshN0ONOtQ==</a>
5 CCR 15500	Food sales in elementary schools
5 CCR 15501	Food sales in high schools and junior high schools
5 CCR 15575-15578	Requirements for foods and beverages outside the federal meals program
5 CCR 4900-4965	Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance
Bus. Code 17510-17510.95	Charitable solicitations - <a href="https://simbli.eboardsolutions.com/SU/Nlp1YHHUFHlIKCqfGACa0w==">https://simbli.eboardsolutions.com/SU/Nlp1YHHUFHlIKCqfGACa0w==</a>
Bus. Code 25608	Alcohol on school property; use in connection with instruction - <a href="https://simbli.eboardsolutions.com/SU/FNTmwCbl5wapMSIUJRgAkW==">https://simbli.eboardsolutions.com/SU/FNTmwCbl5wapMSIUJRgAkW==</a>
Ed. Code 200-262.4	Prohibition of discrimination - <a href="https://simbli.eboardsolutions.com/SU/ytTLslshoozWGUAAbNL6kKkgxQ==">https://simbli.eboardsolutions.com/SU/ytTLslshoozWGUAAbNL6kKkgxQ==</a>
Ed. Code 35160	Authority of governing boards - <a href="https://simbli.eboardsolutions.com/SU/FEplus3PC2rsgGxvplus8DVSsrkQ==">https://simbli.eboardsolutions.com/SU/FEplus3PC2rsgGxvplus8DVSsrkQ==</a>
Ed. Code 38130-38138	Civic Center Act; use of school property for public purposes - <a href="https://simbli.eboardsolutions.com/SU/tloM8gkAiBJoSSNvFbplum4w==">https://simbli.eboardsolutions.com/SU/tloM8gkAiBJoSSNvFbplum4w==</a>
Ed. Code 48931	Authorization for sale of food by student organization - <a href="https://simbli.eboardsolutions.com/SU/M2xNBPhMBA9SbMs3wo3DUw==">https://simbli.eboardsolutions.com/SU/M2xNBPhMBA9SbMs3wo3DUw==</a>
Ed. Code 48932	Authorization for fund-raising activities by student organization - <a href="https://simbli.eboardsolutions.com/SU/3dRGmWUQjtNjXNRqslshUIkFw==">https://simbli.eboardsolutions.com/SU/3dRGmWUQjtNjXNRqslshUIkFw==</a>
Ed. Code 49011	Student fees - <a href="https://simbli.eboardsolutions.com/SU/plusdQn4SsavIVslshmbagIQ5qNQ==">https://simbli.eboardsolutions.com/SU/plusdQn4SsavIVslshmbagIQ5qNQ==</a>
Ed. Code 49431-49431.7	Nutritional standards - <a href="https://simbli.eboardsolutions.com/SU/Vblde2N1RyrO8XDSzoAlsA==">https://simbli.eboardsolutions.com/SU/Vblde2N1RyrO8XDSzoAlsA==</a>
Ed. Code 51520	Prohibited solicitation on school premises - <a href="https://simbli.eboardsolutions.com/SU/OHlNokWcmplusTbNcUoyiAtzQ==">https://simbli.eboardsolutions.com/SU/OHlNokWcmplusTbNcUoyiAtzQ==</a>
Ed. Code 51521	Fundraising projects - <a href="https://simbli.eboardsolutions.com/SU/slshcl6PBgZiWC04MUXdf4tWg==">https://simbli.eboardsolutions.com/SU/slshcl6PBgZiWC04MUXdf4tWg==</a>
Gov. Code 12580-12599.10	Fundraisers for Charitable Purposes Act - <a href="https://simbli.eboardsolutions.com/SU/3CdgdYfapkv49ln3YUSJQ==">https://simbli.eboardsolutions.com/SU/3CdgdYfapkv49ln3YUSJQ==</a>
Pen. Code 319-329	Lottery; raffle - <a href="https://simbli.eboardsolutions.com/SU/Ukj7jM8Fj6b2BvP2tsFRpw==">https://simbli.eboardsolutions.com/SU/Ukj7jM8Fj6b2BvP2tsFRpw==</a>

## Federal References

20 USC 1681-1688	Title IX of the Education Amendments of 1972; discrimination based on sex
7 CFR 210.11	Competitive food services
7 CFR 220.12	Competitive food services

## Management Resources References

Court Decision	Serrano v. Priest, (1976) 18 Cal. 3d 728
Fiscal Crisis & Management Assistance Team Pub.	2015 ASB Accounting Manual, Fraud Prevention Guide and Desk Reference
Website	CSBA District and County Office of Education Legal Services - <a href="https://simbli.eboardsolutions.com/SU/UdykszdmpETuDsllshXk6R5akQ==">https://simbli.eboardsolutions.com/SU/UdykszdmpETuDsllshXk6R5akQ==</a>

Website	California Office of the Attorney General, charitable trust registry - <a href="https://simbli.eboardsolutions.com/SU/0wLhFoALnslshjdwnlsjulfq==">https://simbli.eboardsolutions.com/SU/0wLhFoALnslshjdwnlsjulfq==</a>
Website	California State Parent Teacher Association - <a href="https://simbli.eboardsolutions.com/SU/WpQSM7bTSBIBBwMA6DJ5JA==">https://simbli.eboardsolutions.com/SU/WpQSM7bTSBIBBwMA6DJ5JA==</a>
Website	CSBA - <a href="https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==">https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==</a>
Website	Fiscal Crisis and Management Assistance Team - <a href="https://simbli.eboardsolutions.com/SU/1KDBnxplus9GCiDTyFvbLOOxQ==">https://simbli.eboardsolutions.com/SU/1KDBnxplus9GCiDTyFvbLOOxQ==</a>



**Policy 1240: Volunteer Assistance**

**Status:** DRAFT

**Original Adopted Date:** Pending

The Governing Board recognizes that volunteer assistance in schools can enrich the educational program, increase supervision of students, and contribute to school safety while strengthening the schools' relationships with the community. The Board encourages parents/guardians and other members of the community to share their time, knowledge, and abilities with students.

The Superintendent or designee shall develop and implement a plan for recruiting, screening, and placing volunteers, including strategies for reaching underrepresented groups of parents/guardians and community members. He/she may also recruit community members to serve as mentors to students and/or make appropriate referrals to community organizations.

The Board prohibits harassment of any volunteer on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status. (Government Code 12940)

As appropriate, the Superintendent or designee shall provide volunteers with information about school goals, programs, and practices and an orientation or other training related to their specific responsibilities. Employees who supervise volunteers shall ensure that volunteers are assigned meaningful responsibilities that utilize their skills and expertise and maximize their contribution to the educational program.

Volunteer work shall be limited to those projects that do not replace the normal duties of classified staff. The Board nevertheless encourages volunteers to work on short-term projects to the extent that they enhance the classroom or school and comply with employee negotiated agreements.

The Superintendent or designee shall establish procedures for determining whether volunteers possess the qualifications, if any, required by law and administrative regulation for the types of duties they will perform.

Volunteers shall act in accordance with district policies, regulations, and school rules. The Superintendent or designee shall be responsible for investigating and resolving complaints regarding volunteers.

The Board encourages principals to develop a means for recognizing the contributions of each school's volunteers.

The Superintendent or designee shall periodically report to the Board regarding the district's volunteer assistance program.

**Workers' Compensation Insurance**

The Board desires to provide a safe environment for volunteers and minimize the district's exposure to liability.

Upon the adoption of a resolution by the Board, volunteers shall be entitled to workers' compensation benefits for any injury sustained while engaged in the performance of service for the district. (Labor Code 3364.5)

**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

**State References**

22 CCR 101170

22 CCR 101216

Ed. Code 35021

Ed. Code 35021.1

**Description**

Criminal record clearance -  
<https://simbli.eboardsolutions.com/SU/EslshjOcR9HII2ZcITKO4MuVA==>

Health screening; volunteers in child care centers -  
<https://simbli.eboardsolutions.com/SU/pJjWfVlslsh6muHMwMfvsQ3A==>

Volunteer aides -  
<https://simbli.eboardsolutions.com/SU/phHEuKyz5zHWFslshDOUPLofg==>

Automated records check -  
<https://simbli.eboardsolutions.com/SU/olDrfO3kTr2uUrinpluswyw2w==>

Ed. Code 35021.3	Registry of volunteers for before/after school programs - <a href="https://simbli.eboardsolutions.com/SU/z8yA6Eq2VyLdD0lp2GTDBw==">https://simbli.eboardsolutions.com/SU/z8yA6Eq2VyLdD0lp2GTDBw==</a>
Ed. Code 44010	Sex offense; definition - <a href="https://simbli.eboardsolutions.com/SU/kVoMSh2Y4cuufG1O45T35A==">https://simbli.eboardsolutions.com/SU/kVoMSh2Y4cuufG1O45T35A==</a>
Ed. Code 44814-44815	Supervision of students during lunch and other nutrition periods - <a href="https://simbli.eboardsolutions.com/SU/D3jrSyLLSnazRgREYDU21g==">https://simbli.eboardsolutions.com/SU/D3jrSyLLSnazRgREYDU21g==</a>
Ed. Code 45125	Fingerprinting requirements - <a href="https://simbli.eboardsolutions.com/SU/D6m92girQ75zn6l3AOR8plusw==">https://simbli.eboardsolutions.com/SU/D6m92girQ75zn6l3AOR8plusw==</a>
Ed. Code 45125.01	Interagency agreements for criminal record information - <a href="https://simbli.eboardsolutions.com/SU/p0plusGJ0luVPDudcyAVB8E0w==">https://simbli.eboardsolutions.com/SU/p0plusGJ0luVPDudcyAVB8E0w==</a>
Ed. Code 45340-45349	Instructional aides - <a href="https://simbli.eboardsolutions.com/SU/ZewEnmUlwNuv3WapgPmX5Q==">https://simbli.eboardsolutions.com/SU/ZewEnmUlwNuv3WapgPmX5Q==</a>
Ed. Code 45360-45367	Teacher aides - <a href="https://simbli.eboardsolutions.com/SU/yYplus2aVf9TldJJam2lfzlyw==">https://simbli.eboardsolutions.com/SU/yYplus2aVf9TldJJam2lfzlyw==</a>
Ed. Code 48981	Parental notifications - <a href="https://simbli.eboardsolutions.com/SU/iPy51oh0PgsGlwUlaYzhFw==">https://simbli.eboardsolutions.com/SU/iPy51oh0PgsGlwUlaYzhFw==</a>
Ed. Code 49024	Activity Supervisor Clearance Certificate - <a href="https://simbli.eboardsolutions.com/SU/bPKibplusdM71m5nBUYCqYkKg==">https://simbli.eboardsolutions.com/SU/bPKibplusdM71m5nBUYCqYkKg==</a>
Ed. Code 49406	Examination for tuberculosis - <a href="https://simbli.eboardsolutions.com/SU/1zMk9tKmBYJP1m6AfhBiag==">https://simbli.eboardsolutions.com/SU/1zMk9tKmBYJP1m6AfhBiag==</a>
Ed. Code 8482-8484.6	After School Education and Safety Program - <a href="https://simbli.eboardsolutions.com/SU/UtnUiesMBgYqY0ld3Fslshm3Q==">https://simbli.eboardsolutions.com/SU/UtnUiesMBgYqY0ld3Fslshm3Q==</a>
Ed. Code 8484.7-8484.9	21st Century Community Learning Center program - <a href="https://simbli.eboardsolutions.com/SU/giVZzMtMblumbGYLS5W8Pw==">https://simbli.eboardsolutions.com/SU/giVZzMtMblumbGYLS5W8Pw==</a>
Gov. Code 12940	Unlawful discriminatory employment practices - <a href="https://simbli.eboardsolutions.com/SU/UNfKYoagtuU78NiHeXTvxw==">https://simbli.eboardsolutions.com/SU/UNfKYoagtuU78NiHeXTvxw==</a>
Gov. Code 3543.5	Prohibited interference with employees' rights - <a href="https://simbli.eboardsolutions.com/SU/8kx3q2FKiV0klkpv0yLoEA==">https://simbli.eboardsolutions.com/SU/8kx3q2FKiV0klkpv0yLoEA==</a>
H&S Code 1596.7995	Immunization requirements for volunteers in child care center or preschool - <a href="https://simbli.eboardsolutions.com/SU/DjBa6CYoss5yqD8s0WL3ug==">https://simbli.eboardsolutions.com/SU/DjBa6CYoss5yqD8s0WL3ug==</a>
H&S Code 1596.871	Fingerprints of individuals in contact with child day care facility clients - <a href="https://simbli.eboardsolutions.com/SU/RYqsOyxXeYO7oVXCZJRPVA==">https://simbli.eboardsolutions.com/SU/RYqsOyxXeYO7oVXCZJRPVA==</a>
Lab. Code 1720.4	Public works; exclusion of volunteers from prevailing wage law - <a href="https://simbli.eboardsolutions.com/SU/Ka3PD17XYuWlGh4e6mVNTQ==">https://simbli.eboardsolutions.com/SU/Ka3PD17XYuWlGh4e6mVNTQ==</a>
Lab. Code 3352	Workers' compensation; definitions - <a href="https://simbli.eboardsolutions.com/SU/jpewPTu42RYsWaxQhSt8RA==">https://simbli.eboardsolutions.com/SU/jpewPTu42RYsWaxQhSt8RA==</a>
Lab. Code 3364.5	Authority to provide workers' compensation insurance for volunteers - <a href="https://simbli.eboardsolutions.com/SU/XfEafCS31b1VHEtKQjfwrg==">https://simbli.eboardsolutions.com/SU/XfEafCS31b1VHEtKQjfwrg==</a>
Pen. Code 290	Registration of sex offenders - <a href="https://simbli.eboardsolutions.com/SU/BC6kOdRC1cjbplumxdA92Rug==">https://simbli.eboardsolutions.com/SU/BC6kOdRC1cjbplumxdA92Rug==</a>
Pen. Code 290.4	Information re: sex offenders - <a href="https://simbli.eboardsolutions.com/SU/0IECsSpSy9slshadMgGcuuxJw==">https://simbli.eboardsolutions.com/SU/0IECsSpSy9slshadMgGcuuxJw==</a>
Pen. Code 290.95	Disclosure by person required to register as sex offender - <a href="https://simbli.eboardsolutions.com/SU/Abju7FC2HBTyfsDieYQtSg==">https://simbli.eboardsolutions.com/SU/Abju7FC2HBTyfsDieYQtSg==</a>
Pen. Code 626.81	Sex offender; permission to volunteer at school - <a href="https://simbli.eboardsolutions.com/SU/wF1N8fmmYdismT9slshzOWHgA==">https://simbli.eboardsolutions.com/SU/wF1N8fmmYdismT9slshzOWHgA==</a>

## Management Resources References

PERB Decision

## Description

Whisman Elementary School District, (1991) PERB Decision No. 868

Website	CSBA District and County Office of Education Legal Services - <a href="https://simbli.eboardsolutions.com/SU/UdykszdmPETuDslshXk6R5akQ==">https://simbli.eboardsolutions.com/SU/UdykszdmPETuDslshXk6R5akQ==</a>
Website	California Department of Justice, Megan's Law - <a href="https://simbli.eboardsolutions.com/SU/m0JBbplusUTaB0p38DBua0Xplusg==">https://simbli.eboardsolutions.com/SU/m0JBbplusUTaB0p38DBua0Xplusg==</a>
Website	California Department of Education, Parents/Family and Community - <a href="https://simbli.eboardsolutions.com/SU/gOko5w3EpF8hJ3HfHCrajw==">https://simbli.eboardsolutions.com/SU/gOko5w3EpF8hJ3HfHCrajw==</a>
Website	Commission on Teacher Credentialing - <a href="https://simbli.eboardsolutions.com/SU/cxWNIqRUlsaq7efc7aH4Q==">https://simbli.eboardsolutions.com/SU/cxWNIqRUlsaq7efc7aH4Q==</a>
Website	CSBA - <a href="https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==">https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==</a>
Website	California State Parent Teacher Association - <a href="https://simbli.eboardsolutions.com/SU/WpQSM7bTSBIBBwMA6DJ5JA==">https://simbli.eboardsolutions.com/SU/WpQSM7bTSBIBBwMA6DJ5JA==</a>

**Regulation 1240: Volunteer Assistance**

**Status:** DRAFT

**Original Adopted Date:** Pending

**Duties of Volunteers**

The Superintendent or designee may assign volunteers to:

1. Assist certificated personnel in the performance of their duties, including in the supervision of students and in the performance of instructional tasks which, in the judgment of the certificated personnel to which the volunteer is assigned, may be performed by a person not licensed as a classroom teacher (Education Code 35021, 45343, 45344, 45349)
2. Serve as nonteaching aides under the immediate supervision and direction of certificated personnel to perform noninstructional work which assists certificated personnel in the performance of teaching and administrative responsibilities (Education Code 35021)
3. Supervise students during lunch, breakfast, or other nutritional periods (Education Code 35021, 44814, 44815)
4. Work on short-term facilities projects pursuant to the section below entitled "Volunteer Facilities Projects"
5. Perform other duties in support of district or school operations as approved by the Superintendent or designee

Volunteers shall not be authorized to assign grades to students, and shall not be used to assist certificated staff in performing teaching or administrative responsibilities in place of regularly authorized classified employees who have been laid off. (Education Code 35021, 45344)

**Basic Skills Proficiency Requirement**

Volunteers who supervise or provide instruction to students pursuant to Education Code 45349 shall submit evidence of basic skills proficiency to the Superintendent or designee. (Education Code 45344.5, 45349)

**Criminal Background Check**

Prior to assuming a volunteer position working with students in a district-sponsored student activity program, a volunteer shall obtain fingerprint clearance through the Department of Justice and Federal Bureau of Investigation. At his/her discretion, the volunteer may choose to meet this requirement by obtaining an Activity Supervisor Clearance Certificate from the Commission on Teacher Credentialing. Student activity programs include, but are not limited to, scholastic programs, interscholastic programs, and extracurricular activities sponsored by the district or a school booster club, such as cheer team, drill team, dance team, and marching band. (Education Code 49024)

The Superintendent or designee shall determine which volunteer positions in the district are subject to the above requirement.

The criminal background check requirement shall not apply to volunteer supervisors for breakfast, lunch, or other nutritional periods or to volunteer nonteaching aides under the immediate supervision and direction of certificated personnel pursuant to Education Code 35021, including parents/guardians volunteering in a classroom or on a field trip or community members providing noninstructional services. (Education Code 49024)

**Registered Sex Offenders**

The Superintendent or designee may require all volunteers to disclose whether they are a registered sex offender and/or to provide the district with sufficient information in order to allow verification of this status on the Department of Justice's Megan's Law web site.

The principal may grant a registered sex offender, who is not the parent/guardian of a student at the school, permission to come into a school building or upon school grounds to volunteer at the school. At least 14 days prior to the first date for which permission has been granted, the principal or designee shall notify the parent/guardian of each student at the school, using one of the methods specified in Education Code 48981, that a person who is required to register as a sex offender pursuant to Penal Code 290 has been granted permission to come into a school building or upon school grounds, the date(s) and times for which permission has been granted, and the

parent/guardian's right to obtain information regarding the person from a designated law enforcement agency. (Penal Code 626.81)

However, no person who is required to register as a sex offender pursuant to Penal Code 290 shall be assigned as a volunteer to assist certificated personnel in the performance of their duties; supervise students during lunch, breakfast, or other nutritional period; or serve as a nonteaching aide to perform noninstructional tasks. In addition, a person who is required to register as a sex offender because of a conviction for a crime where the victim was a minor under age 16 shall not serve as a volunteer in any capacity in which he/she would be working directly and in an unaccompanied setting with minors on more than an incidental and occasional basis or have supervision or disciplinary power over minors. (Education Code 35021, 45349; Penal Code 290.95)

**Tuberculosis Assessment/Examination**

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

The Superintendent or designee may exempt from the tuberculosis risk assessment and/or examination those volunteers whose functions do not require frequent or prolonged contact with students. (Education Code 49406)

**Volunteer Facilities Projects**

All volunteer facilities projects shall have approximate start and completion dates and shall be approved by the principal in advance. Projects also shall be approved in advance by the Superintendent or designee if they involve the following types of work:

- 1. Alterations, additions, or repairs to buildings and grounds
- 2. Construction involving wall or roof penetration, drilling, or nailing
- 3. Structural modifications
- 4. Electrical, electronic, plumbing, or heating and cooling work
- 5. Painting
- 6. Installation of carpet, playground equipment, benches, sprinkler systems, marquees or signs
- 7. Paving
- 8. Tree planting, pruning, or removal

The Superintendent or designee shall ensure that volunteers possess the appropriate license and/or have sufficient expertise required for the project. He/she shall also ensure that such projects comply with building and safety codes and other applicable laws and collective bargaining agreements. The district shall provide on-site assistance and supervision for such projects as necessary.

**Policy Reference Disclaimer:**These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

**State References**

22 CCR 101170  
  
22 CCR 101216  
  
Ed. Code 35021

**Description**

Criminal record clearance -  
<https://simbli.eboardsolutions.com/SU/EslshjOcR9HII2ZcITKO4MuVA==>  
  
Health screening; volunteers in child care centers -  
<https://simbli.eboardsolutions.com/SU/pJjWfVlbslsh6muHMwMfvsQ3A==>  
  
Volunteer aides -  
<https://simbli.eboardsolutions.com/SU/phHEuKyz5zHWFslshDOUPLofg==>

Ed. Code 35021.1	Automated records check - <a href="https://simbli.eboardsolutions.com/SU/olDrfO3kTr2uUrinpluswyw2w==">https://simbli.eboardsolutions.com/SU/olDrfO3kTr2uUrinpluswyw2w==</a>
Ed. Code 35021.3	Registry of volunteers for before/after school programs - <a href="https://simbli.eboardsolutions.com/SU/z8yA6Eq2VyLdD0lp2GTDBw==">https://simbli.eboardsolutions.com/SU/z8yA6Eq2VyLdD0lp2GTDBw==</a>
Ed. Code 44010	Sex offense; definition - <a href="https://simbli.eboardsolutions.com/SU/kVoMSh2Y4cuufG1O45T35A==">https://simbli.eboardsolutions.com/SU/kVoMSh2Y4cuufG1O45T35A==</a>
Ed. Code 44814-44815	Supervision of students during lunch and other nutrition periods - <a href="https://simbli.eboardsolutions.com/SU/D3jrSYLLSnazRgREYDU21g==">https://simbli.eboardsolutions.com/SU/D3jrSYLLSnazRgREYDU21g==</a>
Ed. Code 45125	Fingerprinting requirements - <a href="https://simbli.eboardsolutions.com/SU/D6m92girQ75zn6l3AOR8plusw==">https://simbli.eboardsolutions.com/SU/D6m92girQ75zn6l3AOR8plusw==</a>
Ed. Code 45125.01	Interagency agreements for criminal record information - <a href="https://simbli.eboardsolutions.com/SU/p0plusGJ0luVPDudcyAVB8E0w==">https://simbli.eboardsolutions.com/SU/p0plusGJ0luVPDudcyAVB8E0w==</a>
Ed. Code 45340-45349	Instructional aides - <a href="https://simbli.eboardsolutions.com/SU/ZewEnmUlWNUv3WapgPmX5Q==">https://simbli.eboardsolutions.com/SU/ZewEnmUlWNUv3WapgPmX5Q==</a>
Ed. Code 45360-45367	Teacher aides - <a href="https://simbli.eboardsolutions.com/SU/yYplus2aVf9TldJJam2lfzlyw==">https://simbli.eboardsolutions.com/SU/yYplus2aVf9TldJJam2lfzlyw==</a>
Ed. Code 48981	Parental notifications - <a href="https://simbli.eboardsolutions.com/SU/iPy51oh0PgSGlwUlaYzhFw==">https://simbli.eboardsolutions.com/SU/iPy51oh0PgSGlwUlaYzhFw==</a>
Ed. Code 49024	Activity Supervisor Clearance Certificate - <a href="https://simbli.eboardsolutions.com/SU/bPKibplusdM71m5nBUYCqYkKg==">https://simbli.eboardsolutions.com/SU/bPKibplusdM71m5nBUYCqYkKg==</a>
Ed. Code 49406	Examination for tuberculosis - <a href="https://simbli.eboardsolutions.com/SU/1zMk9tKmBYJP1m6AfhBiag==">https://simbli.eboardsolutions.com/SU/1zMk9tKmBYJP1m6AfhBiag==</a>
Ed. Code 8482-8484.6	After School Education and Safety Program - <a href="https://simbli.eboardsolutions.com/SU/UtnUiesMBgYqY0ld3Fslshm3Q==">https://simbli.eboardsolutions.com/SU/UtnUiesMBgYqY0ld3Fslshm3Q==</a>
Ed. Code 8484.7-8484.9	21st Century Community Learning Center program - <a href="https://simbli.eboardsolutions.com/SU/giVZzMtMblumbGYLS5W8Pw==">https://simbli.eboardsolutions.com/SU/giVZzMtMblumbGYLS5W8Pw==</a>
Gov. Code 12940	Unlawful discriminatory employment practices - <a href="https://simbli.eboardsolutions.com/SU/UNfKYoagtuU78NiHeXTvxw==">https://simbli.eboardsolutions.com/SU/UNfKYoagtuU78NiHeXTvxw==</a>
Gov. Code 3543.5	Prohibited interference with employees' rights - <a href="https://simbli.eboardsolutions.com/SU/8kx3q2FKiV0klkpv0vLoEA==">https://simbli.eboardsolutions.com/SU/8kx3q2FKiV0klkpv0vLoEA==</a>
H&S Code 1596.7995	Immunization requirements for volunteers in child care center or preschool - <a href="https://simbli.eboardsolutions.com/SU/DjBa6CYoss5yqD8s0WL3ug==">https://simbli.eboardsolutions.com/SU/DjBa6CYoss5yqD8s0WL3ug==</a>
H&S Code 1596.871	Fingerprints of individuals in contact with child day care facility clients - <a href="https://simbli.eboardsolutions.com/SU/RYqs0yxXeYO7oVXCZJRPVA==">https://simbli.eboardsolutions.com/SU/RYqs0yxXeYO7oVXCZJRPVA==</a>
Lab. Code 1720.4	Public works; exclusion of volunteers from prevailing wage law - <a href="https://simbli.eboardsolutions.com/SU/Ka3PD17XYuWIGh4e6mVNTQ==">https://simbli.eboardsolutions.com/SU/Ka3PD17XYuWIGh4e6mVNTQ==</a>
Lab. Code 3352	Workers' compensation; definitions - <a href="https://simbli.eboardsolutions.com/SU/jpewPTu42RYsWaxQhSt8RA==">https://simbli.eboardsolutions.com/SU/jpewPTu42RYsWaxQhSt8RA==</a>
Lab. Code 3364.5	Authority to provide workers' compensation insurance for volunteers - <a href="https://simbli.eboardsolutions.com/SU/XfEAfCS31b1VHEtKQjfwrg==">https://simbli.eboardsolutions.com/SU/XfEAfCS31b1VHEtKQjfwrg==</a>
Pen. Code 290	Registration of sex offenders - <a href="https://simbli.eboardsolutions.com/SU/BC6kOdRC1cjbplusmxdA92Rug==">https://simbli.eboardsolutions.com/SU/BC6kOdRC1cjbplusmxdA92Rug==</a>
Pen. Code 290.4	Information re: sex offenders - <a href="https://simbli.eboardsolutions.com/SU/0IECsSpSy9slshadMgGcuuxJw==">https://simbli.eboardsolutions.com/SU/0IECsSpSy9slshadMgGcuuxJw==</a>
Pen. Code 290.95	Disclosure by person required to register as sex offender - <a href="https://simbli.eboardsolutions.com/SU/Abju7FC2HBTyfsDieYQtSg==">https://simbli.eboardsolutions.com/SU/Abju7FC2HBTyfsDieYQtSg==</a>
Pen. Code 626.81	Sex offender; permission to volunteer at school - <a href="https://simbli.eboardsolutions.com/SU/wF1N8fmmYdismT9slshzOWHgA==">https://simbli.eboardsolutions.com/SU/wF1N8fmmYdismT9slshzOWHgA==</a>

## Management Resources References

## Description

PERB Decision	Whisman Elementary School District, (1991) PERB Decision No. 868
Website	CSBA District and County Office of Education Legal Services - <a href="https://simbli.eboardsolutions.com/SU/UdykszdmPETuDslshXk6R5akQ==">https://simbli.eboardsolutions.com/SU/UdykszdmPETuDslshXk6R5akQ==</a>
Website	California Department of Justice, Megan's Law - <a href="https://simbli.eboardsolutions.com/SU/m0JBbplusUTaB0p38DBua0Xplusg==">https://simbli.eboardsolutions.com/SU/m0JBbplusUTaB0p38DBua0Xplusg==</a>
Website	California Department of Education, Parents/Family and Community - <a href="https://simbli.eboardsolutions.com/SU/gOko5w3EpF8hJ3HfHCrajw==">https://simbli.eboardsolutions.com/SU/gOko5w3EpF8hJ3HfHCrajw==</a>
Website	Commission on Teacher Credentialing - <a href="https://simbli.eboardsolutions.com/SU/cxWNIqRUulsaq7efc7aH4Q==">https://simbli.eboardsolutions.com/SU/cxWNIqRUulsaq7efc7aH4Q==</a>
Website	CSBA - <a href="https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==">https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==</a>
Website	California State Parent Teacher Association - <a href="https://simbli.eboardsolutions.com/SU/WpQSM7bTSBIBBwMA6DJ5JA==">https://simbli.eboardsolutions.com/SU/WpQSM7bTSBIBBwMA6DJ5JA==</a>

**Policy 1250: Visitors/Outsiders**

**Status:** DRAFT

**Original Adopted Date:** Pending

The Governing Board believes that it is important for parents/guardians and community members to take an active interest in the issues affecting district schools and students. Therefore, the Board encourages interested parents/guardians and community members to visit the schools and participate in the educational program.

To ensure the safety of students and staff and minimize interruption of the instructional program, the Superintendent or designee shall establish procedures which facilitate visits during regular school days. Visits during school hours should be arranged with the principal or designee. When a visit involves a conference with a teacher or the principal, an appointment should be scheduled during noninstructional time.

Any person who is not a student or staff member shall register immediately upon entering any school building or grounds when school is in session.

The principal or designee may provide a visible means of identification for all individuals who are not students or staff members while on school premises.

No electronic listening or recording device may be used by any person in a classroom without the teacher's and principal's permission. (Education Code 51512)

The Board encourages all individuals to assist in maintaining a safe and secure school environment by behaving in an orderly manner while on school grounds and by utilizing the district's complaint processes if they have concerns with any district program or employee. In accordance with Penal Code 626.7, the principal or designee may request that any individual who is causing a disruption, including exhibiting volatile, hostile, aggressive, or offensive behavior, immediately leave school grounds.

**Presence of Sex Offender on Campus**

Any person who is required to register as a sex offender pursuant to Penal Code 290, including a parent/guardian of a district student, shall request written permission from the principal before entering the school campus or grounds. As necessary, the principal shall consult with local law enforcement authorities before allowing the presence of any such person at school or other school activity. The principal also shall report to the Superintendent or designee anytime he/she gives such written permission.

The principal shall indicate on the written permission the date(s) and times for which permission has been granted. (Penal Code 626.81)

**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

**State References**

**Description**

Ed. Code 32210	Willful disturbance of public school or meeting - <a href="https://simbli.eboardsolutions.com/SU/8EXQpLHJQSpVnd06PfaAw==">https://simbli.eboardsolutions.com/SU/8EXQpLHJQSpVnd06PfaAw==</a>
Ed. Code 32211	Threatened disruption or interference with classes - <a href="https://simbli.eboardsolutions.com/SU/pNBC8hz4kplusF6mCDPplus8QbRg==">https://simbli.eboardsolutions.com/SU/pNBC8hz4kplusF6mCDPplus8QbRg==</a>
Ed. Code 32212	Classroom interruptions - <a href="https://simbli.eboardsolutions.com/SU/Y3UquHHOTo3kYnsNrIL7WA==">https://simbli.eboardsolutions.com/SU/Y3UquHHOTo3kYnsNrIL7WA==</a>
Ed. Code 35160	Authority of governing boards - <a href="https://simbli.eboardsolutions.com/SU/FFplus3PC2rsgGxvplus8DVSsrkQ==">https://simbli.eboardsolutions.com/SU/FFplus3PC2rsgGxvplus8DVSsrkQ==</a>
Ed. Code 35292	Visits to schools (Board members) - <a href="https://simbli.eboardsolutions.com/SU/2qLEfjSM5EGFwIKa5aCOzw==">https://simbli.eboardsolutions.com/SU/2qLEfjSM5EGFwIKa5aCOzw==</a>
Ed. Code 49091.10	Parental right to inspect instructional materials and observe school activities - <a href="https://simbli.eboardsolutions.com/SU/L2uoF3vqxplusePXT4mdpiFbg==">https://simbli.eboardsolutions.com/SU/L2uoF3vqxplusePXT4mdpiFbg==</a>



Ed. Code 51101	Parents Rights Act of 2002 - <a href="https://simbli.eboardsolutions.com/SU/rH6Qy7FBIX2piKQlQ5tH2Q==">https://simbli.eboardsolutions.com/SU/rH6Qy7FBIX2piKQlQ5tH2Q==</a>
Ed. Code 51512	Prohibited use of electronic listening or recording device - <a href="https://simbli.eboardsolutions.com/SU/ciCt9PfBYvBXveNYtIKC8g==">https://simbli.eboardsolutions.com/SU/ciCt9PfBYvBXveNYtIKC8g==</a>
Evid. Code 1070	Refusal to disclose news source - <a href="https://simbli.eboardsolutions.com/SU/G0df39akR12l8UUbSkcAkA==">https://simbli.eboardsolutions.com/SU/G0df39akR12l8UUbSkcAkA==</a>
Lab. Code 230.8	Discharge or discrimination for taking time off to participate in child's educational activities - <a href="https://simbli.eboardsolutions.com/SU/XZfQTH7IC97oltryjC7Mhw==">https://simbli.eboardsolutions.com/SU/XZfQTH7IC97oltryjC7Mhw==</a>
Pen. Code 290	Sex offenders - <a href="https://simbli.eboardsolutions.com/SU/BC6kOdRC1cjbplusmxdA92Rug==">https://simbli.eboardsolutions.com/SU/BC6kOdRC1cjbplusmxdA92Rug==</a>
Pen. Code 626-626.11	Weapons on school grounds and other school crimes - <a href="https://simbli.eboardsolutions.com/SU/Xlslsh9slshcoCcD30HV7KfmPlhg==">https://simbli.eboardsolutions.com/SU/Xlslsh9slshcoCcD30HV7KfmPlhg==</a>
Pen. Code 626.81	Misdemeanor for registered sex offender to come onto school grounds - <a href="https://simbli.eboardsolutions.com/SU/wF1N8fmmYdismT9slshzOWHGA==">https://simbli.eboardsolutions.com/SU/wF1N8fmmYdismT9slshzOWHGA==</a>
Pen. Code 627-627.10	Access to school premises - <a href="https://simbli.eboardsolutions.com/SU/slsh08lJ0UW1slshWi5m7e7pv96w==">https://simbli.eboardsolutions.com/SU/slsh08lJ0UW1slshWi5m7e7pv96w==</a>
Pen. Code 627.1	Definitions - <a href="https://simbli.eboardsolutions.com/SU/Mtv1uxu5zZ5J29TZi37ftQ==">https://simbli.eboardsolutions.com/SU/Mtv1uxu5zZ5J29TZi37ftQ==</a>
Pen. Code 627.2	Necessity of registration by outsider - <a href="https://simbli.eboardsolutions.com/SU/kXiY2c9B2Ide7B1ARX0ojg==">https://simbli.eboardsolutions.com/SU/kXiY2c9B2Ide7B1ARX0ojg==</a>
Pen. Code 627.7	Misdemeanors; punishment - <a href="https://simbli.eboardsolutions.com/SU/ZslshJgdgpbJGv7BSbeeNfkGQ==">https://simbli.eboardsolutions.com/SU/ZslshJgdgpbJGv7BSbeeNfkGQ==</a>

### Management Resources References

Attorney General Opinion	95 Ops.Cal.Atty.Gen. 509 (1996)
Court Decision	Reeves v. Rocklin Unified School District, (2003) 109 Cal.App.4th 652
Website	CSBA District and County Office of Education Legal Services - <a href="https://simbli.eboardsolutions.com/SU/UdykszdmPETuDslshXk6R5akQ==">https://simbli.eboardsolutions.com/SU/UdykszdmPETuDslshXk6R5akQ==</a>

### Description

95 Ops.Cal.Atty.Gen. 509 (1996)
Reeves v. Rocklin Unified School District, (2003) 109 Cal.App.4th 652
CSBA District and County Office of Education Legal Services - <a href="https://simbli.eboardsolutions.com/SU/UdykszdmPETuDslshXk6R5akQ==">https://simbli.eboardsolutions.com/SU/UdykszdmPETuDslshXk6R5akQ==</a>

**Regulation 1250: Visitors/Outsiders**

**Status:** DRAFT

**Original Adopted Date:** Pending

The Superintendent or designee shall post at every entrance to each school and school grounds a notice describing registration requirements, school hours or hours during which registration is required, the registration location, the route to take to that location, and the penalties for violation of registration requirements. (Education Code 32211; Penal Code 627.6)

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

**Outsider Registration**

Outsiders shall register upon entering school premises during school hours. Any person other than the following is considered an outsider: (Evidence Code 1070; Penal Code 627.1, 627.2)

1. A student of the school, unless currently under suspension
2. A parent/guardian of a student of the school
3. A Governing Board member or district employee
4. A public employee whose employment requires being on school grounds, or any person who is on school grounds at the school's request
5. A representative of a school employee organization who is engaged in activities related to the representation of school employees
6. An elected public official
7. A publisher, editor, reporter, or other person connected with or employed by a newspaper, magazine, other periodical publication, press association or wire service, radio station, or television station

**Registration Procedure**

In order to register, an outsider shall, upon request, furnish the principal or designee with the following information: (Penal Code 627.3)

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

**Principal's Registration Authority**

The principal or designee may refuse to register any outsider if he/she reasonably concludes that the individual's presence or acts would disrupt the school, students, or employees; would result in damage to property; or would result in the distribution or use of a controlled substance. The principal or designee or school security officer may revoke any outsider's registration if he/she has a reasonable basis for concluding that the individual's presence on school grounds would interfere or is interfering with the peaceful conduct of school activities or would disrupt or is disrupting the school, students, or staff. (Penal Code 627.4)

When an outsider fails to register, or when the principal or designee denies or revokes an outsider's registration privileges, the principal or designee may request that the individual promptly leave school grounds.

When an outsider is directed to leave, the principal or designee shall inform him/her that if he/she reenters the

school within seven days he/she may be guilty of a misdemeanor subject to a fine and/or imprisonment. (Penal Code 627.7)

## Appeal Procedure

Any person who is denied registration or whose registration is revoked may appeal to the Superintendent or principal by submitting, within five days after the person's departure from school, a written request for a hearing. This request must state why he/she believes the denial or revocation was improper and must provide an address to which the hearing notice may be sent. Upon receipt of the request for a hearing, the Superintendent or principal shall promptly mail a notice of the hearing to the person requesting it. A hearing before the Superintendent or principal shall be held within seven days after receipt of the request. (Penal Code 627.5)

**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

## State References

## Description

Ed. Code 32210	Willful disturbance of public school or meeting - <a href="https://simbli.eboardsolutions.com/SU/8EXQpLHJQSpuVnd06PfaAw==">https://simbli.eboardsolutions.com/SU/8EXQpLHJQSpuVnd06PfaAw==</a>
Ed. Code 32211	Threatened disruption or interference with classes - <a href="https://simbli.eboardsolutions.com/SU/pNBC8hz4kplusF6mCDPplus8QbRg==">https://simbli.eboardsolutions.com/SU/pNBC8hz4kplusF6mCDPplus8QbRg==</a>
Ed. Code 32212	Classroom interruptions - <a href="https://simbli.eboardsolutions.com/SU/Y3UquHHOTo3kYnsNrIL7WA==">https://simbli.eboardsolutions.com/SU/Y3UquHHOTo3kYnsNrIL7WA==</a>
Ed. Code 35160	Authority of governing boards - <a href="https://simbli.eboardsolutions.com/SU/FFplus3PC2rsgGxvplus8DVSsrkQ==">https://simbli.eboardsolutions.com/SU/FFplus3PC2rsgGxvplus8DVSsrkQ==</a>
Ed. Code 35292	Visits to schools (Board members) - <a href="https://simbli.eboardsolutions.com/SU/2qLEfjSM5EGFwIKa5aCOzw==">https://simbli.eboardsolutions.com/SU/2qLEfjSM5EGFwIKa5aCOzw==</a>
Ed. Code 49091.10	Parental right to inspect instructional materials and observe school activities - <a href="https://simbli.eboardsolutions.com/SU/L2uoF3vqxplusePXT4mdpiFbg==">https://simbli.eboardsolutions.com/SU/L2uoF3vqxplusePXT4mdpiFbg==</a>
Ed. Code 51101	Parents Rights Act of 2002 - <a href="https://simbli.eboardsolutions.com/SU/rH6Qy7FBIX2piKQIQ5tH2Q==">https://simbli.eboardsolutions.com/SU/rH6Qy7FBIX2piKQIQ5tH2Q==</a>
Ed. Code 51512	Prohibited use of electronic listening or recording device - <a href="https://simbli.eboardsolutions.com/SU/ciCt9PfBYvBXveNYtIKC8g==">https://simbli.eboardsolutions.com/SU/ciCt9PfBYvBXveNYtIKC8g==</a>
Evid. Code 1070	Refusal to disclose news source - <a href="https://simbli.eboardsolutions.com/SU/G0df39akR12I8UUbSkAkaA==">https://simbli.eboardsolutions.com/SU/G0df39akR12I8UUbSkAkaA==</a>
Lab. Code 230.8	Discharge or discrimination for taking time off to participate in child's educational activities - <a href="https://simbli.eboardsolutions.com/SU/XZfQTH7IC97oltryjC7Mhw==">https://simbli.eboardsolutions.com/SU/XZfQTH7IC97oltryjC7Mhw==</a>
Pen. Code 290	Sex offenders - <a href="https://simbli.eboardsolutions.com/SU/BC6kOdRC1cjplusmxdA92Rug==">https://simbli.eboardsolutions.com/SU/BC6kOdRC1cjplusmxdA92Rug==</a>
Pen. Code 626-626.11	Weapons on school grounds and other school crimes - <a href="https://simbli.eboardsolutions.com/SU/Xlslsh9slshcoCcD30HV7KfmPIhg==">https://simbli.eboardsolutions.com/SU/Xlslsh9slshcoCcD30HV7KfmPIhg==</a>
Pen. Code 626.81	Misdemeanor for registered sex offender to come onto school grounds - <a href="https://simbli.eboardsolutions.com/SU/wF1N8fmmYdisM9slshzOWHgaA==">https://simbli.eboardsolutions.com/SU/wF1N8fmmYdisM9slshzOWHgaA==</a>
Pen. Code 627-627.10	Access to school premises - <a href="https://simbli.eboardsolutions.com/SU/slsh08IJOUW1slshWi5m7e7pv96w==">https://simbli.eboardsolutions.com/SU/slsh08IJOUW1slshWi5m7e7pv96w==</a>
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Pen. Code 627.7	Misdemeanors; punishment - <a href="https://simbli.eboardsolutions.com/SU/ZslshJgdgpbJGv7BSbeeNfkGQ==">https://simbli.eboardsolutions.com/SU/ZslshJgdgpbJGv7BSbeeNfkGQ==</a>

**Management Resources References**

Attorney General Opinion

Court Decision

Website

**Description**

95 Ops.Cal.Atty.Gen. 509 (1996)

Reeves v. Rocklin Unified School District, (2003) 109 Cal.App.4th 652

CSBA District and County Office of Education Legal Services -  
<https://simbli.eboardsolutions.com/SU/UdykszdmPETuDslshXk6R5akQ==>

**Policy 1312.1: Complaints Concerning District Employees**

**Status:** DRAFT

**Original Adopted Date:** Pending

The Governing Board recognizes its accountability to the public for the quality of the district's educational program and the performance of district employees. The district shall provide a process by which a complaint submitted by any person regarding an employee can be resolved impartially, expeditiously, and with minimal disruption to district operations and the educational program.

When a concern regarding an employee is presented during a Board meeting or to an individual Board member or employee outside of a Board meeting, the complainant shall be informed of the appropriate complaint procedure.

Any complaint regarding the Superintendent shall be initially filed in writing with the Board. The Board shall consult with legal counsel or appoint an appropriate agent to conduct the investigation.

The Superintendent or designee shall determine whether a complaint against any other employee should be considered a complaint against the district and/or an individual employee, and whether it should be resolved by the district's process for complaints concerning personnel and/or other district procedures. Any complaint of child abuse or neglect alleged against a district employee shall be reported to the appropriate local agencies in accordance with law and BP 5141.4 - Child Abuse Prevention and Reporting. Any complaint alleging that an employee engaged in unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) in district programs and activities shall be filed in accordance with BP/AR 1312.3 - Uniform Complaint Procedures. Any complaint by an employee, job applicant, volunteer, intern, or independent contractor alleging unlawful discrimination or harassment by an employee shall be filed in accordance with AR 4030 - Nondiscrimination in Employment.

Any complaint subject to this policy and the accompanying administrative regulation shall be investigated by the principal, the employee's immediate supervisor, the Superintendent or designee, legal counsel, agent of the Board, and/or other appropriate person who is not the subject of the complaint or subordinate to the employee charged in the complaint. The complainant and the employee shall have an opportunity to present information relevant to the complaint.

A complaint that is filed anonymously may be investigated by the Superintendent or designee depending on the specificity and reliability of the information.

If a complainant requests confidentiality, the Superintendent or designee shall inform the complainant that the request may limit the district's ability to investigate the employee's conduct or take other necessary action. However, the Superintendent or designee shall take all reasonable steps to investigate and resolve the complaint without divulging the complainant's identity.

The Board prohibits retaliation against complainants.

**Appeals**

If either the complainant or the employee submits an appeal of the Superintendent's decision to the Board, the Board shall determine whether to uphold the Superintendent's decision without hearing the complaint, appoint an appeals committee to advise the Board, or hear the appeal itself.

If the Board decides to hear the complaint, the matter shall be addressed in closed session in accordance with Government Code 54957 unless the employee requests that it be heard in open session. The Board shall review the original complaint and additional information provided by the Superintendent or designee regarding the steps taken to resolve the issue.

The Board's decision shall be final.

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**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

**State References**

**Description**

Ed. Code 33308.1	Guidelines on procedure for filing child abuse complaints - <a href="https://simbli.eboardsolutions.com/SU/pgUau9aWex5qQBjplusscAlGQ==">https://simbli.eboardsolutions.com/SU/pgUau9aWex5qQBjplusscAlGQ==</a>
Ed. Code 35146	Closed sessions - <a href="https://simbli.eboardsolutions.com/SU/faH69lwwLAJf8Pqslshf87uhg==">https://simbli.eboardsolutions.com/SU/faH69lwwLAJf8Pqslshf87uhg==</a>
Ed. Code 44031	Personnel file contents and inspection - <a href="https://simbli.eboardsolutions.com/SU/fM4Aplus8QNx9VcNqdAnloxRw==">https://simbli.eboardsolutions.com/SU/fM4Aplus8QNx9VcNqdAnloxRw==</a>
Ed. Code 44811	Disruption of classwork or extracurricular activities - <a href="https://simbli.eboardsolutions.com/SU/WEI49fE73slshn4LFEa6HOSGw==">https://simbli.eboardsolutions.com/SU/WEI49fE73slshn4LFEa6HOSGw==</a>
Ed. Code 44932-44949	Resignation, dismissal and leaves of absence (rights of employee; procedures to follow) - <a href="https://simbli.eboardsolutions.com/SU/t58pmuN1UoBGqKr4eb7iEA==">https://simbli.eboardsolutions.com/SU/t58pmuN1UoBGqKr4eb7iEA==</a>
Ed. Code 48987	Child abuse guidelines - <a href="https://simbli.eboardsolutions.com/SU/5Umc4hnfEiwGplusj12ym3vxQ==">https://simbli.eboardsolutions.com/SU/5Umc4hnfEiwGplusj12ym3vxQ==</a>
Gov. Code 54957	Closed session; complaints re employees - <a href="https://simbli.eboardsolutions.com/SU/slshHI9rGplusU5KWWytZk9AyVpA==">https://simbli.eboardsolutions.com/SU/slshHI9rGplusU5KWWytZk9AyVpA==</a>
Gov. Code 54957.6	Closed sessions regarding employee matters - <a href="https://simbli.eboardsolutions.com/SU/MkNHdhmwOzofoaWq9tbc5Q==">https://simbli.eboardsolutions.com/SU/MkNHdhmwOzofoaWq9tbc5Q==</a>
Pen. Code 11164-11174.3	Child Abuse and Neglect Reporting Act - <a href="https://simbli.eboardsolutions.com/SU/d2kLxTbwIOmuFq7YpUplusplusqA==">https://simbli.eboardsolutions.com/SU/d2kLxTbwIOmuFq7YpUplusplusqA==</a>
Pen. Code 273	Cruelty or unjustifiable punishment of child - <a href="https://simbli.eboardsolutions.com/SU/mTwvaKm9tEHJzHCSKilTKg==">https://simbli.eboardsolutions.com/SU/mTwvaKm9tEHJzHCSKilTKg==</a>
W&I Code 300	Minors subject to jurisdiction of juvenile court - <a href="https://simbli.eboardsolutions.com/SU/tikb1GZidxslshubKJ1IAOpA==">https://simbli.eboardsolutions.com/SU/tikb1GZidxslshubKJ1IAOpA==</a>

## Management Resources References

Court Decision

Website

## Description

Baca v. Moreno Valley Unified School District, (1996) 936 F. Supp. 719

CSBA District and County Office of Education Legal Services -  
<https://simbli.eboardsolutions.com/SU/UdykszdmPETuDslshXk6R5akQ==>

**Regulation 1312.1: Complaints Concerning District Employees**

**Status:** DRAFT

**Original Adopted Date:** Pending

Every effort should be made to resolve complaints regarding district employees at the earliest possible stage. Any person who complains about a district employee shall be encouraged to resolve the matter informally through direct communication with the employee whenever possible.

If a complainant is unable or unwilling to resolve the complaint directly with the employee, the complainant may submit a written complaint to the principal or other immediate supervisor of the employee. Complaints related to a principal or district administrator shall be initially filed in writing with the Superintendent or designee. If the complainant is unable to prepare the complaint in writing, administrative staff shall provide assistance in the preparation of the complaint.

A written complaint shall include the full name of the employee involved, a brief but specific summary of the complaint and the facts surrounding it, and a description of any prior attempt to discuss the complaint with the employee and the failure to resolve the matter.

To promote prompt and fair resolution of the complaint, the following procedures shall govern the resolution of complaints against district employees:

1. When a written complaint is received, the employee who is the subject of the complaint shall be notified within five days or in accordance with the collective bargaining agreement.
2. The principal or other immediate supervisor of the employee shall investigate and attempt to resolve the complaint to the satisfaction of the parties involved within 30 days. A complaint against a school or district administrator shall be investigated by the Superintendent or designee. The investigation may include interviews of the employee, complainant, or witnesses as necessary and/or a review any documentation relevant to the complaint.
3. Both the complainant and employee shall be notified in writing of the final decision regarding the resolution of the complaint.
4. Either the complainant or the employee against whom the complaint was made may appeal the decision. A decision by the principal or immediate supervisor may be appealed to the Superintendent or designee, who shall attempt to resolve the complaint to the satisfaction of the parties involved within 30 days. Either the complainant or the employee may appeal the Superintendent's decision to the Governing Board.
5. If the decision is appealed to the Board, the Superintendent or designee shall submit to the Board the following information:
  - a. The full name of each employee involved
  - b. A brief but specific summary of the complaint and the facts surrounding it, sufficient to inform the Board and the parties as to the precise nature of the complaint and to allow the parties to prepare a response
  - c. A copy of the signed original complaint
  - d. A summary of the action taken by the Superintendent or designee and the reasons that the problem has not been resolved

**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

**State References**

Ed. Code 33308.1

**Description**

Guidelines on procedure for filing child abuse complaints -  
<https://simbli.eboardsolutions.com/SU/pgUau9aWex5qOBjplusscAlGQ==>

Ed. Code 35146	Closed sessions - <a href="https://simbli.eboardsolutions.com/SU/faH69lwvLAJf8Pqslshf87uhg==">https://simbli.eboardsolutions.com/SU/faH69lwvLAJf8Pqslshf87uhg==</a>
Ed. Code 44031	Personnel file contents and inspection - <a href="https://simbli.eboardsolutions.com/SU/fM4Aplus8QNx9VcNqdAnloxRw==">https://simbli.eboardsolutions.com/SU/fM4Aplus8QNx9VcNqdAnloxRw==</a>
Ed. Code 44811	Disruption of classwork or extracurricular activities - <a href="https://simbli.eboardsolutions.com/SU/WEI49fE73slshn4LFEa6HOSGw==">https://simbli.eboardsolutions.com/SU/WEI49fE73slshn4LFEa6HOSGw==</a>
Ed. Code 44932-44949	Resignation, dismissal and leaves of absence (rights of employee; procedures to follow) - <a href="https://simbli.eboardsolutions.com/SU/t58pmuN1UoBGqKr4eb7iEA==">https://simbli.eboardsolutions.com/SU/t58pmuN1UoBGqKr4eb7iEA==</a>
Ed. Code 48987	Child abuse guidelines - <a href="https://simbli.eboardsolutions.com/SU/5Umc4hnfEiwGplusj12ym3vxQ==">https://simbli.eboardsolutions.com/SU/5Umc4hnfEiwGplusj12ym3vxQ==</a>
Gov. Code 54957	Closed session; complaints re employees - <a href="https://simbli.eboardsolutions.com/SU/slshHI9rGplusU5KWWytZk9AyVpA==">https://simbli.eboardsolutions.com/SU/slshHI9rGplusU5KWWytZk9AyVpA==</a>
Gov. Code 54957.6	Closed sessions regarding employee matters - <a href="https://simbli.eboardsolutions.com/SU/MkNHdhmwOzofoaWq9tbc5Q==">https://simbli.eboardsolutions.com/SU/MkNHdhmwOzofoaWq9tbc5Q==</a>
Pen. Code 11164-11174.3	Child Abuse and Neglect Reporting Act - <a href="https://simbli.eboardsolutions.com/SU/d2kLxTbwIOMuFq7YpUplusplusqA==">https://simbli.eboardsolutions.com/SU/d2kLxTbwIOMuFq7YpUplusplusqA==</a>
Pen. Code 273	Cruelty or unjustifiable punishment of child - <a href="https://simbli.eboardsolutions.com/SU/mTwvaKm9tEHJzHCSKilTKg==">https://simbli.eboardsolutions.com/SU/mTwvaKm9tEHJzHCSKilTKg==</a>
W&I Code 300	Minors subject to jurisdiction of juvenile court - <a href="https://simbli.eboardsolutions.com/SU/tikb1GZidxlshtubKJ1IAOpA==">https://simbli.eboardsolutions.com/SU/tikb1GZidxlshtubKJ1IAOpA==</a>

#### **Management Resources References**

Court Decision

Website

#### **Description**

Baca v. Moreno Valley Unified School District, (1996) 936 F. Supp. 719

CSBA District and County Office of Education Legal Services -

<https://simbli.eboardsolutions.com/SU/UdykszdmPETuDslshXk6R5akQ==>



**Policy 1312.2: Complaints Concerning Instructional Materials**

**Status:** DRAFT

**Original Adopted Date:** Pending

The Governing Board uses a comprehensive process to adopt district instructional materials that is based on selection criteria established by law and Board policy and includes opportunities for the involvement of parents/guardians and community members. Complaints concerning the content or use of instructional materials, including textbooks, supplementary instructional materials, library materials, or other instructional materials and equipment, shall be properly and fairly considered using established complaint procedures.

Parents/guardians are encouraged to discuss any concerns regarding instructional materials with their child's teacher and/or the school principal. If the situation remains unresolved, a complaint may be filed using the process specified in the administrative regulation.

The district shall accept complaints concerning instructional materials only from staff, district residents, or the parents/guardians of children enrolled in a district school.

When deliberating upon challenged materials, the Superintendent and/or review committee shall consider the educational philosophy of the district, the professional opinions of teachers of the subject and of other competent authorities, reviews of the materials by reputable bodies, the teacher's stated objectives in using the materials, community standards, and the objections of the complainant.

Complainants are encouraged to accept the Superintendent's or review committee's decision. However, if the complainant finds that decision unsatisfactory, he/she may appeal the decision to the Board.

The district's decision shall be based on educational suitability of the materials and the criteria established in Board policy and administrative regulation.

When any challenged instructional material is reviewed by the district, it shall not be subject to further reconsideration for 12 months, unless the Superintendent determines that reconsideration is warranted.

Complaints related to sufficiency of textbooks or instructional materials shall be resolved pursuant to the district's Williams uniform complaint procedure at AR 1312.4.

**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

**State References**

**Description**

Ed. Code 18111	Exclusion of books by governing board - <a href="https://simbli.eboardsolutions.com/SU/fAcJGqEGsvKfW1GDcogDzw==">https://simbli.eboardsolutions.com/SU/fAcJGqEGsvKfW1GDcogDzw==</a>
Ed. Code 35010	Control of district; prescription and enforcement of rules - <a href="https://simbli.eboardsolutions.com/SU/OQVSppplusCEZXMhIMKVyv3kBA==">https://simbli.eboardsolutions.com/SU/OQVSppplusCEZXMhIMKVyv3kBA==</a>
Ed. Code 35186	Williams uniform complaint procedures - <a href="https://simbli.eboardsolutions.com/SU/MDiv2vFqYgd1u6vWMYFnhA==">https://simbli.eboardsolutions.com/SU/MDiv2vFqYgd1u6vWMYFnhA==</a>
Ed. Code 44805	Enforcement of course of studies; use of textbooks, rules and regulations - <a href="https://simbli.eboardsolutions.com/SU/aspZQpXuVHqirxKV3DzJNw==">https://simbli.eboardsolutions.com/SU/aspZQpXuVHqirxKV3DzJNw==</a>
Ed. Code 51501	Subject matter reflecting on race, color, etc. - <a href="https://simbli.eboardsolutions.com/SU/txGfKL89VkvCW7IFg8Emtw==">https://simbli.eboardsolutions.com/SU/txGfKL89VkvCW7IFg8Emtw==</a>
Ed. Code 60000-60005	Instructional materials; legislative intent - <a href="https://simbli.eboardsolutions.com/SU/OUKX3BpLit7eis8ERdhYqg==">https://simbli.eboardsolutions.com/SU/OUKX3BpLit7eis8ERdhYqg==</a>
Ed. Code 60040-60048	Instructional requirements and materials - <a href="https://simbli.eboardsolutions.com/SU/vqD4yC2hSBZ9a219bpluseiDA==">https://simbli.eboardsolutions.com/SU/vqD4yC2hSBZ9a219bpluseiDA==</a>
Ed. Code 60119	Public hearing on sufficiency of materials - <a href="https://simbli.eboardsolutions.com/SU/wgpZKRQ3ptU4Chh5FQUMmw==">https://simbli.eboardsolutions.com/SU/wgpZKRQ3ptU4Chh5FQUMmw==</a>
Ed. Code 60200-60206	Elementary school materials - <a href="https://simbli.eboardsolutions.com/SU/5jFbFwrbBUT7yMqHe2X3Bg==">https://simbli.eboardsolutions.com/SU/5jFbFwrbBUT7yMqHe2X3Bg==</a>

Ed. Code 60226	Requirements for publishers and manufacturers - <a href="https://simbli.eboardsolutions.com/SU/8bqvmpLmM6YiYL21AdslshNdw==">https://simbli.eboardsolutions.com/SU/8bqvmpLmM6YiYL21AdslshNdw==</a>
Ed. Code 60400-60411	High school textbooks - <a href="https://simbli.eboardsolutions.com/SU/0SOZiU7DE6w54kslshsplusKofslshg==">https://simbli.eboardsolutions.com/SU/0SOZiU7DE6w54kslshsplusKofslshg==</a>
Ed. Code 60510-60511	Donation of sale of obsolete instructional materials - <a href="https://simbli.eboardsolutions.com/SU/fyTf3BXojSgWwslshDMhlYgzg==">https://simbli.eboardsolutions.com/SU/fyTf3BXojSgWwslshDMhlYgzg==</a>

### **Management Resources References**

CA DOE Program Advisories 1002.90

California Department of Education Publication

Website

Website

Website

### **Description**

Selection of Instructional Materials, CIL: 90/91-02

Standards for Evaluation of Instructional Materials with Respect to Social Content, 1986 edition, revised 2001

CSBA District and County Office of Education Legal Services -  
<https://simbli.eboardsolutions.com/SU/UdykszdmPETuDslshXk6R5akQ==>

California Department of Education, Curriculum and Instruction -  
<https://simbli.eboardsolutions.com/SU/rse1wvWcofD1nr0Z7Xplus7vw==>

CSBA -  
<https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==>

**Regulation 1312.2: Complaints Concerning Instructional Materials**

**Status:** DRAFT

**Original Adopted Date:** Pending

**Step 1: Informal Complaint**

If a staff member, district resident, or parent/guardian of a student enrolled in a district school has a complaint regarding the content or use of any specific instructional material, he/she shall informally discuss the material in question with the principal.

**Step 2: Formal Complaint**

If the complainant is not satisfied with the principal's initial response, he/she shall present a written complaint to the principal. Complaints regarding printed material shall name the author, title, and publisher and shall identify the objection by page and item numbers. In the case of nonprinted material, written information specifying the precise nature of the objection shall be given. Complainants shall sign all complaints and provide identifying information so that the district is able to make a proper reply. Anonymous complaints will not be accepted.

Upon receiving a complaint, the principal shall acknowledge its receipt and answer any questions regarding procedure. The principal then shall notify the Superintendent or designee and the teacher(s) involved of the complaint.

During the investigation of the complaint, the challenged material may remain in use until a final decision has been reached. However, upon request of the parent/guardian who has filed the complaint, his/her child may be excused from using challenged materials until a resolution has been reached. The teacher shall assign the student an alternate material of equal merit.

**Step 3: Superintendent Determination**

The Superintendent or designee shall determine whether a review committee should be convened to review the complaint.

If the Superintendent or designee determines that a review committee is not necessary, he/she shall issue a decision regarding the complaint.

**Step 4: Review Committee**

If the Superintendent or designee determines that a review committee is necessary, he/she shall appoint a committee composed of administrators and staff members selected from relevant instructional and administrative areas. The Superintendent or designee may also appoint community members to serve on the committee.

The review committee shall review the criteria specified in Board policy and shall determine the extent to which the challenged material supports the curriculum, the educational appropriateness of the material, and its suitability for the age level of the student.

Within 30 days of being convened, the review committee shall summarize its findings in a written report. The Superintendent or designee shall notify the complainant of the committee's decision within 15 days of receiving the committee's report.

**Step 5: Appeal to the Governing Board**

If the complainant remains unsatisfied, he/she may appeal the Superintendent's or the review committee's decision to the Board. The Board's decision shall be final.

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**State References**

**Description**

Ed. Code 18111	Exclusion of books by governing board - <a href="https://simbli.eboardsolutions.com/SU/fAcJGqEGsvKfW1GDcogDzw==">https://simbli.eboardsolutions.com/SU/fAcJGqEGsvKfW1GDcogDzw==</a>
Ed. Code 35010	Control of district; prescription and enforcement of rules - <a href="https://simbli.eboardsolutions.com/SU/OQVSpplusCEZXMHIMKVyv3kBA==">https://simbli.eboardsolutions.com/SU/OQVSpplusCEZXMHIMKVyv3kBA==</a>
Ed. Code 35186	Williams uniform complaint procedures - <a href="https://simbli.eboardsolutions.com/SU/MDiv2vFqYgd1u6vWMYFnhA==">https://simbli.eboardsolutions.com/SU/MDiv2vFqYgd1u6vWMYFnhA==</a>
Ed. Code 44805	Enforcement of course of studies; use of textbooks, rules and regulations - <a href="https://simbli.eboardsolutions.com/SU/aspZQpXuVHqirxKV3DzJNw==">https://simbli.eboardsolutions.com/SU/aspZQpXuVHqirxKV3DzJNw==</a>
Ed. Code 51501	Subject matter reflecting on race, color, etc. - <a href="https://simbli.eboardsolutions.com/SU/txGfKL89VkvCW7IFg8Emtw==">https://simbli.eboardsolutions.com/SU/txGfKL89VkvCW7IFg8Emtw==</a>
Ed. Code 60000-60005	Instructional materials; legislative intent - <a href="https://simbli.eboardsolutions.com/SU/OUKX3BpLit7eis8ERdhYqg==">https://simbli.eboardsolutions.com/SU/OUKX3BpLit7eis8ERdhYqg==</a>
Ed. Code 60040-60048	Instructional requirements and materials - <a href="https://simbli.eboardsolutions.com/SU/vqD4yC2hSBZ9a219bpluseiDA==">https://simbli.eboardsolutions.com/SU/vqD4yC2hSBZ9a219bpluseiDA==</a>
Ed. Code 60119	Public hearing on sufficiency of materials - <a href="https://simbli.eboardsolutions.com/SU/wgpZKRQ3ptU4Chh5FQUMmw==">https://simbli.eboardsolutions.com/SU/wgpZKRQ3ptU4Chh5FQUMmw==</a>
Ed. Code 60200-60206	Elementary school materials - <a href="https://simbli.eboardsolutions.com/SU/5jFbFwrbBUT7yMqHe2X3Bg==">https://simbli.eboardsolutions.com/SU/5jFbFwrbBUT7yMqHe2X3Bg==</a>
Ed. Code 60226	Requirements for publishers and manufacturers - <a href="https://simbli.eboardsolutions.com/SU/8bqvmpLmM6YiYL21AdslshNdw==">https://simbli.eboardsolutions.com/SU/8bqvmpLmM6YiYL21AdslshNdw==</a>
Ed. Code 60400-60411	High school textbooks - <a href="https://simbli.eboardsolutions.com/SU/0SOZiU7DE6w54kslshsplusKofslshg==">https://simbli.eboardsolutions.com/SU/0SOZiU7DE6w54kslshsplusKofslshg==</a>
Ed. Code 60510-60511	Donation of sale of obsolete instructional materials - <a href="https://simbli.eboardsolutions.com/SU/fyTf3BXojSgWwslshDMhlygzg==">https://simbli.eboardsolutions.com/SU/fyTf3BXojSgWwslshDMhlygzg==</a>

#### **Management Resources References**

CA DOE Program Advisories 1002.90	<b>Description</b> Selection of Instructional Materials, CIL: 90/91-02
California Department of Education Publication	Standards for Evaluation of Instructional Materials with Respect to Social Content, 1986 edition, revised 2001
Website	CSBA District and County Office of Education Legal Services - <a href="https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsishXk6R5akQ==">https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsishXk6R5akQ==</a>
Website	California Department of Education, Curriculum and Instruction - <a href="https://simbli.eboardsolutions.com/SU/rse1wvWcofD1nr0Z7Xplus7vw==">https://simbli.eboardsolutions.com/SU/rse1wvWcofD1nr0Z7Xplus7vw==</a>
Website	CSBA - <a href="https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==">https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==</a>

**Exhibit 1312.2-E(1): Complaints Concerning Instructional Materials**

**Status:** DRAFT

**Original Adopted Date:** Pending

**REQUEST FOR RECONSIDERATION OF  
INSTRUCTIONAL MATERIALS**

This form is for use only by district employees, district residents, or parents/guardians of children enrolled in a district school to challenge the content or use of an instructional material. For complaints regarding sufficiency of instructional materials, please use the Williams Uniform Complaint Procedure complaint form.

Date: \_\_\_\_\_

Name of person filing complaint: \_\_\_\_\_

Anonymous complaints will not be accepted.

Group represented (if any): \_\_\_\_\_

Phone: \_\_\_\_\_ E-mail address, if any: \_\_\_\_\_

Address: \_\_\_\_\_

Material Being Challenged: \_\_\_\_\_

Title: \_\_\_\_\_

Author: \_\_\_\_\_

Publisher: \_\_\_\_\_ Date of Edition: \_\_\_\_\_

Classroom where material was used: \_\_\_\_\_

1. Please specifically state the nature of your concern or objection and identify your objection by page, tape sequence, video frame, or words, as appropriate. You may use additional pages if necessary.
2. Did you read/view the entire selection?
3. For what age group would you recommend this material?
4. If not, what percentage did you read/view, or what parts?
5. What do you feel might be the result if a student reads/views this material?
6. What would you like the school to do about this material?

- ☐ Do not assign it to my child
- ☐ Withdraw it from all students
- ☐ Reconsider it

Signature of complainant

\_\_\_\_\_

For District Use:

Request received by: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_

Action taken: \_\_\_\_\_ Date: \_\_\_\_\_

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### State References

### Description

Ed. Code 18111	Exclusion of books by governing board - <a href="https://simbli.eboardsolutions.com/SU/fAcJGqEGsvKfW1GDcogDzw==">https://simbli.eboardsolutions.com/SU/fAcJGqEGsvKfW1GDcogDzw==</a>
Ed. Code 35010	Control of district; prescription and enforcement of rules - <a href="https://simbli.eboardsolutions.com/SU/OQVSpplusCEZXMHlMKVYv3kBA==">https://simbli.eboardsolutions.com/SU/OQVSpplusCEZXMHlMKVYv3kBA==</a>
Ed. Code 35186	Williams uniform complaint procedures - <a href="https://simbli.eboardsolutions.com/SU/MDiv2vFqYgd1u6vWMYFnhA==">https://simbli.eboardsolutions.com/SU/MDiv2vFqYgd1u6vWMYFnhA==</a>
Ed. Code 44805	Enforcement of course of studies; use of textbooks, rules and regulations - <a href="https://simbli.eboardsolutions.com/SU/aspZQpXuVHqirxKV3DzJNw==">https://simbli.eboardsolutions.com/SU/aspZQpXuVHqirxKV3DzJNw==</a>
Ed. Code 51501	Subject matter reflecting on race, color, etc. - <a href="https://simbli.eboardsolutions.com/SU/txGfKL89VkvCW7IFg8Emtw==">https://simbli.eboardsolutions.com/SU/txGfKL89VkvCW7IFg8Emtw==</a>
Ed. Code 60000-60005	Instructional materials; legislative intent - <a href="https://simbli.eboardsolutions.com/SU/OUKX3BpLit7eis8ERdhYqg==">https://simbli.eboardsolutions.com/SU/OUKX3BpLit7eis8ERdhYqg==</a>
Ed. Code 60040-60048	Instructional requirements and materials - <a href="https://simbli.eboardsolutions.com/SU/vqD4yC2hSBZ9a219bpluseiDA==">https://simbli.eboardsolutions.com/SU/vqD4yC2hSBZ9a219bpluseiDA==</a>
Ed. Code 60119	Public hearing on sufficiency of materials - <a href="https://simbli.eboardsolutions.com/SU/wgpZKRQ3ptU4Chh5FQUMmw==">https://simbli.eboardsolutions.com/SU/wgpZKRQ3ptU4Chh5FQUMmw==</a>
Ed. Code 60200-60206	Elementary school materials - <a href="https://simbli.eboardsolutions.com/SU/5jFbFwrbBUT7yMqHe2X3Bg==">https://simbli.eboardsolutions.com/SU/5jFbFwrbBUT7yMqHe2X3Bg==</a>
Ed. Code 60226	Requirements for publishers and manufacturers - <a href="https://simbli.eboardsolutions.com/SU/8bqympLmM6YiYL21AdslshNdw==">https://simbli.eboardsolutions.com/SU/8bqympLmM6YiYL21AdslshNdw==</a>
Ed. Code 60400-60411	High school textbooks - <a href="https://simbli.eboardsolutions.com/SU/0SOZiU7DE6w54kslshsplusKofslshg==">https://simbli.eboardsolutions.com/SU/0SOZiU7DE6w54kslshsplusKofslshg==</a>
Ed. Code 60510-60511	Donation of sale of obsolete instructional materials - <a href="https://simbli.eboardsolutions.com/SU/fyTf3BXojSgWwslshDMhlygzg==">https://simbli.eboardsolutions.com/SU/fyTf3BXojSgWwslshDMhlygzg==</a>

### Management Resources References

### Description

CA DOE Program Advisories 1002.90	Selection of Instructional Materials, CIL: 90/91-02
California Department of Education Publication	Standards for Evaluation of Instructional Materials with Respect to Social Content, 1986 edition, revised 2001
Website	CSBA District and County Office of Education Legal Services - <a href="https://simbli.eboardsolutions.com/SU/UdykszdmPETuDslshXk6R5akQ==">https://simbli.eboardsolutions.com/SU/UdykszdmPETuDslshXk6R5akQ==</a>
Website	California Department of Education, Curriculum and Instruction - <a href="https://simbli.eboardsolutions.com/SU/rse1wvWcofD1nr0Z7Xplus7vw==">https://simbli.eboardsolutions.com/SU/rse1wvWcofD1nr0Z7Xplus7vw==</a>
Website	CSBA - <a href="https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==">https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==</a>

**Regulation 1312.3: Uniform Complaint Procedures**

**Status:** DRAFT

**Original Adopted Date:** Pending

Except as may otherwise be specifically provided in other district policies, these uniform complaint procedures (UCP) shall be used to investigate and resolve only the complaints specified in the accompanying Board policy.

**Compliance Officers**

The district designates the individual(s), position(s), or unit(s) identified below as responsible for receiving, coordinating, and investigating complaints and for complying with state and federal civil rights laws. The individual(s), position(s), or unit(s) also serve as the compliance officer(s) specified in AR 5145.3 - Nondiscrimination/Harassment responsible for handling complaints regarding unlawful discrimination, harassment, intimidation, or bullying and in AR 5145.7 - Sexual Harassment for handling complaints regarding sexual harassment.

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The compliance officer who receives a complaint may assign another compliance officer to investigate and resolve the complaint. The compliance officer shall promptly notify the complainant and respondent if another compliance officer is assigned to the complaint.

In no instance shall a compliance officer be assigned to a complaint in which the compliance officer has a bias or conflict of interest that would prohibit the fair investigation or resolution of the complaint. Any complaint against a compliance officer or that raises a concern about the compliance officer's ability to investigate the complaint fairly and without bias shall be filed with the Superintendent or designee who shall determine how the complaint will be investigated.

The Superintendent or designee shall ensure that employees assigned to investigate and resolve complaints receive training and are knowledgeable about the laws and programs at issue in the complaints to which they are assigned. Training provided to such employees shall cover current state and federal laws and regulations governing the program; applicable processes for investigating and resolving complaints, including those alleging unlawful discrimination, harassment, intimidation, or bullying; applicable standards for reaching decisions on complaints; and appropriate corrective measures. Assigned employees may have access to legal counsel as determined by the Superintendent or designee.

The compliance officer or, if necessary, an appropriate administrator shall determine whether interim measures are necessary during an investigation and while the result is pending. If interim measures are determined to be necessary, the compliance officer or the administrator shall consult with the Superintendent, the Superintendent's designee, or, if appropriate, the site principal to implement one or more interim measures. The interim measures shall remain in place until the compliance officer determines that they are no longer necessary or until the district issues its final written decision, whichever occurs first.

**Notifications**

The district's UCP policy and administrative regulation shall be posted in all district schools and offices, including staff lounges and student government meeting rooms. (Education Code 234.1)

In addition, the Superintendent or designee shall annually provide written notification of the district's UCP to students, employees, parents/guardians of district students, district advisory committee members, school advisory committee members, appropriate private school officials or representatives, and other interested parties. (5 CCR 4622)

The notice shall include:

1. A statement that the district is primarily responsible for compliance with federal and state laws and regulations, including those related to prohibition of unlawful discrimination, harassment, intimidation, or bullying against any protected group, and a list of all programs and activities that are subject to UCP as

identified in the section "Complaints Subject to UCP" in the accompanying Board policy

2. The title of the position responsible for processing complaints, the identity of the person(s) currently occupying that position if known, and a statement that such persons will be knowledgeable about the laws and programs that they are assigned to investigate
3. A statement that a UCP complaint, except a complaint alleging unlawful discrimination, harassment, intimidation, or bullying, must be filed no later than one year from the date the alleged violation occurred
4. A statement that a UCP complaint alleging unlawful discrimination, harassment, intimidation, or bullying must be filed no later than six months from the date of the alleged conduct or the date the complainant first obtained knowledge of the facts of the alleged conduct
5. A statement that a student enrolled in a public school shall not be required to pay a fee for participation in an educational activity that constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities
6. A statement that a complaint regarding student fees or the local control and accountability plan (LCAP) may be filed anonymously if the complainant provides evidence or information leading to evidence to support the complaint
7. A statement that the district will post a standardized notice of the educational and graduation requirements of foster youth, homeless students, children of military families, and former juvenile court school students now enrolled in the district, as specified in Education Code 48645.7, 48853, 48853.5, 49069.5, 51225.1, and 51225.2, and the complaint process
8. A statement that complaints will be investigated in accordance with the district's UCP and a written decision will be sent to the complainant within 60 days from the receipt of the complaint, unless this time period is extended by written agreement of the complainant
9. A statement that, for programs within the scope of the UCP as specified in the accompanying Board policy, the complainant has a right to appeal the district's investigation report to the California Department of Education (CDE) by filing a written appeal, including a copy of the original complaint and the district's decision, within 30 calendar days of receiving the district's decision
10. A statement advising the complainant of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal laws prohibiting discrimination, harassment, intimidation, or bullying, if applicable
11. A statement that copies of the district's UCP are available free of charge

The annual notification, complete contact information of the compliance officer(s), and information related to Title IX as required pursuant to Education Code 221.6 shall be posted on the district and district school web sites and may be provided through district-supported social media, if available.

The Superintendent or designee shall ensure that all students and parents/guardians, including students and parents/guardians with limited English proficiency, have access to the relevant information provided in the district's policy, regulation, forms, and notices concerning the UCP.

If 15 percent or more of students enrolled in a particular district school speak a single primary language other than English, the district's UCP policy, regulation, forms, and notices 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 UCP information for parents/guardians with limited English proficiency.

### **Filing of Complaints**

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp. If a site administrator not designated as a compliance officer receives a complaint, the site administrator shall notify the compliance officer.

All complaints shall be filed in writing and signed by the complainant. If a complainant is unable to put a complaint in



writing due to conditions such as a disability or illiteracy, district staff shall assist in the filing of the complaint. (5 CCR 4600)

Complaints shall also be filed in accordance with the following rules, as applicable:

1. A complaint alleging district violation of applicable state or federal law or regulations governing the programs specified in the accompanying Board policy may be filed by any individual, public agency, or organization. (5 CCR 4600)
2. Any complaint alleging noncompliance with law regarding the prohibition against student fees, deposits, and charges or any requirement related to the LCAP may be filed anonymously if the complaint provides evidence, or information leading to evidence, to support an allegation of noncompliance. A complaint about a violation of the prohibition against the charging of unlawful student fees may be filed with the principal of the school or with the Superintendent or designee.
3. A UCP complaint, except for a UCP complaint alleging unlawful discrimination, harassment, intimidation, or bullying, shall be filed no later than one year from the date the alleged violation occurred. For complaints related to the LCAP, the date of the alleged violation is the date when the County Superintendent of Schools approves the LCAP that was adopted by the Governing Board. (5 CCR 4630)
4. A complaint alleging unlawful discrimination, harassment, intimidation, or bullying may be filed only by a person who alleges having personally suffered unlawful discrimination, a person who believes that any specific class of individuals has been subjected to unlawful discrimination, or a duly authorized representative who alleges that an individual student has been subjected to discrimination, harassment, intimidation, or bullying. (5 CCR 4630)
5. A complaint alleging unlawful discrimination, harassment, intimidation, or bullying shall be initiated no later than six months from the date that the alleged unlawful discrimination occurred, or six months from the date that the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension. (5 CCR 4630)
6. When a complaint alleging unlawful discrimination, harassment, intimidation, or bullying is filed anonymously, the compliance officer shall pursue an investigation or other response as appropriate, depending on the specificity and reliability of the information provided and the seriousness of the allegation.
7. When a complainant of unlawful discrimination, harassment, intimidation, or bullying or the alleged victim, when not the complainant, requests confidentiality, the compliance officer shall inform the complainant or victim that the request may limit the district's ability to investigate the conduct or take other necessary action. When honoring a request for confidentiality, the district shall nevertheless take all reasonable steps to investigate and resolve/respond to the complaint consistent with the request.

## **Mediation**

Within three business days after receiving the complaint, the compliance officer may informally discuss with all the parties the possibility of using mediation to resolve the complaint. Mediation shall be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving an allegation of sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. If the parties agree to mediation, the compliance officer shall make all arrangements for this process.

Before initiating the mediation of a complaint alleging retaliation or unlawful discrimination, harassment, intimidation, or bullying, the compliance officer shall ensure that all parties agree to permit the mediator access to all relevant confidential information. The compliance officer shall also notify all parties of the right to end the informal process at any time.

If the mediation process does not resolve the problem within the parameters of law, the compliance officer shall proceed with an investigation of the complaint.

The use of mediation shall not extend the district's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time. If mediation is successful and the complaint is withdrawn,

then the district shall take only the actions agreed upon through the mediation. If mediation is unsuccessful, the district shall then continue with subsequent steps specified in this administrative regulation.

### **Investigation of Complaint**

Within 10 business days after the compliance officer receives the complaint, the compliance officer shall begin an investigation into the complaint.

Within one business day of initiating the investigation, the compliance officer shall provide the complainant and/or the complainant's representative with the opportunity to present the information contained in the complaint to the compliance officer and shall notify the complainant and/or representative of the opportunity to present the compliance officer with any evidence, or information leading to evidence, to support the allegations in the complaint. Such evidence or information may be presented at any time during the investigation.

In conducting the investigation, the compliance officer shall collect all available documents and review all available records, notes, or statements related to the complaint, including any additional evidence or information received from the parties during the course of the investigation. The compliance officer shall individually interview all available witnesses with information pertinent to the complaint, and may visit any reasonably accessible location where the relevant actions are alleged to have taken place. At appropriate intervals, the compliance officer shall inform the parties of the status of the investigation.

To investigate a complaint alleging retaliation or unlawful discrimination, harassment, intimidation, or bullying, the compliance officer shall interview the alleged victim(s), any alleged offender(s), and other relevant witnesses privately, separately, and in a confidential manner. As necessary, additional staff or legal counsel may conduct or support the investigation.

A complainant's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or any other obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegation.

Refusal by the district to provide the investigator with access to records and/or information related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or any other obstruction of the investigation may result in a finding based on evidence collected that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

### **Timeline for Investigation Report**

Unless extended by written agreement with the complainant, the investigation report shall be sent to the complainant within 60 calendar days of the district's receipt of the complaint.

Within 30 calendar days of receiving the complaint, the compliance officer shall prepare and send to the complainant a written report, as described in the section "Investigation Report" below. If the complainant is dissatisfied with the compliance officer's decision, the complainant may, within five business days, file the complaint in writing with the Board.

The Board may consider the matter at its next regular Board meeting or at a special Board meeting convened in order to meet the 60-day time limit within which the complaint must be answered. When required by law, the matter shall be considered in closed session. The Board may decide not to hear the complaint, in which case the compliance officer's decision shall be final.

If the Board hears the complaint, the compliance officer shall send the Board's decision to the complainant within 60 calendar days of the district's initial receipt of the complaint or within the time period that has been specified in a written agreement with the complainant. (5 CCR 4631)

For any complaint alleging unlawful discrimination, harassment, intimidation, and bullying, the respondent shall be informed of any extension of the timeline agreed to by the complainant, and, in the same manner as the complainant, may file a complaint with the Board if dissatisfied with the decision.

### **Investigation Report**

For all complaints, the district's investigation report shall include: (5 CCR 4631)

1. The findings of fact based on the evidence gathered
2. A conclusion providing a clear determination for each allegation as to whether the district is in compliance with the relevant law
3. Corrective action(s) whenever the district finds merit in the complaint, including, when required by law, a remedy to all affected students and parents/guardians and, for a student fees complaint, a remedy that complies with Education Code 49013 and 5 CCR 4600
4. Notice of the complainant's right to appeal the district's investigation report to CDE, except when the district has used the UCP to address a complaint not specified in 5 CCR 4610
5. Procedures to be followed for initiating an appeal to CDE

The investigation report may also include follow-up procedures to prevent recurrence or retaliation and for reporting any subsequent problems.

In consultation with district legal counsel, information about the relevant part of an investigation report may be communicated to a victim who is not the complainant and to other parties who may be involved in implementing the investigation report or are affected by the complaint, as long as the privacy of the parties is protected. In a complaint alleging unlawful discrimination, harassment, intimidation, and bullying, notice of the investigation report to the alleged victim shall include information about any sanction to be imposed upon the respondent that relates directly to the alleged victim.

If the complaint involves a limited-English-proficient (LEP) student or parent/guardian, then the district's response, if requested by the complainant, and the investigation report shall be written in English and the primary language in which the complaint was filed.

For complaints alleging unlawful discrimination, harassment, intimidation, and bullying based on state law, the investigation report shall also include a notice to the complainant that:

1. The complainant may pursue available civil law remedies outside of the district's complaint procedures, including, but not limited to, injunctions, restraining orders or other remedies or orders, 60 calendar days after the filing of an appeal with CDE. (Education Code 262.3)
2. The 60 days moratorium does not apply to complaints seeking injunctive relief in state courts or to discrimination complaints based on federal law. (Education Code 262.3)
3. Complaints alleging discrimination based on race, color, national origin, sex, gender, disability, or age may also be filed with the U.S. Department of Education, Office for Civil Rights at [www.ed.gov/ocr](http://www.ed.gov/ocr) within 180 days of the alleged discrimination.

### **Corrective Actions**

When a complaint is found to have merit, the compliance officer shall adopt any appropriate corrective action permitted by law. Appropriate corrective actions that focus on the larger school or district environment may include, but are not limited to, actions to reinforce district policies; training for faculty, staff, and students; updates to school policies; or school climate surveys.

For complaints involving retaliation or unlawful discrimination, harassment, intimidation, or bullying, appropriate remedies that may be offered to the victim but not communicated to the respondent may include, but are not limited to, the following:

1. Counseling
2. Academic support
3. Health services
4. Assignment of an escort to allow the victim to move safely about campus

5. Information regarding available resources and how to report similar incidents or retaliation
6. Separation of the victim from any other individuals involved, provided the separation does not penalize the victim
7. Restorative justice
8. Follow-up inquiries to ensure that the conduct has stopped and there has been no retaliation

For complaints of retaliation or unlawful discrimination, harassment, intimidation, or bullying involving a student as the respondent, appropriate corrective actions that may be provided to the student include, but are not limited to, the following:

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

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

The district may also consider training and other interventions for the larger school community to ensure that students, staff, and parents/guardians understand the types of behavior that constitute unlawful discrimination, harassment, intimidation, or bullying, that the district does not tolerate it, and how to report and respond to it.

When a complaint is found to have merit, an appropriate remedy shall be provided to the complainant or other affected person.

However, if a complaint alleging noncompliance with the law regarding student fees, deposits, and other charges, physical education instructional minutes, courses without educational content, or any requirement related to the LCAP is found to have merit, the district shall provide a remedy to all affected students and parents/guardians subject to procedures established by regulation of the State Board of Education. (Education Code 49013, 51222, 51223, 51228.3, 52075)

For complaints alleging noncompliance with the law regarding student fees, the district, by engaging in reasonable efforts, shall attempt in good faith to identify and fully reimburse all affected students and parents/guardians who paid the unlawful student fees within one year prior to the filing of the complaint. (Education Code 49013; 5 CCR 4600)

### **Appeals to the California Department of Education**

Any complainant who is dissatisfied with the district's investigation report on a complaint regarding any specified federal or state educational program subject to UCP may file an appeal in writing with CDE within 30 calendar days of receiving the district's investigation report. (5 CCR 4632)

The appeal shall be sent to CDE with a copy of the original locally filed complaint and a copy of the district's investigation report for that complaint. The complainant shall specify and explain the basis for the appeal, including at least one of the following: (5 CCR 4632)

1. The district failed to follow its complaint procedures.

2. Relative to the allegations of the complaint, the district's investigation report lacks material findings of fact necessary to reach a conclusion of law.
3. The material findings of fact in the district's investigation report are not supported by substantial evidence.
4. The legal conclusion in the district's investigation report is inconsistent with the law.
5. In a case in which the district found noncompliance, the corrective actions fail to provide a proper remedy.

Upon notification by CDE that the district's investigation report has been appealed, the Superintendent or designee shall forward the following documents to CDE within 10 days of the date of notification: (5 CCR 4633)

1. A copy of the original complaint
2. A copy of the district's investigation report
3. A copy of the investigation file including, but not limited to, all notes, interviews, and documents submitted by the parties and gathered by the investigator
4. A report of any action taken to resolve the complaint
5. A copy of the district's UCP
6. Other relevant information requested by CDE

If notified by CDE that the district's investigation report failed to address allegation(s) raised by the complaint, the district shall, within 20 days of the notification, provide CDE and the appellant with an amended investigation report that addresses the allegation(s) that were not addressed in the original investigation report. The amended report shall also inform the appellant of the right to separately appeal the amended report with respect to the allegation(s) that were not addressed in the original report. (5 CCR 4632)

### **Health and Safety Complaints in License-Exempt Preschool Programs**

Any complaint regarding health or safety issues in a license-exempt California State Preschool Program (CSPP) shall be addressed through the procedures described in 5 CCR 4690-4694.

In order to identify appropriate subjects of CSPP health and safety issues pursuant to Health and Safety Code 1596.7925, a notice shall be posted in each license-exempt CSPP classroom in the district notifying parents/guardians, students, and teachers of the health and safety requirements of Title 5 regulations that apply to CSPP programs pursuant to Health and Safety Code 1596.7925 and the location at which to obtain a form to file any complaint alleging noncompliance with those requirements. For this purpose, the Superintendent or designee may download and post a notice available from the CDE web site. (Education Code 8212; 5 CCR 4691)

The district's annual UCP notification distributed pursuant to 5 CCR 4622 shall clearly indicate which of its CSPP programs are operating as exempt from licensing and which CSPP programs are operating pursuant to requirements under Title 22 of the Code of Regulations. (5 CCR 4691)

Any complaint regarding specified health or safety issues in a license-exempt CSPP program shall be filed with the preschool program administrator or designee, and may be filed anonymously. The complaint form shall specify the location for filing the complaint, contain a space to indicate whether the complainant desires a response to the complaint, and allow a complainant to add as much text as desired to explain the complaint. (Education Code 8212; 5 CCR 4690)

If it is determined that the complaint is beyond the authority of the preschool program administrator, the matter shall be forwarded to the Superintendent or designee in a timely manner, not to exceed 10 working days, for resolution. The preschool administrator or the Superintendent or designee shall make all reasonable efforts to investigate any complaint within their authority. (Education Code 8212; 5 CCR 4692)

Investigation of a complaint regarding health or safety issues in a license-exempt CSPP program shall begin within 10 days of receipt of the complaint. (Education Code 8212; 5 CCR 4692)

The preschool administrator or designee shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received. If the complainant has indicated on the complaint form a desire to receive a response to the complaint, the preschool administrator or Superintendent's designee shall, within 45 working days of the initial filing of the complaint, report the resolution of the complaint to the complainant and CDE's assigned field consultant. If the preschool administrator makes this report, the information shall be reported at the same time to the Superintendent or designee. (Education Code 8212; 5 CCR 4692)

If a complaint regarding health or safety issues in a license-exempt CSPP program involves an LEP student or parent/guardian, then the district's response, if requested by the complainant, and the investigation report shall be written in English and the primary language in which the complaint was filed.

If a complainant is not satisfied with the resolution of a complaint, the complainant has the right to describe the complaint to the Board at a regularly scheduled hearing and, within 30 days of the date of the written report, may file a written appeal of the district's decision to the Superintendent of Public Instruction in accordance with 5 CCR 4632. (Education Code 8212; 5 CCR 4693, 4694)

All complaints and responses are public records. (5 CCR 4690)

On a quarterly basis, the Superintendent or designee shall report summarized data on the nature and resolution of all CSPP health and safety complaints, including the number of complaints by general subject area with the number of resolved and unresolved complaints, to the Board at a regularly scheduled Board meeting and to the County Superintendent. (5 CCR 4693)

**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

#### State References

#### Description

2 CCR 11023	Harassment and discrimination prevention and correction - <a href="https://simbli.eboardsolutions.com/SU/haAgKnrQhVJbslsh34hY5zslsh5Q==">https://simbli.eboardsolutions.com/SU/haAgKnrQhVJbslsh34hY5zslsh5Q==</a>
5 CCR 15580-15584	Child nutrition programs complaint procedures
5 CCR 3200-3205	Special education compliance complaints
5 CCR 4600-4670	Uniform complaint procedures
5 CCR 4600-4687	Uniform complaint procedures and Williams complaints
5 CCR 4690-4694	Complaints regarding health and safety issues in license-exempt preschool programs
5 CCR 4900-4965	Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance
Ed. Code 18100-18203	School libraries - <a href="https://simbli.eboardsolutions.com/SU/gEKFVCshY2uysLTMWE06ug==">https://simbli.eboardsolutions.com/SU/gEKFVCshY2uysLTMWE06ug==</a>
Ed. Code 200-262.4	Prohibition of discrimination - <a href="https://simbli.eboardsolutions.com/SU/ytTLslshoozWGUAAbNL6kKkgxQ==">https://simbli.eboardsolutions.com/SU/ytTLslshoozWGUAAbNL6kKkgxQ==</a>
Ed. Code 32280-32289.5	School safety plans - <a href="https://simbli.eboardsolutions.com/SU/gz33QjVcfk6ufvjfPS84Kw==">https://simbli.eboardsolutions.com/SU/gz33QjVcfk6ufvjfPS84Kw==</a>
Ed. Code 35186	Williams uniform complaint procedures - <a href="https://simbli.eboardsolutions.com/SU/MDiv2vFqYgd1u6vWMYFnhA==">https://simbli.eboardsolutions.com/SU/MDiv2vFqYgd1u6vWMYFnhA==</a>
Ed. Code 46015	Parental leave for students - <a href="https://simbli.eboardsolutions.com/SU/A5q1Ee4yrt4KmDTVXBHEkg==">https://simbli.eboardsolutions.com/SU/A5q1Ee4yrt4KmDTVXBHEkg==</a>
Ed. Code 48645.7	Juvenile court schools - <a href="https://simbli.eboardsolutions.com/SU/AcRvAUFJ7EplusoGlrm4VsbZw==">https://simbli.eboardsolutions.com/SU/AcRvAUFJ7EplusoGlrm4VsbZw==</a>
Ed. Code 48853-48853.5	Foster youth - <a href="https://simbli.eboardsolutions.com/SU/QU2SE6lz7doZOGCpluslbtAeg==">https://simbli.eboardsolutions.com/SU/QU2SE6lz7doZOGCpluslbtAeg==</a>

Ed. Code 48985	Notices to parents in language other than English - <a href="https://simbli.eboardsolutions.com/SU/LHS9yg0UBYa76W1AygydnA==">https://simbli.eboardsolutions.com/SU/LHS9yg0UBYa76W1AygydnA==</a>
Ed. Code 49010-49013	Student fees - <a href="https://simbli.eboardsolutions.com/SU/daJBvwak5yr7i9e1yKfzsA==">https://simbli.eboardsolutions.com/SU/daJBvwak5yr7i9e1yKfzsA==</a>
Ed. Code 49060-49079	Student records - <a href="https://simbli.eboardsolutions.com/SU/48PbpM8vuGlggyF7weQSbw==">https://simbli.eboardsolutions.com/SU/48PbpM8vuGlggyF7weQSbw==</a>
Ed. Code 49069.5	Records of foster youth - <a href="https://simbli.eboardsolutions.com/SU/7EZSzhTOVeZ1vxC4vqntnA==">https://simbli.eboardsolutions.com/SU/7EZSzhTOVeZ1vxC4vqntnA==</a>
Ed. Code 49490-49590	Child nutrition programs - <a href="https://simbli.eboardsolutions.com/SU/HpsplusCiBj7dmHtQtmlGieZQ==">https://simbli.eboardsolutions.com/SU/HpsplusCiBj7dmHtQtmlGieZQ==</a>
Ed. Code 49701	Provisions of the Interstate Compact on Educational Opportunities for Military Children - <a href="https://simbli.eboardsolutions.com/SU/EHaMyWplus22XilM2rKzLDgQA==">https://simbli.eboardsolutions.com/SU/EHaMyWplus22XilM2rKzLDgQA==</a>
Ed. Code 51210	Course of study for grades 1-6 - <a href="https://simbli.eboardsolutions.com/SU/JykgKwplusslshvJND2xzQcl3slshslshw==">https://simbli.eboardsolutions.com/SU/JykgKwplusslshvJND2xzQcl3slshslshw==</a>
Ed. Code 51222	Physical education - <a href="https://simbli.eboardsolutions.com/SU/g20nvEDdHGPfUCs0pymqlA==">https://simbli.eboardsolutions.com/SU/g20nvEDdHGPfUCs0pymqlA==</a>
Ed. Code 51223	Physical education; elementary schools - <a href="https://simbli.eboardsolutions.com/SU/kjyahxIV5sXVmf5NRnPFgQ==">https://simbli.eboardsolutions.com/SU/kjyahxIV5sXVmf5NRnPFgQ==</a>
Ed. Code 51225.1-51225.2	Foster youth, homeless children, former juvenile court school students; course credits; graduation requirements - <a href="https://simbli.eboardsolutions.com/SU/ESJhsNSpOyN75E8CplusIXPNg==">https://simbli.eboardsolutions.com/SU/ESJhsNSpOyN75E8CplusIXPNg==</a>
Ed. Code 51226-51226.1	Career technical education - <a href="https://simbli.eboardsolutions.com/SU/ESJhsNSpOyN75E8CplusIXPNg==">https://simbli.eboardsolutions.com/SU/ESJhsNSpOyN75E8CplusIXPNg==</a>
Ed. Code 51228.1-51228.3	Course periods without educational content - <a href="https://simbli.eboardsolutions.com/SU/ESJhsNSpOyN75E8CplusIXPNg==">https://simbli.eboardsolutions.com/SU/ESJhsNSpOyN75E8CplusIXPNg==</a>
Ed. Code 52059.5	Statewide system of support - <a href="https://simbli.eboardsolutions.com/SU/FeOETX8ebgjS8BNeW4qTGA==">https://simbli.eboardsolutions.com/SU/FeOETX8ebgjS8BNeW4qTGA==</a>
Ed. Code 52060-52077	Local control and accountability plan - <a href="https://simbli.eboardsolutions.com/SU/kjlpplusPzLslshlt7rP0BfXZYJuQ==">https://simbli.eboardsolutions.com/SU/kjlpplusPzLslshlt7rP0BfXZYJuQ==</a>
Ed. Code 52075	Complaint for lack of compliance with local control and accountability plan requirements - <a href="https://simbli.eboardsolutions.com/SU/8IFk3KsEOM9tKoqluFWBwQ==">https://simbli.eboardsolutions.com/SU/8IFk3KsEOM9tKoqluFWBwQ==</a>
Ed. Code 52300-52462	Career technical education - <a href="https://simbli.eboardsolutions.com/SU/W5QWdzplusIzuXHkwAarOug5w==">https://simbli.eboardsolutions.com/SU/W5QWdzplusIzuXHkwAarOug5w==</a>
Ed. Code 52500-52617	Adult schools - <a href="https://simbli.eboardsolutions.com/SU/lrB2FILBOprTRYP9uEplusSslshA==">https://simbli.eboardsolutions.com/SU/lrB2FILBOprTRYP9uEplusSslshA==</a>
Ed. Code 54400-54425	Compensatory education programs - <a href="https://simbli.eboardsolutions.com/SU/FuvMslshOo2WtsLQ8AKjJIYQw==">https://simbli.eboardsolutions.com/SU/FuvMslshOo2WtsLQ8AKjJIYQw==</a>
Ed. Code 54440-54445	Migrant education - <a href="https://simbli.eboardsolutions.com/SU/56YV98b2cqpluspQnlpp2KrGg==">https://simbli.eboardsolutions.com/SU/56YV98b2cqpluspQnlpp2KrGg==</a>
Ed. Code 54460-54529	Compensatory education programs - <a href="https://simbli.eboardsolutions.com/SU/FeT7h5o0rDzICJEvpJcSuQ==">https://simbli.eboardsolutions.com/SU/FeT7h5o0rDzICJEvpJcSuQ==</a>
Ed. Code 59000-59300	Special schools and centers - <a href="https://simbli.eboardsolutions.com/SU/KxWrplus7BfgFSwbHt62ZoaCw==">https://simbli.eboardsolutions.com/SU/KxWrplus7BfgFSwbHt62ZoaCw==</a>
Ed. Code 64000-64001	Consolidated application process; school plan for student achievement - <a href="https://simbli.eboardsolutions.com/SU/HpsplusCiBj7dmHtQtmlGieZQ==">https://simbli.eboardsolutions.com/SU/HpsplusCiBj7dmHtQtmlGieZQ==</a>
Ed. Code 65000-65001	School site councils - <a href="https://simbli.eboardsolutions.com/SU/0EAplzMGH2XevzVUbza2cw==">https://simbli.eboardsolutions.com/SU/0EAplzMGH2XevzVUbza2cw==</a>
Ed. Code 8200-8488	Child care and development programs - <a href="https://simbli.eboardsolutions.com/SU/WailxWdWXPYHcdWpmOa61w==">https://simbli.eboardsolutions.com/SU/WailxWdWXPYHcdWpmOa61w==</a>

Ed. Code 8500-8538	Adult basic education - <a href="https://simbli.eboardsolutions.com/SU/zBCOmaotzOlz4nDHL0slsh82Q==">https://simbli.eboardsolutions.com/SU/zBCOmaotzOlz4nDHL0slsh82Q==</a>
Gov. Code 11135	Prohibition of discrimination - <a href="https://simbli.eboardsolutions.com/SU/PcUFWMcCJnzBrKAL0EtfQ==">https://simbli.eboardsolutions.com/SU/PcUFWMcCJnzBrKAL0EtfQ==</a>
Gov. Code 12900-12996	Fair Employment and Housing Act - <a href="https://simbli.eboardsolutions.com/SU/kYDZnuplusf3qJV95L7E0pUzw==">https://simbli.eboardsolutions.com/SU/kYDZnuplusf3qJV95L7E0pUzw==</a>
H&S Code 1596.792	California Child Day Care Act; general provisions and definitions - <a href="https://simbli.eboardsolutions.com/SU/mQklFgb6c7LDiplusv1Sq4Ugg==">https://simbli.eboardsolutions.com/SU/mQklFgb6c7LDiplusv1Sq4Ugg==</a>
H&S Code 1596.7925	California Child Day Care Act; health and safety regulations - <a href="https://simbli.eboardsolutions.com/SU/68l8yplus9z3lVKoLk4dh887g==">https://simbli.eboardsolutions.com/SU/68l8yplus9z3lVKoLk4dh887g==</a>
Pen. Code 422.55	Definition of hate crime - <a href="https://simbli.eboardsolutions.com/SU/EXmP7bT1slshj3qOjaM9qTkHA==">https://simbli.eboardsolutions.com/SU/EXmP7bT1slshj3qOjaM9qTkHA==</a>
Pen. Code 422.6	Crimes; harassment - <a href="https://simbli.eboardsolutions.com/SU/vVSJrxnKuuauWDfn4F58wg==">https://simbli.eboardsolutions.com/SU/vVSJrxnKuuauWDfn4F58wg==</a>

### **Federal References**

	<b>Description</b>
20 USC 1221	Application of laws
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
20 USC 1681-1688	Title IX of the Education Amendments of 1972; discrimination based on sex
20 USC 6301-6576	Title I Improving the Academic Achievement of the Disadvantaged
20 USC 6801-7014	Title III language instruction for limited English proficient and immigrant students
28 CFR 35.107	Nondiscrimination on basis of disability; complaints
29 USC 794	Rehabilitation Act of 1973; Section 504
34 CFR 100.3	Prohibition of discrimination on basis of race, color or national origin
34 CFR 104.7	Section 504; Designation of responsible employee and adoption of grievances procedures
34 CFR 106.1-106.82	Nondiscrimination on the basis of sex in education programs
34 CFR 106.30	Discrimination on the basis of sex in education programs and activities; definitions
34 CFR 106.44	Recipient's response to sexual harassment
34 CFR 106.45	Grievance process for formal complaints of sexual harassment
34 CFR 106.8	Designation of coordinator; dissemination of policy, and adoption of grievance procedures
34 CFR 110.25	Notification of nondiscrimination on the basis of age
34 CFR 99.1-99.67	Family Educational Rights and Privacy
42 USC 11431-11435	McKinney-Vento Homeless Assistance Act
42 USC 12101-12213	Americans with Disabilities Act
42 USC 2000d-2000e-17	Title VI and Title VII Civil Rights Act of 1964, as amended
42 USC 2000h-2-2000h-6	Title IX of the Civil Rights Act of 1964
42 USC 6101-6107	Age Discrimination Act of 1975

### **Management Resources References**

	<b>Description</b>
California Department of Education Publication	Uniform Complaint Procedure 2021-22 Program Instrument
California Department of Education Publication	Sample UCP Board Policies and Procedures



U.S. DOE, Office for Civil Rights Publication	Part 1: Questions and Answers Regarding the Department's Title IX Regulations, January 2021
U.S. DOE, Office for Civil Rights Publication	Questions and Answers on the Title IX Regulations on Sexual Harassment, July 2021
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014
U.S. DOJ Publication	Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 2007
Website	CSBA District and County Office of Education Legal Services - <a href="https://simbli.eboardsolutions.com/SU/UdykszdmpETuDsIshXk6R5akQ==">https://simbli.eboardsolutions.com/SU/UdykszdmpETuDsIshXk6R5akQ==</a>
Website	Student Privacy Policy Office - <a href="https://simbli.eboardsolutions.com/SU/vQyG7O4R64DgKeNodKIAAQ==">https://simbli.eboardsolutions.com/SU/vQyG7O4R64DgKeNodKIAAQ==</a>
Website	U.S. Department of Agriculture - <a href="https://simbli.eboardsolutions.com/SU/njpdBqDfo1Mslsh1ZLplusszTslshRw==">https://simbli.eboardsolutions.com/SU/njpdBqDfo1Mslsh1ZLplusszTslshRw==</a>
Website	California Department of Social Services - <a href="https://simbli.eboardsolutions.com/SU/TFIWOAAhRHb4PYNSjlzKIQ==">https://simbli.eboardsolutions.com/SU/TFIWOAAhRHb4PYNSjlzKIQ==</a>
Website	U.S. Department of Justice - <a href="https://simbli.eboardsolutions.com/SU/BPwrkTmFhG0Sxt3hKCVuBw==">https://simbli.eboardsolutions.com/SU/BPwrkTmFhG0Sxt3hKCVuBw==</a>
Website	California Department of Education - <a href="https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==">https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==</a>
Website	CSBA - <a href="https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==">https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==</a>
Website	U.S. Department of Education, Office for Civil Rights - <a href="https://simbli.eboardsolutions.com/SU/xmCPrTcoZle111WmbX10Vg==">https://simbli.eboardsolutions.com/SU/xmCPrTcoZle111WmbX10Vg==</a>
Website	California Civil Rights Department - <a href="https://simbli.eboardsolutions.com/SU/RRvNseNogmlnMLyl8K40jw==">https://simbli.eboardsolutions.com/SU/RRvNseNogmlnMLyl8K40jw==</a>

**Policy 1312.3: Uniform Complaint Procedures**

**Status:** DRAFT

**Original Adopted Date:** Pending

The Governing Board recognizes that the district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs. The Board encourages the early resolution of complaints whenever possible. To resolve complaints which may require a more formal process, the Board adopts the uniform system of complaint processes specified in 5 CCR 4600-4670 and the accompanying administrative regulation.

**Complaints Subject to UCP**

The district's uniform complaint procedures (UCP) shall be used to investigate and resolve complaints regarding the following programs and activities:

1. Accommodations for pregnant and parenting students (Education Code 46015)
2. Adult education programs (Education Code 8500-8538, 52334.7, 52500-52617)
3. After School Education and Safety programs (Education Code 8482-8484.65)
4. Agricultural career technical education (Education Code 52460-52462)
5. Career technical and technical education and career technical and technical training programs (Education Code 52300-52462)
6. Child care and development programs (Education Code 8200-8488)
7. Compensatory education (Education Code 54400)
8. Consolidated categorical aid programs (Education Code 33315; 34 CFR 299.10-299.12)
9. Course periods without educational content (Education Code 51228.1-51228.3)
10. Discrimination, harassment, intimidation, or bullying in district programs and activities, including in those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on a person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, immigration status, ethnic group identification, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on the person's association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610)
11. Educational and graduation requirements for students in foster care, homeless students, students from military families, and students formerly in a juvenile court school (Education Code 48645.7, 48853, 48853.5, 49069.5, 51225.1, 51225.2)
12. Every Student Succeeds Act (Education Code 52059.5; 20 USC 6301 et seq.)
13. Local control and accountability plan (Education Code 52075)
14. Migrant education (Education Code 54440-54445)
15. Physical education instructional minutes (Education Code 51210, 51222, 51223)
16. Student fees (Education Code 49010-49013)
17. Reasonable accommodations to a lactating student (Education Code 222)
18. Regional occupational centers and programs (Education Code 52300-52334.7)

19. School plans for student achievement as required for the consolidated application for specified federal and/or state categorical funding (Education Code 64001)
20. School safety plans (Education Code 32280-32289)
21. School site councils as required for the consolidated application for specified federal and/or state categorical funding (Education Code 65000)
22. State preschool programs (Education Code 8207-8225)
23. State preschool health and safety issues in license-exempt programs (Education Code 8212)
24. Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy
25. Any other state or federal educational program the Superintendent of Public Instruction or designee deems appropriate

The Board recognizes that alternative dispute resolution (ADR) can, depending on the nature of the allegations, offer a process for resolving a complaint in a manner that is acceptable to all parties. An ADR process such as mediation may be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. The Superintendent or designee shall ensure that the use of ADR is consistent with state and federal laws and regulations.

The district shall protect all complainants from retaliation. In investigating complaints, the confidentiality of the parties involved shall be protected as required by law. For any complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the Superintendent or designee shall keep the identity of the complainant, and/or the subject of the complaint if different from the complainant, confidential when appropriate and as long as the integrity of the complaint process is maintained.

When an allegation that is not subject to UCP is included in a UCP complaint, the district shall refer the non-UCP allegation to the appropriate staff or agency and shall investigate and, if appropriate, resolve the UCP-related allegation(s) through the district's UCP.

The Superintendent or designee shall provide training to district staff to ensure awareness and knowledge of current law and requirements related to UCP, including the steps and timelines specified in this policy and the accompanying administrative regulation.

The Superintendent or designee shall maintain a record of each complaint and subsequent related actions, including steps taken during the investigation and all information required for compliance with 5 CCR 4631 and 4633.

### **Non-UCP Complaints**

The following complaints shall not be subject to the district's UCP but shall be investigated and resolved by the specified agency or through an alternative process:

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services Protective Services Division or the appropriate law enforcement agency. (5 CCR 4611)
2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services. (5 CCR 4611)
3. Any complaint alleging that a student, while in an education program or activity in which the district exercises substantial control over the context and respondent, was subjected to sexual harassment as defined in 34 CFR 106.30 shall be addressed through the federal Title IX complaint procedures adopted pursuant to 34 CFR 106.44-106.45, as specified in AR 5145.71 - Title IX Sexual Harassment Complaint Procedures.
4. Any complaint alleging employment discrimination or harassment shall be investigated and resolved by the district in accordance with the procedures specified in AR 4030 - Nondiscrimination in Employment, including

the right to file the complaint with the California Department of Fair Employment and Housing.

5. Any complaint alleging a violation of a state or federal law or regulation related to special education, a settlement agreement related to the provision of a free appropriate public education (FAPE), failure or refusal to implement a due process hearing order to which the district is subject, or a physical safety concern that interferes with the district's provision of FAPE shall be submitted to the California Department of Education (CDE) in accordance with AR 6159.1 - Procedural Safeguards and Complaints for Special Education. (5 CCR 3200-3205)
6. Any complaint alleging noncompliance of the district's food service program with laws regarding meal counting and claiming, reimbursable meals, eligibility of children or adults, or use of cafeteria funds and allowable expenses shall be filed with or referred to CDE in accordance with BP 3555 - Nutrition Program Compliance. (5 CCR 15580-15584)
7. Any allegation of discrimination based on race, color, national origin, sex, age, or disability in the district's food service program shall be filed with or referred to the U.S. Department of Agriculture in accordance with BP 3555 - Nutrition Program Compliance. (5 CCR 15582)
8. Any complaint related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, or teacher vacancies and misassignments shall be investigated and resolved in accordance with AR 1312.4 - Williams Uniform Complaint Procedures. (Education Code 35186)

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**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

#### State References

#### Description

2 CCR 11023	Harassment and discrimination prevention and correction - <a href="https://simbli.eboardsolutions.com/SU/haAgKnrQhVJbslsh34hY5zslsh5Q==">https://simbli.eboardsolutions.com/SU/haAgKnrQhVJbslsh34hY5zslsh5Q==</a>
5 CCR 15580-15584	Child nutrition programs complaint procedures
5 CCR 3200-3205	Special education compliance complaints
5 CCR 4600-4670	Uniform complaint procedures
5 CCR 4600-4687	Uniform complaint procedures and Williams complaints
5 CCR 4690-4694	Complaints regarding health and safety issues in license-exempt preschool programs
5 CCR 4900-4965	Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance
Ed. Code 18100-18203	School libraries - <a href="https://simbli.eboardsolutions.com/SU/gEKFVCshY2uysLTMWE06ug==">https://simbli.eboardsolutions.com/SU/gEKFVCshY2uysLTMWE06ug==</a>
Ed. Code 200-262.4	Prohibition of discrimination - <a href="https://simbli.eboardsolutions.com/SU/ytTLslshoozWGUAbNL6kKkgxQ==">https://simbli.eboardsolutions.com/SU/ytTLslshoozWGUAbNL6kKkgxQ==</a>
Ed. Code 32280-32289.5	School safety plans - <a href="https://simbli.eboardsolutions.com/SU/gz33QjVcfk6ufvjfPS84Kw==">https://simbli.eboardsolutions.com/SU/gz33QjVcfk6ufvjfPS84Kw==</a>
Ed. Code 35186	Williams uniform complaint procedures - <a href="https://simbli.eboardsolutions.com/SU/MDiv2vEqYgd1u6vWMYFnHA==">https://simbli.eboardsolutions.com/SU/MDiv2vEqYgd1u6vWMYFnHA==</a>
Ed. Code 46015	Parental leave for students - <a href="https://simbli.eboardsolutions.com/SU/A5q1Ee4yrt4KMDTVXBHEkg==">https://simbli.eboardsolutions.com/SU/A5q1Ee4yrt4KMDTVXBHEkg==</a>
Ed. Code 48645.7	Juvenile court schools - <a href="https://simbli.eboardsolutions.com/SU/AcRvAUfJ7EplusoGlrM4VsbZw==">https://simbli.eboardsolutions.com/SU/AcRvAUfJ7EplusoGlrM4VsbZw==</a>
Ed. Code 48853-48853.5	Foster youth - <a href="https://simbli.eboardsolutions.com/SU/QU2SE6lz7doZOGCpluslbtAeg==">https://simbli.eboardsolutions.com/SU/QU2SE6lz7doZOGCpluslbtAeg==</a>

Ed. Code 48985	Notices to parents in language other than English - <a href="https://simbli.eboardsolutions.com/SU/LHS9yg0UBYa76W1AygydnA==">https://simbli.eboardsolutions.com/SU/LHS9yg0UBYa76W1AygydnA==</a>
Ed. Code 49010-49013	Student fees - <a href="https://simbli.eboardsolutions.com/SU/daJBvwak5yr7i9e1yKfzsA==">https://simbli.eboardsolutions.com/SU/daJBvwak5yr7i9e1yKfzsA==</a>
Ed. Code 49060-49079	Student records - <a href="https://simbli.eboardsolutions.com/SU/48PbpM8vuGlggyF7weQSbw==">https://simbli.eboardsolutions.com/SU/48PbpM8vuGlggyF7weQSbw==</a>
Ed. Code 49069.5	Records of foster youth - <a href="https://simbli.eboardsolutions.com/SU/7EZSzhTOVeZ1vxC4vqntnA==">https://simbli.eboardsolutions.com/SU/7EZSzhTOVeZ1vxC4vqntnA==</a>
Ed. Code 49490-49590	Child nutrition programs - <a href="https://simbli.eboardsolutions.com/SU/HpsplusCiBj7dmHtQtmlGieZQ==">https://simbli.eboardsolutions.com/SU/HpsplusCiBj7dmHtQtmlGieZQ==</a>
Ed. Code 49701	Provisions of the Interstate Compact on Educational Opportunities for Military Children - <a href="https://simbli.eboardsolutions.com/SU/EHaMyWplus22XilM2rKzLDgQA==">https://simbli.eboardsolutions.com/SU/EHaMyWplus22XilM2rKzLDgQA==</a>
Ed. Code 51210	Course of study for grades 1-6 - <a href="https://simbli.eboardsolutions.com/SU/JykgKwplusslshvJND2xzQcl3slshslshw==">https://simbli.eboardsolutions.com/SU/JykgKwplusslshvJND2xzQcl3slshslshw==</a>
Ed. Code 51222	Physical education - <a href="https://simbli.eboardsolutions.com/SU/g20nvEDdHGPfUCs0pymqlA==">https://simbli.eboardsolutions.com/SU/g20nvEDdHGPfUCs0pymqlA==</a>
Ed. Code 51223	Physical education; elementary schools - <a href="https://simbli.eboardsolutions.com/SU/kjyahxIV5sXVmf5NRnPFgQ==">https://simbli.eboardsolutions.com/SU/kjyahxIV5sXVmf5NRnPFgQ==</a>
Ed. Code 51225.1-51225.2	Foster youth, homeless children, former juvenile court school students; course credits; graduation requirements - <a href="https://simbli.eboardsolutions.com/SU/ESJhsNSpOyN75E8CplusIXPNg==">https://simbli.eboardsolutions.com/SU/ESJhsNSpOyN75E8CplusIXPNg==</a>
Ed. Code 51226-51226.1	Career technical education - <a href="https://simbli.eboardsolutions.com/SU/ESJhsNSpOyN75E8CplusIXPNg==">https://simbli.eboardsolutions.com/SU/ESJhsNSpOyN75E8CplusIXPNg==</a>
Ed. Code 51228.1-51228.3	Course periods without educational content - <a href="https://simbli.eboardsolutions.com/SU/ESJhsNSpOyN75E8CplusIXPNg==">https://simbli.eboardsolutions.com/SU/ESJhsNSpOyN75E8CplusIXPNg==</a>
Ed. Code 52059.5	Statewide system of support - <a href="https://simbli.eboardsolutions.com/SU/FeOETX8ebgjS8BNeW4qTGA==">https://simbli.eboardsolutions.com/SU/FeOETX8ebgjS8BNeW4qTGA==</a>
Ed. Code 52060-52077	Local control and accountability plan - <a href="https://simbli.eboardsolutions.com/SU/kjlplusPzLslshlt7rP0BfXZYJuQ==">https://simbli.eboardsolutions.com/SU/kjlplusPzLslshlt7rP0BfXZYJuQ==</a>
Ed. Code 52075	Complaint for lack of compliance with local control and accountability plan requirements - <a href="https://simbli.eboardsolutions.com/SU/8IFk3KsEOM9tKoqluFWBwQ==">https://simbli.eboardsolutions.com/SU/8IFk3KsEOM9tKoqluFWBwQ==</a>
Ed. Code 52300-52462	Career technical education - <a href="https://simbli.eboardsolutions.com/SU/W5QWdzpluslzuXHkwAarOug5w==">https://simbli.eboardsolutions.com/SU/W5QWdzpluslzuXHkwAarOug5w==</a>
Ed. Code 52500-52617	Adult schools - <a href="https://simbli.eboardsolutions.com/SU/lrB2FILBOprTRYP9uEplusSslshA==">https://simbli.eboardsolutions.com/SU/lrB2FILBOprTRYP9uEplusSslshA==</a>
Ed. Code 54400-54425	Compensatory education programs - <a href="https://simbli.eboardsolutions.com/SU/FuvMslshOo2WtsLQ8AKjJIYOW==">https://simbli.eboardsolutions.com/SU/FuvMslshOo2WtsLQ8AKjJIYOW==</a>
Ed. Code 54440-54445	Migrant education - <a href="https://simbli.eboardsolutions.com/SU/56YV98b2cqpluspQnlpp2KrGg==">https://simbli.eboardsolutions.com/SU/56YV98b2cqpluspQnlpp2KrGg==</a>
Ed. Code 54460-54529	Compensatory education programs - <a href="https://simbli.eboardsolutions.com/SU/FeT7h5o0rDzICJFvpJcSuQ==">https://simbli.eboardsolutions.com/SU/FeT7h5o0rDzICJFvpJcSuQ==</a>
Ed. Code 59000-59300	Special schools and centers - <a href="https://simbli.eboardsolutions.com/SU/KxWrplus7BfgFSwbHt62ZoaCw==">https://simbli.eboardsolutions.com/SU/KxWrplus7BfgFSwbHt62ZoaCw==</a>
Ed. Code 64000-64001	Consolidated application process; school plan for student achievement - <a href="https://simbli.eboardsolutions.com/SU/HpsplusCiBj7dmHtQtmlGieZQ==">https://simbli.eboardsolutions.com/SU/HpsplusCiBj7dmHtQtmlGieZQ==</a>
Ed. Code 65000-65001	School site councils - <a href="https://simbli.eboardsolutions.com/SU/0EAplzMGH2XevzVUbza2cw==">https://simbli.eboardsolutions.com/SU/0EAplzMGH2XevzVUbza2cw==</a>

Ed. Code 8200-8488	Child care and development programs - <a href="https://simbli.eboardsolutions.com/SU/WailxWdWXPYHcdWpmOa61w==">https://simbli.eboardsolutions.com/SU/WailxWdWXPYHcdWpmOa61w==</a>
Ed. Code 8500-8538	Adult basic education - <a href="https://simbli.eboardsolutions.com/SU/zBCOmaotzOlz4nDHL0slsh82Q==">https://simbli.eboardsolutions.com/SU/zBCOmaotzOlz4nDHL0slsh82Q==</a>
Gov. Code 11135	Prohibition of discrimination - <a href="https://simbli.eboardsolutions.com/SU/PcUFWMcCJnzBrKAL0EtfQ==">https://simbli.eboardsolutions.com/SU/PcUFWMcCJnzBrKAL0EtfQ==</a>
Gov. Code 12900-12996	Fair Employment and Housing Act - <a href="https://simbli.eboardsolutions.com/SU/kYDZnuplusf3qJV95L7E0pUzw==">https://simbli.eboardsolutions.com/SU/kYDZnuplusf3qJV95L7E0pUzw==</a>
H&S Code 1596.792	California Child Day Care Act; general provisions and definitions - <a href="https://simbli.eboardsolutions.com/SU/mQklFgb6c7LDiplusv1Sq4Ugg==">https://simbli.eboardsolutions.com/SU/mQklFgb6c7LDiplusv1Sq4Ugg==</a>
H&S Code 1596.7925	California Child Day Care Act; health and safety regulations - <a href="https://simbli.eboardsolutions.com/SU/68l8yplus9z3lVKoLk4dh887g==">https://simbli.eboardsolutions.com/SU/68l8yplus9z3lVKoLk4dh887g==</a>
Pen. Code 422.55	Definition of hate crime - <a href="https://simbli.eboardsolutions.com/SU/EXmP7bT1slshj3qOjaM9qTkHA==">https://simbli.eboardsolutions.com/SU/EXmP7bT1slshj3qOjaM9qTkHA==</a>
Pen. Code 422.6	Crimes; harassment - <a href="https://simbli.eboardsolutions.com/SU/vVSJrxnKuuauWDfn4F58wg==">https://simbli.eboardsolutions.com/SU/vVSJrxnKuuauWDfn4F58wg==</a>

### **Federal References**

<b>Federal References</b>	<b>Description</b>
20 USC 1221	Application of laws
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
20 USC 1681-1688	Title IX of the Education Amendments of 1972; discrimination based on sex
20 USC 6301-6576	Title I Improving the Academic Achievement of the Disadvantaged
20 USC 6801-7014	Title III language instruction for limited English proficient and immigrant students
28 CFR 35.107	Nondiscrimination on basis of disability; complaints
29 USC 794	Rehabilitation Act of 1973; Section 504
34 CFR 100.3	Prohibition of discrimination on basis of race, color or national origin
34 CFR 104.7	Section 504; Designation of responsible employee and adoption of grievances procedures
34 CFR 106.1-106.82	Nondiscrimination on the basis of sex in education programs
34 CFR 106.30	Discrimination on the basis of sex in education programs and activities; definitions
34 CFR 106.44	Recipient's response to sexual harassment
34 CFR 106.45	Grievance process for formal complaints of sexual harassment
34 CFR 106.8	Designation of coordinator; dissemination of policy, and adoption of grievance procedures
34 CFR 110.25	Notification of nondiscrimination on the basis of age
34 CFR 99.1-99.67	Family Educational Rights and Privacy
42 USC 11431-11435	McKinney-Vento Homeless Assistance Act
42 USC 12101-12213	Americans with Disabilities Act
42 USC 2000d-2000e-17	Title VI and Title VII Civil Rights Act of 1964, as amended
42 USC 2000h-2-2000h-6	Title IX of the Civil Rights Act of 1964
42 USC 6101-6107	Age Discrimination Act of 1975

### **Management Resources References**

<b>Management Resources References</b>	<b>Description</b>
California Department of Education Publication	Uniform Complaint Procedure 2021-22 Program Instrument

California Department of Education Publication	Sample UCP Board Policies and Procedures
U.S. DOE, Office for Civil Rights Publication	Part 1: Questions and Answers Regarding the Department's Title IX Regulations, January 2021
U.S. DOE, Office for Civil Rights Publication	Questions and Answers on the Title IX Regulations on Sexual Harassment, July 2021
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014
U.S. DOJ Publication	Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 2007
Website	CSBA District and County Office of Education Legal Services - <a href="https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ==">https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ==</a>
Website	Student Privacy Policy Office - <a href="https://simbli.eboardsolutions.com/SU/vQvG7O4R64DgKeNodKIAAQ==">https://simbli.eboardsolutions.com/SU/vQvG7O4R64DgKeNodKIAAQ==</a>
Website	U.S. Department of Agriculture - <a href="https://simbli.eboardsolutions.com/SU/njpdBqDfo1Mslsh1ZLplusszTslshRw==">https://simbli.eboardsolutions.com/SU/njpdBqDfo1Mslsh1ZLplusszTslshRw==</a>
Website	California Department of Social Services - <a href="https://simbli.eboardsolutions.com/SU/TFIWQAAhRHb4PYNSjlzKIQ==">https://simbli.eboardsolutions.com/SU/TFIWQAAhRHb4PYNSjlzKIQ==</a>
Website	U.S. Department of Justice - <a href="https://simbli.eboardsolutions.com/SU/BPwrkTmFhG0SXt3hKCVuBw==">https://simbli.eboardsolutions.com/SU/BPwrkTmFhG0SXt3hKCVuBw==</a>
Website	California Department of Education - <a href="https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==">https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==</a>
Website	CSBA - <a href="https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==">https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==</a>
Website	U.S. Department of Education, Office for Civil Rights - <a href="https://simbli.eboardsolutions.com/SU/xmCPtTcoZle111WmbX10Vg==">https://simbli.eboardsolutions.com/SU/xmCPtTcoZle111WmbX10Vg==</a>
Website	California Civil Rights Department - <a href="https://simbli.eboardsolutions.com/SU/RRvNseNogmlnMLyl8K40jw==">https://simbli.eboardsolutions.com/SU/RRvNseNogmlnMLyl8K40jw==</a>

**Exhibit 1312.3-E(1): Uniform Complaint Procedures**

**Status:** DRAFT

**Original Adopted Date:** Pending

**NOTICE TO PARENTS/GUARDIANS, STUDENTS, AND TEACHERS: PRESCHOOL COMPLAINT RIGHTS**

Parents/Guardians, Students, and Teachers:

Pursuant to Education Code 8212, you are hereby notified that any California State Preschool Program that is exempt from licensure must have:

1. Outdoor shade that is safe and in good repair
2. Drinking water that is accessible and readily available throughout the day
3. Safe and sanitary restroom facilities with one toilet and handwashing fixture for every 15 children
4. Restroom facilities that are available only for preschoolers and kindergartners
5. Visual supervision of children at all times
6. Indoor and outdoor space that is properly contained or fenced and provides sufficient space for the number of children using the space at any given time
7. Playground equipment that is safe, in good repair, and age appropriate

If you choose to file a complaint alleging that any of the above conditions is not being met, your complaint will be addressed through the district's uniform complaint procedures as required by law. A complaint form may be obtained at the school or district office, or downloaded from the school or district web site. You may also download a copy of the California Department of Education complaint form when available from the following web site:

<http://www.cde.ca.gov/re/cp/uc>. However, a complaint need not be filed using either the district's complaint form or the complaint form from the California Department of Education.

**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

**State References**

**Description**

2 CCR 11023	Harassment and discrimination prevention and correction - <a href="https://simbli.eboardsolutions.com/SU/haAgKnrQhVJbslsh34hY5zslsh5Q==">https://simbli.eboardsolutions.com/SU/haAgKnrQhVJbslsh34hY5zslsh5Q==</a>
5 CCR 15580-15584	Child nutrition programs complaint procedures
5 CCR 3200-3205	Special education compliance complaints
5 CCR 4600-4670	Uniform complaint procedures
5 CCR 4600-4687	Uniform complaint procedures and Williams complaints
5 CCR 4690-4694	Complaints regarding health and safety issues in license-exempt preschool programs
5 CCR 4900-4965	Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance
Ed. Code 18100-18203	School libraries - <a href="https://simbli.eboardsolutions.com/SU/gEKFVCshY2uysLTMWE06ug==">https://simbli.eboardsolutions.com/SU/gEKFVCshY2uysLTMWE06ug==</a>
Ed. Code 200-262.4	Prohibition of discrimination - <a href="https://simbli.eboardsolutions.com/SU/ytTLslshoozWGUAAbNL6kKkgxQ==">https://simbli.eboardsolutions.com/SU/ytTLslshoozWGUAAbNL6kKkgxQ==</a>
Ed. Code 32280-32289.5	School safety plans - <a href="https://simbli.eboardsolutions.com/SU/gz33QjVcfk6ufvjfPS84Kw==">https://simbli.eboardsolutions.com/SU/gz33QjVcfk6ufvjfPS84Kw==</a>
Ed. Code 35186	Williams uniform complaint procedures - <a href="https://simbli.eboardsolutions.com/SU/MDiv2vFqYgd1u6vWMYFnHAA==">https://simbli.eboardsolutions.com/SU/MDiv2vFqYgd1u6vWMYFnHAA==</a>



Ed. Code 46015	Parental leave for students - <a href="https://simbli.eboardsolutions.com/SU/A5q1Ee4yrt4KmDTVXBHEkg==">https://simbli.eboardsolutions.com/SU/A5q1Ee4yrt4KmDTVXBHEkg==</a>
Ed. Code 48645.7	Juvenile court schools - <a href="https://simbli.eboardsolutions.com/SU/AcRvAUFJ7EplusoGlrm4VsbZw==">https://simbli.eboardsolutions.com/SU/AcRvAUFJ7EplusoGlrm4VsbZw==</a>
Ed. Code 48853-48853.5	Foster youth - <a href="https://simbli.eboardsolutions.com/SU/QU2SE6lz7doZOGCpluslhtaEg==">https://simbli.eboardsolutions.com/SU/QU2SE6lz7doZOGCpluslhtaEg==</a>
Ed. Code 48985	Notices to parents in language other than English - <a href="https://simbli.eboardsolutions.com/SU/LHS9yg0UBYa76W1AygydnA==">https://simbli.eboardsolutions.com/SU/LHS9yg0UBYa76W1AygydnA==</a>
Ed. Code 49010-49013	Student fees - <a href="https://simbli.eboardsolutions.com/SU/daJBvwak5yr7i9e1yKfzsA==">https://simbli.eboardsolutions.com/SU/daJBvwak5yr7i9e1yKfzsA==</a>
Ed. Code 49060-49079	Student records - <a href="https://simbli.eboardsolutions.com/SU/48PbpM8vuGIggyF7weQsbw==">https://simbli.eboardsolutions.com/SU/48PbpM8vuGIggyF7weQsbw==</a>
Ed. Code 49069.5	Records of foster youth - <a href="https://simbli.eboardsolutions.com/SU/7EZSzhTOVeZ1vxC4vqntnA==">https://simbli.eboardsolutions.com/SU/7EZSzhTOVeZ1vxC4vqntnA==</a>
Ed. Code 49490-49590	Child nutrition programs - <a href="https://simbli.eboardsolutions.com/SU/HpsplusCiBj7dmHtQtmlGieZQ==">https://simbli.eboardsolutions.com/SU/HpsplusCiBj7dmHtQtmlGieZQ==</a>
Ed. Code 49701	Provisions of the Interstate Compact on Educational Opportunities for Military Children - <a href="https://simbli.eboardsolutions.com/SU/EHaMyWplus22XiIM2rKzLDgQA==">https://simbli.eboardsolutions.com/SU/EHaMyWplus22XiIM2rKzLDgQA==</a>
Ed. Code 51210	Course of study for grades 1-6 - <a href="https://simbli.eboardsolutions.com/SU/JykgKwplusslshvJND2xzQcl3slshslshw==">https://simbli.eboardsolutions.com/SU/JykgKwplusslshvJND2xzQcl3slshslshw==</a>
Ed. Code 51222	Physical education - <a href="https://simbli.eboardsolutions.com/SU/g20nvEDdHGPfUCs0pymqlA==">https://simbli.eboardsolutions.com/SU/g20nvEDdHGPfUCs0pymqlA==</a>
Ed. Code 51223	Physical education; elementary schools - <a href="https://simbli.eboardsolutions.com/SU/kjyahxIV5sXVmf5NRnPFgQ==">https://simbli.eboardsolutions.com/SU/kjyahxIV5sXVmf5NRnPFgQ==</a>
Ed. Code 51225.1-51225.2	Foster youth, homeless children, former juvenile court school students; course credits; graduation requirements - <a href="https://simbli.eboardsolutions.com/SU/ESJhsNSpOyN75E8CplusIXPNg==">https://simbli.eboardsolutions.com/SU/ESJhsNSpOyN75E8CplusIXPNg==</a>
Ed. Code 51226-51226.1	Career technical education - <a href="https://simbli.eboardsolutions.com/SU/ESJhsNSpOyN75E8CplusIXPNg==">https://simbli.eboardsolutions.com/SU/ESJhsNSpOyN75E8CplusIXPNg==</a>
Ed. Code 51228.1-51228.3	Course periods without educational content - <a href="https://simbli.eboardsolutions.com/SU/ESJhsNSpOyN75E8CplusIXPNg==">https://simbli.eboardsolutions.com/SU/ESJhsNSpOyN75E8CplusIXPNg==</a>
Ed. Code 52059.5	Statewide system of support - <a href="https://simbli.eboardsolutions.com/SU/FeOETX8ebgJS8BNeW4qTGA==">https://simbli.eboardsolutions.com/SU/FeOETX8ebgJS8BNeW4qTGA==</a>
Ed. Code 52060-52077	Local control and accountability plan - <a href="https://simbli.eboardsolutions.com/SU/kjlplusPzLslshlt7rP0BfXZYJuQ==">https://simbli.eboardsolutions.com/SU/kjlplusPzLslshlt7rP0BfXZYJuQ==</a>
Ed. Code 52075	Complaint for lack of compliance with local control and accountability plan requirements - <a href="https://simbli.eboardsolutions.com/SU/8IFk3KsEOM9tKoqluFWBwQ==">https://simbli.eboardsolutions.com/SU/8IFk3KsEOM9tKoqluFWBwQ==</a>
Ed. Code 52300-52462	Career technical education - <a href="https://simbli.eboardsolutions.com/SU/W5QWdzpluslzuXHkwAarOug5w==">https://simbli.eboardsolutions.com/SU/W5QWdzpluslzuXHkwAarOug5w==</a>
Ed. Code 52500-52617	Adult schools - <a href="https://simbli.eboardsolutions.com/SU/lrB2FILBOprTRYP9uEplusSslshA==">https://simbli.eboardsolutions.com/SU/lrB2FILBOprTRYP9uEplusSslshA==</a>
Ed. Code 54400-54425	Compensatory education programs - <a href="https://simbli.eboardsolutions.com/SU/FuvMslshOo2WtsLQ8AKjJIYOW==">https://simbli.eboardsolutions.com/SU/FuvMslshOo2WtsLQ8AKjJIYOW==</a>
Ed. Code 54440-54445	Migrant education - <a href="https://simbli.eboardsolutions.com/SU/56YV98b2cqpluspQnlpp2KrGg==">https://simbli.eboardsolutions.com/SU/56YV98b2cqpluspQnlpp2KrGg==</a>
Ed. Code 54460-54529	Compensatory education programs - <a href="https://simbli.eboardsolutions.com/SU/FeT7h5o0rDzICJFvpJcSuQ==">https://simbli.eboardsolutions.com/SU/FeT7h5o0rDzICJFvpJcSuQ==</a>
Ed. Code 59000-59300	Special schools and centers - <a href="https://simbli.eboardsolutions.com/SU/KxWrplus7BfgFSwbHt62ZoaCw==">https://simbli.eboardsolutions.com/SU/KxWrplus7BfgFSwbHt62ZoaCw==</a>

Ed. Code 64000-64001	Consolidated application process; school plan for student achievement - <a href="https://simbli.eboardsolutions.com/SU/HpsplusCiBj7dmHtQtmlGieZQ==">https://simbli.eboardsolutions.com/SU/HpsplusCiBj7dmHtQtmlGieZQ==</a>
Ed. Code 65000-65001	School site councils - <a href="https://simbli.eboardsolutions.com/SU/0EAplZMGH2XevzVUbza2cw==">https://simbli.eboardsolutions.com/SU/0EAplZMGH2XevzVUbza2cw==</a>
Ed. Code 8200-8488	Child care and development programs - <a href="https://simbli.eboardsolutions.com/SU/WailxWdWXPYHcdWpmOa61w==">https://simbli.eboardsolutions.com/SU/WailxWdWXPYHcdWpmOa61w==</a>
Ed. Code 8500-8538	Adult basic education - <a href="https://simbli.eboardsolutions.com/SU/zBCOmaotzOlz4nDHL0slsh82Q==">https://simbli.eboardsolutions.com/SU/zBCOmaotzOlz4nDHL0slsh82Q==</a>
Gov. Code 11135	Prohibition of discrimination - <a href="https://simbli.eboardsolutions.com/SU/PcUFWMcCJnzBrKAL0EtfQ==">https://simbli.eboardsolutions.com/SU/PcUFWMcCJnzBrKAL0EtfQ==</a>
Gov. Code 12900-12996	Fair Employment and Housing Act - <a href="https://simbli.eboardsolutions.com/SU/kYDZnuplusf3qJV95L7E0pUzw==">https://simbli.eboardsolutions.com/SU/kYDZnuplusf3qJV95L7E0pUzw==</a>
H&S Code 1596.792	California Child Day Care Act; general provisions and definitions - <a href="https://simbli.eboardsolutions.com/SU/mQklFgb6c7LDiplusv1Sq4Ugg==">https://simbli.eboardsolutions.com/SU/mQklFgb6c7LDiplusv1Sq4Ugg==</a>
H&S Code 1596.7925	California Child Day Care Act; health and safety regulations - <a href="https://simbli.eboardsolutions.com/SU/68l8yplus9z3lVKoLk4dh887g==">https://simbli.eboardsolutions.com/SU/68l8yplus9z3lVKoLk4dh887g==</a>
Pen. Code 422.55	Definition of hate crime - <a href="https://simbli.eboardsolutions.com/SU/EXmP7bT1slshj3qOjaM9qTkHA==">https://simbli.eboardsolutions.com/SU/EXmP7bT1slshj3qOjaM9qTkHA==</a>
Pen. Code 422.6	Crimes; harassment - <a href="https://simbli.eboardsolutions.com/SU/vVSJrxnKuuauWDfn4F58wg==">https://simbli.eboardsolutions.com/SU/vVSJrxnKuuauWDfn4F58wg==</a>

#### **Federal References**

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20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
20 USC 1681-1688	Title IX of the Education Amendments of 1972; discrimination based on sex
20 USC 6301-6576	Title I Improving the Academic Achievement of the Disadvantaged
20 USC 6801-7014	Title III language instruction for limited English proficient and immigrant students
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34 CFR 104.7	Section 504; Designation of responsible employee and adoption of grievances procedures
34 CFR 106.1-106.82	Nondiscrimination on the basis of sex in education programs
34 CFR 106.30	Discrimination on the basis of sex in education programs and activities; definitions
34 CFR 106.44	Recipient's response to sexual harassment
34 CFR 106.45	Grievance process for formal complaints of sexual harassment
34 CFR 106.8	Designation of coordinator; dissemination of policy, and adoption of grievance procedures
34 CFR 110.25	Notification of nondiscrimination on the basis of age
34 CFR 99.1-99.67	Family Educational Rights and Privacy
42 USC 11431-11435	McKinney-Vento Homeless Assistance Act
42 USC 12101-12213	Americans with Disabilities Act
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42 USC 2000h-2-2000h-6	Title IX of the Civil Rights Act of 1964

<b>Management Resources References</b>	<b>Description</b>
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U.S. DOE, Office for Civil Rights Publication	Questions and Answers on the Title IX Regulations on Sexual Harassment, July 2021
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Website	Student Privacy Policy Office - <a href="https://simbli.eboardsolutions.com/SU/vQvG7O4R64DgKeNodKIAAQ==">https://simbli.eboardsolutions.com/SU/vQvG7O4R64DgKeNodKIAAQ==</a>
Website	U.S. Department of Agriculture - <a href="https://simbli.eboardsolutions.com/SU/njpdBqDfo1Mslsh1ZLplusszTslshRw==">https://simbli.eboardsolutions.com/SU/njpdBqDfo1Mslsh1ZLplusszTslshRw==</a>
Website	California Department of Social Services - <a href="https://simbli.eboardsolutions.com/SU/TFIWOOAhRHb4PYNSjlzKIQ==">https://simbli.eboardsolutions.com/SU/TFIWOOAhRHb4PYNSjlzKIQ==</a>
Website	U.S. Department of Justice - <a href="https://simbli.eboardsolutions.com/SU/BPwrkTmFhG0SXt3hKCVuBw==">https://simbli.eboardsolutions.com/SU/BPwrkTmFhG0SXt3hKCVuBw==</a>
Website	California Department of Education - <a href="https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==">https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==</a>
Website	CSBA - <a href="https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==">https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==</a>
Website	U.S. Department of Education, Office for Civil Rights - <a href="https://simbli.eboardsolutions.com/SU/xmCPtTcoZle111WmbX10Vg==">https://simbli.eboardsolutions.com/SU/xmCPtTcoZle111WmbX10Vg==</a>
Website	California Civil Rights Department - <a href="https://simbli.eboardsolutions.com/SU/RRvNseNogmlnMLyl8K40jw==">https://simbli.eboardsolutions.com/SU/RRvNseNogmlnMLyl8K40jw==</a>

**Exhibit 1312.3-E(2): Uniform Complaint Procedures**

**Status:** DRAFT

**Original Adopted Date:** Pending

**PRESCHOOL COMPLAINT FORM:  
UNIFORM COMPLAINT PROCEDURES**

Education Code 8212 requires that the district's uniform complaint procedures be used for the filing of complaints concerning noncompliance with health and safety standards for license-exempt California State Preschool Programs. The complaint and response are public documents as provided by law. Complaints may be filed anonymously. However, if you wish to receive a response to your complaint, you must provide the contact information below.

Response requested? ☐ Yes ☐ No

Contact information: (if response is requested)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone number: Day: \_\_\_\_\_ Evening: \_\_\_\_\_

E-mail address, if any: \_\_\_\_\_

Date problem was observed: \_\_\_\_\_

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

School name/address: \_\_\_\_\_

Room number/name of room/location of facility: \_\_\_\_\_

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

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

- ☐ The preschool does not have outdoor shade that is safe and in good repair.
- ☐ Drinking water is not accessible and/or readily available throughout the day.
- ☐ The preschool does not provide safe and sanitary restroom facilities with one toilet and handwashing fixture for every 15 children.
- ☐ Restroom facilities are not available only for preschoolers and kindergartners.
- ☐ The preschool program does not provide visual supervision of children at all times.
- ☐ Indoor or outdoor space is not properly contained or fenced or does not provide sufficient space for the number of children using the space at any given time.
- ☐ Playground equipment is not safe, in good repair, or age appropriate.

Please describe the issue of your complaint in detail. You may attach additional pages and include as much text as necessary to fully describe the situation.

\_\_\_\_\_

\_\_\_\_\_

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Please file this complaint at the following location:

-----  
(preschool administrator or designee)

-----  
(address)

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

-----  
(Signature)

-----  
(Date)

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**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

**State References**

**Description**

2 CCR 11023	Harassment and discrimination prevention and correction - <a href="https://simbli.eboardsolutions.com/SU/haAgKnrQhVJbslsh34hY5zslsh5Q==">https://simbli.eboardsolutions.com/SU/haAgKnrQhVJbslsh34hY5zslsh5Q==</a>
5 CCR 15580-15584	Child nutrition programs complaint procedures
5 CCR 3200-3205	Special education compliance complaints
5 CCR 4600-4670	Uniform complaint procedures
5 CCR 4600-4687	Uniform complaint procedures and Williams complaints
5 CCR 4690-4694	Complaints regarding health and safety issues in license-exempt preschool programs
5 CCR 4900-4965	Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance
Ed. Code 18100-18203	School libraries - <a href="https://simbli.eboardsolutions.com/SU/gEKFVCshY2uysLTMWE06ug==">https://simbli.eboardsolutions.com/SU/gEKFVCshY2uysLTMWE06ug==</a>
Ed. Code 200-262.4	Prohibition of discrimination - <a href="https://simbli.eboardsolutions.com/SU/ytTLslshoozWGUAAbNL6kKkgxQ==">https://simbli.eboardsolutions.com/SU/ytTLslshoozWGUAAbNL6kKkgxQ==</a>
Ed. Code 32280-32289.5	School safety plans - <a href="https://simbli.eboardsolutions.com/SU/gz33QjVcfk6ufvjfPS84Kw==">https://simbli.eboardsolutions.com/SU/gz33QjVcfk6ufvjfPS84Kw==</a>
Ed. Code 35186	Williams uniform complaint procedures - <a href="https://simbli.eboardsolutions.com/SU/MDiv2vFqYgd1u6vWMYFnhA==">https://simbli.eboardsolutions.com/SU/MDiv2vFqYgd1u6vWMYFnhA==</a>
Ed. Code 46015	Parental leave for students - <a href="https://simbli.eboardsolutions.com/SU/A5q1Ee4yrt4KmDTVXBHEkg==">https://simbli.eboardsolutions.com/SU/A5q1Ee4yrt4KmDTVXBHEkg==</a>
Ed. Code 48645.7	Juvenile court schools - <a href="https://simbli.eboardsolutions.com/SU/AcRvAUFJ7EplusoGlrn4VsbZw==">https://simbli.eboardsolutions.com/SU/AcRvAUFJ7EplusoGlrn4VsbZw==</a>
Ed. Code 48853-48853.5	Foster youth - <a href="https://simbli.eboardsolutions.com/SU/QU2SE6lz7doZOGCpluSlbtaEg==">https://simbli.eboardsolutions.com/SU/QU2SE6lz7doZOGCpluSlbtaEg==</a>
Ed. Code 48985	Notices to parents in language other than English - <a href="https://simbli.eboardsolutions.com/SU/LHS9yg0UBYa76W1AygdydnA==">https://simbli.eboardsolutions.com/SU/LHS9yg0UBYa76W1AygdydnA==</a>

Ed. Code 49010-49013	Student fees - <a href="https://simbli.eboardsolutions.com/SU/daJBywak5yr7i9e1yKfzsA==">https://simbli.eboardsolutions.com/SU/daJBywak5yr7i9e1yKfzsA==</a>
Ed. Code 49060-49079	Student records - <a href="https://simbli.eboardsolutions.com/SU/48PbpM8vuGlggyF7weQsbw==">https://simbli.eboardsolutions.com/SU/48PbpM8vuGlggyF7weQsbw==</a>
Ed. Code 49069.5	Records of foster youth - <a href="https://simbli.eboardsolutions.com/SU/7EZSzhTOVeZ1vxC4vqntnA==">https://simbli.eboardsolutions.com/SU/7EZSzhTOVeZ1vxC4vqntnA==</a>
Ed. Code 49490-49590	Child nutrition programs - <a href="https://simbli.eboardsolutions.com/SU/HpsplusCiBj7dmHtQtmlGieZQ==">https://simbli.eboardsolutions.com/SU/HpsplusCiBj7dmHtQtmlGieZQ==</a>
Ed. Code 49701	Provisions of the Interstate Compact on Educational Opportunities for Military Children - <a href="https://simbli.eboardsolutions.com/SU/EHaMyWplus22XiIM2rKzLDgQA==">https://simbli.eboardsolutions.com/SU/EHaMyWplus22XiIM2rKzLDgQA==</a>
Ed. Code 51210	Course of study for grades 1-6 - <a href="https://simbli.eboardsolutions.com/SU/JykgKwplusslshvJND2xzQcl3slshslshw==">https://simbli.eboardsolutions.com/SU/JykgKwplusslshvJND2xzQcl3slshslshw==</a>
Ed. Code 51222	Physical education - <a href="https://simbli.eboardsolutions.com/SU/g20nvEDdHGPfUCs0pymqlA==">https://simbli.eboardsolutions.com/SU/g20nvEDdHGPfUCs0pymqlA==</a>
Ed. Code 51223	Physical education; elementary schools - <a href="https://simbli.eboardsolutions.com/SU/kjyahxIV5sXVmf5NRnPFgQ==">https://simbli.eboardsolutions.com/SU/kjyahxIV5sXVmf5NRnPFgQ==</a>
Ed. Code 51225.1-51225.2	Foster youth, homeless children, former juvenile court school students; course credits; graduation requirements - <a href="https://simbli.eboardsolutions.com/SU/ESJhsNSpOyN75E8CpluslXPNg==">https://simbli.eboardsolutions.com/SU/ESJhsNSpOyN75E8CpluslXPNg==</a>
Ed. Code 51226-51226.1	Career technical education - <a href="https://simbli.eboardsolutions.com/SU/ESJhsNSpOyN75E8CpluslXPNg==">https://simbli.eboardsolutions.com/SU/ESJhsNSpOyN75E8CpluslXPNg==</a>
Ed. Code 51228.1-51228.3	Course periods without educational content - <a href="https://simbli.eboardsolutions.com/SU/ESJhsNSpOyN75E8CpluslXPNg==">https://simbli.eboardsolutions.com/SU/ESJhsNSpOyN75E8CpluslXPNg==</a>
Ed. Code 52059.5	Statewide system of support - <a href="https://simbli.eboardsolutions.com/SU/FeOETX8ebgjS8BNeW4qTGA==">https://simbli.eboardsolutions.com/SU/FeOETX8ebgjS8BNeW4qTGA==</a>
Ed. Code 52060-52077	Local control and accountability plan - <a href="https://simbli.eboardsolutions.com/SU/kjlplusPzLslshlt7rP0BfXZYJuQ==">https://simbli.eboardsolutions.com/SU/kjlplusPzLslshlt7rP0BfXZYJuQ==</a>
Ed. Code 52075	Complaint for lack of compliance with local control and accountability plan requirements - <a href="https://simbli.eboardsolutions.com/SU/8IFk3KsEOM9tKoqluFWBwQ==">https://simbli.eboardsolutions.com/SU/8IFk3KsEOM9tKoqluFWBwQ==</a>
Ed. Code 52300-52462	Career technical education - <a href="https://simbli.eboardsolutions.com/SU/W5QWdzpluslzuXHkwAarOug5w==">https://simbli.eboardsolutions.com/SU/W5QWdzpluslzuXHkwAarOug5w==</a>
Ed. Code 52500-52617	Adult schools - <a href="https://simbli.eboardsolutions.com/SU/lrB2FILBOprTRYP9uEplusSslshA==">https://simbli.eboardsolutions.com/SU/lrB2FILBOprTRYP9uEplusSslshA==</a>
Ed. Code 54400-54425	Compensatory education programs - <a href="https://simbli.eboardsolutions.com/SU/FuvMslshOo2WtsLQ8AKjJIYQw==">https://simbli.eboardsolutions.com/SU/FuvMslshOo2WtsLQ8AKjJIYQw==</a>
Ed. Code 54440-54445	Migrant education - <a href="https://simbli.eboardsolutions.com/SU/56YV98b2cqpluspQnlpp2KrGg==">https://simbli.eboardsolutions.com/SU/56YV98b2cqpluspQnlpp2KrGg==</a>
Ed. Code 54460-54529	Compensatory education programs - <a href="https://simbli.eboardsolutions.com/SU/FeT7h5o0rDzICJFvpJcSuQ==">https://simbli.eboardsolutions.com/SU/FeT7h5o0rDzICJFvpJcSuQ==</a>
Ed. Code 59000-59300	Special schools and centers - <a href="https://simbli.eboardsolutions.com/SU/KxWrplus7BfgFSwbHt62ZoaCw==">https://simbli.eboardsolutions.com/SU/KxWrplus7BfgFSwbHt62ZoaCw==</a>
Ed. Code 64000-64001	Consolidated application process; school plan for student achievement - <a href="https://simbli.eboardsolutions.com/SU/HpsplusCiBj7dmHtQtmlGieZQ==">https://simbli.eboardsolutions.com/SU/HpsplusCiBj7dmHtQtmlGieZQ==</a>
Ed. Code 65000-65001	School site councils - <a href="https://simbli.eboardsolutions.com/SU/0EAplzMGH2XevzVUbza2cw==">https://simbli.eboardsolutions.com/SU/0EAplzMGH2XevzVUbza2cw==</a>
Ed. Code 8200-8488	Child care and development programs - <a href="https://simbli.eboardsolutions.com/SU/WailxWdWXPYHcdWpmOa61w==">https://simbli.eboardsolutions.com/SU/WailxWdWXPYHcdWpmOa61w==</a>
Ed. Code 8500-8538	Adult basic education - <a href="https://simbli.eboardsolutions.com/SU/zBCOmaotzOlz4nDHL0slsh82Q==">https://simbli.eboardsolutions.com/SU/zBCOmaotzOlz4nDHL0slsh82Q==</a>

Gov. Code 11135	Prohibition of discrimination - <a href="https://simbli.eboardsolutions.com/SU/PcUFWMcCJnzBrKAL0EtfQ==">https://simbli.eboardsolutions.com/SU/PcUFWMcCJnzBrKAL0EtfQ==</a>
Gov. Code 12900-12996	Fair Employment and Housing Act - <a href="https://simbli.eboardsolutions.com/SU/kYDZnuplusf3qJV95L7E0pUzw==">https://simbli.eboardsolutions.com/SU/kYDZnuplusf3qJV95L7E0pUzw==</a>
H&S Code 1596.792	California Child Day Care Act; general provisions and definitions - <a href="https://simbli.eboardsolutions.com/SU/mQklFgb6c7LDiplusv1Sq4Ugg==">https://simbli.eboardsolutions.com/SU/mQklFgb6c7LDiplusv1Sq4Ugg==</a>
H&S Code 1596.7925	California Child Day Care Act; health and safety regulations - <a href="https://simbli.eboardsolutions.com/SU/68l8yplus9z3lVKoLk4dh887g==">https://simbli.eboardsolutions.com/SU/68l8yplus9z3lVKoLk4dh887g==</a>
Pen. Code 422.55	Definition of hate crime - <a href="https://simbli.eboardsolutions.com/SU/EXmP7bT1slshj3qOjaM9qTkHA==">https://simbli.eboardsolutions.com/SU/EXmP7bT1slshj3qOjaM9qTkHA==</a>
Pen. Code 422.6	Crimes; harassment - <a href="https://simbli.eboardsolutions.com/SU/vVSJrxnKuuauWDfn4F58wg==">https://simbli.eboardsolutions.com/SU/vVSJrxnKuuauWDfn4F58wg==</a>

### **Federal References**

	<b>Description</b>
20 USC 1221	Application of laws
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
20 USC 1681-1688	Title IX of the Education Amendments of 1972; discrimination based on sex
20 USC 6301-6576	Title I Improving the Academic Achievement of the Disadvantaged
20 USC 6801-7014	Title III language instruction for limited English proficient and immigrant students
28 CFR 35.107	Nondiscrimination on basis of disability; complaints
29 USC 794	Rehabilitation Act of 1973; Section 504
34 CFR 100.3	Prohibition of discrimination on basis of race, color or national origin
34 CFR 104.7	Section 504; Designation of responsible employee and adoption of grievances procedures
34 CFR 106.1-106.82	Nondiscrimination on the basis of sex in education programs
34 CFR 106.30	Discrimination on the basis of sex in education programs and activities; definitions
34 CFR 106.44	Recipient's response to sexual harassment
34 CFR 106.45	Grievance process for formal complaints of sexual harassment
34 CFR 106.8	Designation of coordinator; dissemination of policy, and adoption of grievance procedures
34 CFR 110.25	Notification of nondiscrimination on the basis of age
34 CFR 99.1-99.67	Family Educational Rights and Privacy
42 USC 11431-11435	McKinney-Vento Homeless Assistance Act
42 USC 12101-12213	Americans with Disabilities Act
42 USC 2000d-2000e-17	Title VI and Title VII Civil Rights Act of 1964, as amended
42 USC 2000h-2-2000h-6	Title IX of the Civil Rights Act of 1964
42 USC 6101-6107	Age Discrimination Act of 1975

### **Management Resources References**

	<b>Description</b>
California Department of Education Publication	Uniform Complaint Procedure 2021-22 Program Instrument
California Department of Education Publication	Sample UCP Board Policies and Procedures
U.S. DOE, Office for Civil Rights Publication	Part 1: Questions and Answers Regarding the Department's Title IX Regulations, January 2021

U.S. DOE, Office for Civil Rights Publication	Questions and Answers on the Title IX Regulations on Sexual Harassment, July 2021
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014
U.S. DOJ Publication	Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 2007
Website	CSBA District and County Office of Education Legal Services - <a href="https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ==">https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ==</a>
Website	Student Privacy Policy Office - <a href="https://simbli.eboardsolutions.com/SU/vQvG7O4R64DgKeNodKIAAQ==">https://simbli.eboardsolutions.com/SU/vQvG7O4R64DgKeNodKIAAQ==</a>
Website	U.S. Department of Agriculture - <a href="https://simbli.eboardsolutions.com/SU/njpdBqDfo1Mslsh1ZLplusszTslshRw==">https://simbli.eboardsolutions.com/SU/njpdBqDfo1Mslsh1ZLplusszTslshRw==</a>
Website	California Department of Social Services - <a href="https://simbli.eboardsolutions.com/SU/TFIW0AAhRHb4PYNSjlzKlQ==">https://simbli.eboardsolutions.com/SU/TFIW0AAhRHb4PYNSjlzKlQ==</a>
Website	U.S. Department of Justice - <a href="https://simbli.eboardsolutions.com/SU/BPwrkTmFhG0SXt3hKCVuBw==">https://simbli.eboardsolutions.com/SU/BPwrkTmFhG0SXt3hKCVuBw==</a>
Website	California Department of Education - <a href="https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==">https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==</a>
Website	CSBA - <a href="https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==">https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==</a>
Website	U.S. Department of Education, Office for Civil Rights - <a href="https://simbli.eboardsolutions.com/SU/xmCPrTcoZle111WmbX10Vg==">https://simbli.eboardsolutions.com/SU/xmCPrTcoZle111WmbX10Vg==</a>
Website	California Civil Rights Department - <a href="https://simbli.eboardsolutions.com/SU/RRvNseNogmlnMLyl8K40jw==">https://simbli.eboardsolutions.com/SU/RRvNseNogmlnMLyl8K40jw==</a>



**Regulation 1312.4: Williams Uniform Complaint Procedures**

**Status:** DRAFT

**Original Adopted Date:** Pending

**Types of Complaints**

The district shall use the procedures described in this administrative regulation only to investigate and resolve the following:

1. Complaints regarding the insufficiency of textbooks and instructional materials, including any complaint alleging that: (Education Code 35186; 5 CCR 4681)
  - a. A student, including an English learner, does not have standards-aligned textbooks or instructional materials or state- or district-adopted textbooks or other required instructional materials to use in class.
  - b. A student does not have access to textbooks or instructional materials to use at home or after school. This does not require two sets of textbooks or instructional materials for each student.
  - c. Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.
  - d. A student was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.
2. Complaints regarding teacher vacancy or misassignment, including any complaint alleging that: (Education Code 35186; 5 CCR 4682)
  - a. A semester begins and a teacher vacancy exists.
  - b. A teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learners in the class.
  - c. A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

*Teacher vacancy* means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of the semester for an entire semester. (Education Code 35186; 5 CCR 4600)

*Beginning of the year or semester* means the time period from the first day students attend classes for a year-long course or semester-long course though not later than 20 business days afterwards.

*Misassignment* means the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or credential or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold. (Education Code 35186; 5 CCR 4600)

3. Complaints regarding the condition of school facilities, including any complaint alleging that: (Education Code 35186; 5 CCR 4683)
  - a. A condition poses an emergency or urgent threat to the health or safety of students or staff.

*Emergency or urgent threat* means structures or systems that are in a condition that poses a threat to the health and safety of students or staff while at school, including, but not limited to, gas leaks; nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems; electrical power failure; major sewer line stoppage; major pest or vermin infestation; broken windows or exterior doors or gates that will not lock and that pose a security risk; abatement of hazardous materials previously undiscovered that pose an immediate threat to students or staff; structural damage creating a hazardous or uninhabitable condition; or any other condition deemed appropriate. (Education Code 17592.72)

- b. A school restroom has not been cleaned, maintained, or kept open in accordance with Education Code 35292.5.

*Clean or maintained school restroom* means a school restroom has been cleaned or maintained regularly, is fully operational, or has been stocked at all times with toilet paper, soap, or paper towels or functional hand dryers. (Education Code 35292.5)

*Open restroom* means the school has kept all restrooms open during school hours when students are not in classes and has kept a sufficient number of restrooms open during school hours when students are in classes. This does not apply when the temporary closing of the restroom is necessary for student safety or to make repairs. (Education Code 35292.5)

In any school serving any of grades 6-12, a complaint may be filed alleging noncompliance with the requirement of Education Code 35292.6 to, at all times, stock and make available and accessible free of cost, an adequate supply of menstrual products in every women's and all-gender restroom, and in at least one men's restroom. (Education Code 35292.6)

### **Forms and Notices**

The Superintendent or designee shall ensure a Williams complaint form is available at each school. However, complainants need not use the district's complaint form in order to file a complaint. (Education Code 35186; 5 CCR 4680)

The Superintendent or designee shall ensure that the district's complaint form specifies the location for filing a complaint and contains a space to indicate whether the complainant desires a response to the complaint. A complainant may add as much text to explain the complaint as desired. (Education Code 35186; 5 CCR 4680)

The Superintendent or designee shall post in each classroom in each school a notice containing the components specified in Education Code 35186. (Education Code 35186)

### **Filing of Complaint**

A complaint alleging any condition(s) specified in the section "Types of Complaints" above shall be filed with the principal or designee at the school in which the complaint arises. A complaint about problems beyond the authority of the principal shall be forwarded to the Superintendent or designee in a timely manner, but not to exceed 10 working days. Complaints may be filed anonymously. (Education Code 35186; 5 CCR 4680)

### **Investigation and Response**

The principal or a designee of the Superintendent shall make all reasonable efforts to investigate any problem within the principal's or designee's authority. (Education Code 35186; 5 CCR 4685)

The principal or Superintendent's designee shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received. (Education Code 35186; 5 CCR 4685)

If the complainant has indicated on the complaint form a desire to receive a response to the complaint, the principal or Superintendent's designee shall send written resolution of the complaint to the mailing address of the complainant as indicated on the complaint within 45 working days of the initial filing of the complaint. If the principal makes this report, the information shall be reported at the same time to the Superintendent or designee. (Education Code 35186; 5 CCR 4680, 4685)

When Education Code 48985 is applicable and the complainant has requested a response, the response shall be written in English and in the primary language in which the complaint was filed. (Education Code 35186)

If a complainant is not satisfied with the resolution of a complaint, the complainant has the right to describe the complaint to the Governing Board at a regularly scheduled meeting. (Education Code 35186; 5 CCR 4686)

For any complaint concerning a facilities condition that poses an emergency or urgent threat to the health or safety of students or staff as described in Item #3a in the section "Types of Complaints" above, a complainant who is not satisfied with the resolution proffered by the principal or Superintendent or designee may file an appeal to the Superintendent of Public Instruction within 15 days of receiving the district's response. The complainant shall comply

with the appeal requirements specified in 5 CCR 4632. (Education Code 35186; 5 CCR 4687)

All complaints and written responses shall be public records. (Education Code 35186; 5 CCR 4686)

## Reports

On a quarterly basis, the Superintendent or designee shall report, to the Board at a regularly scheduled Board meeting and to the County Superintendent of Schools, summarized data on the nature and resolution of all complaints. The report shall include the number of complaints by general subject area with the number of resolved and unresolved complaints. (Education Code 35186; 5 CCR 4686)

**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

### State References

5 CCR 4600-4670

### Description

Uniform complaint procedures

5 CCR 4600-4687

Uniform complaint procedures and Williams complaints

Ed. Code 1240

County superintendent of schools; duties -

<https://simbli.eboardsolutions.com/SU/zxiNbLNKXQ1Z3w2H1beZIA==>

Ed. Code 17592.72

Urgent or emergency repairs; School Facility Emergency Repair Account -

<https://simbli.eboardsolutions.com/SU/IGu9humHDThZTnK3slsh9zFVw==>

Ed. Code 234.1

Student protections relating to discrimination, harassment, intimidation, and bullying -

<https://simbli.eboardsolutions.com/SU/MRwslWU5kFXiTOiSjZCnkA==>

Ed. Code 33126

School accountability report card -

<https://simbli.eboardsolutions.com/SU/tJs6YslshubwfWjC0ICzCplus6BA==>

Ed. Code 35186

Williams uniform complaint procedures -

<https://simbli.eboardsolutions.com/SU/MDiv2vFqYgd1u6vWMYFnhA==>

Ed. Code 35292.5-35292.6

Restrooms; maintenance and cleanliness -

<https://simbli.eboardsolutions.com/SU/x70F3bNKbY1cKtjvdsIshoC4A==>

Ed. Code 48985

Notices to parents in language other than English -

<https://simbli.eboardsolutions.com/SU/LHS9yg0UBYa76W1AygydnA==>

Ed. Code 60119

Hearing on sufficiency of instructional materials -

<https://simbli.eboardsolutions.com/SU/wgpZKRQ3ptU4Chh5FQUMmw==>

### Federal References

20 USC 6314

### Description

Title I schoolwide program

### Management Resources References

Website

### Description

CSBA District and County Office of Education Legal Services -

<https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ==>

Website

State Allocation Board, Office of Public School Construction -

<https://simbli.eboardsolutions.com/SU/UxUcDGusZWnedr16Dp8wuQ==>

Website

California Department of Education, Williams Case -

<https://simbli.eboardsolutions.com/SU/IgEokvI5m4hnKA9yXFZS8A==>

Website

California County Superintendents Educational Services Association -

<https://simbli.eboardsolutions.com/SU/Wyr1WplusZPL9SDth52IMoLrg==>

Website

CSBA -

<https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==>

**Exhibit 1312.4-E(1): Williams Uniform Complaint Procedures**

**Status:** DRAFT

**Original Adopted Date:** Pending

**NOTICE TO PARENTS/GUARDIANS, STUDENTS, AND TEACHERS:  
K-12 COMPLAINT RIGHTS**

Parents/Guardians, Students, and Teachers:

Pursuant to Education Code 35186, you are hereby notified that:

1. There should be sufficient textbooks and instructional materials. That means each student, including an English learner, must have a textbook or instructional materials, or both, to use in class and to take home.
2. School facilities must be clean, safe, and maintained in good repair.
3. There should be no teacher vacancies or misassignments. There should be a teacher assigned to each class and not a series of substitutes or other temporary teachers. The teacher should have the proper credential to teach the class, including the certification required to teach English learners, if present.

Misassignment means the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or credential or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold.

Teacher vacancy means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester.

If you choose to file a complaint alleging that any of the above conditions is not being met, your complaint will be addressed through the district's Williams uniform complaint procedures as required by law. A complaint form may be obtained at the school office or district office, or downloaded from the school or district web site. You may also download a copy of the California Department of Education complaint form from the following web site:

<http://www.cde.ca.gov/re/cp/uc>. However, a complaint need not be filed using either the district's complaint form or the complaint form from the California Department of Education.

**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

**State References**

5 CCR 4600-4670

5 CCR 4600-4687

Ed. Code 1240

Ed. Code 17592.72

Ed. Code 234.1

Ed. Code 33126

Ed. Code 35186

Ed. Code 35292.5-35292.6

**Description**

Uniform complaint procedures

Uniform complaint procedures and Williams complaints

County superintendent of schools; duties -

<https://simbli.eboardsolutions.com/SU/zxiNbLNKXQ1Z3w2H1beZIA==>

Urgent or emergency repairs; School Facility Emergency Repair Account -

<https://simbli.eboardsolutions.com/SU/IGu9humHDThZTnK3slsh9zFVw==>

Student protections relating to discrimination, harassment, intimidation, and bullying -

<https://simbli.eboardsolutions.com/SU/MRwslWU5kFXIT0iSjZCnkA==>

School accountability report card -

<https://simbli.eboardsolutions.com/SU/tJs6YslshubwfWjC0ICzCplus6BA==>

Williams uniform complaint procedures -

<https://simbli.eboardsolutions.com/SU/MDiv2vFqYgd1u6vWMYFnHA==>

Restrooms; maintenance and cleanliness -

<https://simbli.eboardsolutions.com/SU/x70F3bNKbY1cKTjvdsIshoC4A==>

Ed. Code 48985	Notices to parents in language other than English - <a href="https://simbli.eboardsolutions.com/SU/LHS9yg0UBYa76W1AygdydA==">https://simbli.eboardsolutions.com/SU/LHS9yg0UBYa76W1AygdydA==</a>
Ed. Code 60119	Hearing on sufficiency of instructional materials - <a href="https://simbli.eboardsolutions.com/SU/wgpZKRQ3ptU4Chh5FQUMmw==">https://simbli.eboardsolutions.com/SU/wgpZKRQ3ptU4Chh5FQUMmw==</a>

#### **Federal References**

20 USC 6314

#### **Description**

Title I schoolwide program

#### **Management Resources References**

Website

CSBA District and County Office of Education Legal Services -  
<https://simbli.eboardsolutions.com/SU/UdykszdmPETuDslshXk6R5akQ==>

Website

State Allocation Board, Office of Public School Construction -  
<https://simbli.eboardsolutions.com/SU/UxUcDGuszWNedr16Dp8wuQ==>

Website

California Department of Education, Williams Case -  
<https://simbli.eboardsolutions.com/SU/lgEokvl5m4hnKA9yXFZS8A==>

Website

California County Superintendents Educational Services Association -  
<https://simbli.eboardsolutions.com/SU/Wyr1WplusZPL9SDth52IMoLrg==>

Website

CSBA -  
<https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==>

**Exhibit 1312.4-E(2): Williams Uniform Complaint Procedures**

**Status:** DRAFT

**Original Adopted Date:** Pending

**K-12 COMPLAINT FORM:  
WILLIAMS UNIFORM COMPLAINT PROCEDURES**

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

Response requested? \_\_\_ Yes \_\_\_ No

Contact information: (if response is requested)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone number: Day: \_\_\_\_\_ Evening: \_\_\_\_\_

E-mail address, if any: \_\_\_\_\_

Date problem was observed: \_\_\_\_\_

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

School name/address: \_\_\_\_\_

Course title/grade level and teacher name: \_\_\_\_\_

Room number/name of room/location of facility: \_\_\_\_\_

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

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

**1. Textbooks and instructional materials: (Education Code 35186; 5 CCR 4681)**

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

**2. Teacher vacancy or misassignment: (Education Code 35186; 5 CCR 4682)**

- A semester begins and a teacher vacancy exists. A *teacher vacancy* is a position to which a single designated certificated employee has not been assigned at the beginning of the school year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester.

- A teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learners in the class.
- A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

3. Facilities conditions: (Education Code 17592.72, 35186, 35292.5, 35292.6; 5 CCR 4683)

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

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

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Please file this complaint at the following location:

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(principal or designee)

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(address)

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

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(Signature)

(Date)

**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

### State References

5 CCR 4600-4670

### Description

Uniform complaint procedures

5 CCR 4600-4687

Uniform complaint procedures and Williams complaints

Ed. Code 1240

County superintendent of schools; duties -

<https://simbli.eboardsolutions.com/SU/zxiNbLNKXQ1Z3w2H1beZIA==>

Ed. Code 17592.72

Urgent or emergency repairs; School Facility Emergency Repair Account -

<https://simbli.eboardsolutions.com/SU/IGu9humHDThtZTnK3slsh9zFVw==>

Ed. Code 234.1

Student protections relating to discrimination, harassment, intimidation, and bullying -

<https://simbli.eboardsolutions.com/SU/MRwslWU5kFXiTOiSjZCnkA==>

Ed. Code 33126

School accountability report card -

<https://simbli.eboardsolutions.com/SU/tJs6YslshubwfWjC0ICzCplus6BA==>

Ed. Code 35186

Williams uniform complaint procedures -

<https://simbli.eboardsolutions.com/SU/MDiv2vFqYgd1u6vWMYFnA==>

Ed. Code 35292.5-35292.6

Restrooms; maintenance and cleanliness -

<https://simbli.eboardsolutions.com/SU/x70F3bNKbY1cKTjvdsIshoC4A==>

Ed. Code 48985

Notices to parents in language other than English -

<https://simbli.eboardsolutions.com/SU/LHS9yg0UBYa76W1AygydnA==>

Ed. Code 60119

Hearing on sufficiency of instructional materials -

<https://simbli.eboardsolutions.com/SU/wgpZKRQ3ptU4Chh5FQUMmw==>

### Federal References

20 USC 6314

### Description

Title I schoolwide program

### Management Resources References

Website

CSBA District and County Office of Education Legal Services -

<https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ==>

Website

State Allocation Board, Office of Public School Construction -

<https://simbli.eboardsolutions.com/SU/UxUcDGuszWNedr16Dp8wuQ==>

Website

California Department of Education, Williams Case -

<https://simbli.eboardsolutions.com/SU/IgEokvI5m4hnKA9yXFZS8A==>

Website

California County Superintendents Educational Services Association -

<https://simbli.eboardsolutions.com/SU/Wyr1WplusZPL9SDth52IMoLrg==>

Website

CSBA -

<https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==>



**Policy 1313: Civility**

**Status:** DRAFT

**Original Adopted Date:** Pending

The Governing Board recognizes the impact that civility has on the effective operation of the district, including its role in creating a safe and positive school climate and enabling a focus on student well-being, learning, and achievement. The Board believes that each person should be treated with dignity and respect in their interactions within the school community.

The Board understands that the First Amendment provides strong protection for speech. However, the Board expects that all speech and expression will comport with norms of civil behavior on district grounds, in district facilities, during district activities or events, and in the use of district electronic/digital systems and platforms.

Civil behavior is polite, courteous, and reasonable behavior which is respectful to others and includes integrity, honesty, acceptance, timeliness, dependability, observance of laws and rules, and effective communication.

The Board and district staff shall model civil behavior as an example of behavior that is expected throughout the district. Practices that promote civil behavior include actively listening, giving full attention to the speaker, and refraining from interruptions; welcoming and encouraging participation, input, and feedback through stakeholder engagement; promptly responding to concerns; and embracing varying and diverse viewpoints. Such practices may be incorporated into governance standards adopted by the Board or Superintendent and/or professional standards or codes of conduct for employees as specified in district policies and regulations.

Students, staff, parents/guardians, and community members should be educated in the recognition, development, and demonstration of civil behavior. The Superintendent or designee may incorporate related concepts in the curriculum, provide staff development activities, and/or communicate this policy to the school community.

Students, staff, parents/guardians, and community members shall not communicate or behave in a manner that causes disruption; hinders the orderly conduct of district operations, the educational program, or any other district program or activity; or creates an unsafe learning or working environment. The Superintendent or designee may respond to disruptive, violent, or threatening behavior in accordance with law and as specified in BP/AR 3515.2 - Disruptions.

Behavior by students or staff that is discriminatory, harassing, or intimidating, including sexual harassment, bullying, and/or hate violence, or behavior that is in any other way unlawful, is prohibited and is subject to discipline in accordance with law and as specified in district policy and regulations.

**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

**State References**

**Description**

CA Constitution Article 1, Section 2	Freedom of speech and expression - <a href="https://simbli.eboardsolutions.com/SU/vSxJBJa0lq0CDQS0OaxOsQ==">https://simbli.eboardsolutions.com/SU/vSxJBJa0lq0CDQS0OaxOsQ==</a>
CA Constitution Article 1, Section 28	Right to Safe Schools - <a href="https://simbli.eboardsolutions.com/SU/4uKslshNFWJwiWPc9Z3j2hmaA==">https://simbli.eboardsolutions.com/SU/4uKslshNFWJwiWPc9Z3j2hmaA==</a>
Civ. Code 51.7	Freedom from violence or intimidation - <a href="https://simbli.eboardsolutions.com/SU/biK5w5xHjaslshApluscWXhrJ7ZQ==">https://simbli.eboardsolutions.com/SU/biK5w5xHjaslshApluscWXhrJ7ZQ==</a>
Ed. Code 200-262.4	Educational equity - <a href="https://simbli.eboardsolutions.com/SU/XB1lvYVPGmyWzkZQRslshkVTg==">https://simbli.eboardsolutions.com/SU/XB1lvYVPGmyWzkZQRslshkVTg==</a>
Ed. Code 32210	Willful disturbance of public school or meeting - <a href="https://simbli.eboardsolutions.com/SU/8EXQpLHJQSpuVnd06PfaAw==">https://simbli.eboardsolutions.com/SU/8EXQpLHJQSpuVnd06PfaAw==</a>
Ed. Code 32211	Threatened disruption or interference with classes - <a href="https://simbli.eboardsolutions.com/SU/pNBC8hz4kplusF6mCDPplus8QbRg==">https://simbli.eboardsolutions.com/SU/pNBC8hz4kplusF6mCDPplus8QbRg==</a>
Ed. Code 32212	Classroom interruptions - <a href="https://simbli.eboardsolutions.com/SU/Y3UquHHOTo3kYnsNrIL7WA==">https://simbli.eboardsolutions.com/SU/Y3UquHHOTo3kYnsNrIL7WA==</a>

Ed. Code 32280-32289.5	School safety plans - <a href="https://simbli.eboardsolutions.com/SU/gz33QjVcfk6ufvjfPS84Kw==">https://simbli.eboardsolutions.com/SU/gz33QjVcfk6ufvjfPS84Kw==</a>
Ed. Code 35181	Governing board authority to set policy on responsibilities of students - <a href="https://simbli.eboardsolutions.com/SU/aMhrosfuwlgvxetzOUpGwQ==">https://simbli.eboardsolutions.com/SU/aMhrosfuwlgvxetzOUpGwQ==</a>
Ed. Code 35291-35291.5	Rules - <a href="https://simbli.eboardsolutions.com/SU/x70F3bNKbY1cKTjydsIshoC4A==">https://simbli.eboardsolutions.com/SU/x70F3bNKbY1cKTjydsIshoC4A==</a>
Ed. Code 44050	Employee code of conduct; interaction with students - <a href="https://simbli.eboardsolutions.com/SU/PNtpd4THa36YECTORI1Zplusg==">https://simbli.eboardsolutions.com/SU/PNtpd4THa36YECTORI1Zplusg==</a>
Ed. Code 44807	Teachers' duty concerning conduct of students - <a href="https://simbli.eboardsolutions.com/SU/O1QplusZUrsIshvuVCSGiVFIm8hw==">https://simbli.eboardsolutions.com/SU/O1QplusZUrsIshvuVCSGiVFIm8hw==</a>
Ed. Code 44810	Willful interference with classroom conduct - <a href="https://simbli.eboardsolutions.com/SU/uNZeyb4epXslshslshZmuznPsQpQ==">https://simbli.eboardsolutions.com/SU/uNZeyb4epXslshslshZmuznPsQpQ==</a>
Ed. Code 44811	Disruption of classwork or extracurricular activities - <a href="https://simbli.eboardsolutions.com/SU/WEI49fE73slshn4LFEa6HOSGw==">https://simbli.eboardsolutions.com/SU/WEI49fE73slshn4LFEa6HOSGw==</a>
Ed. Code 48900-48926	Suspension and expulsion - <a href="https://simbli.eboardsolutions.com/SU/dt5KNUnSLpER0iplusCa0bRIQ==">https://simbli.eboardsolutions.com/SU/dt5KNUnSLpER0iplusCa0bRIQ==</a>
Ed. Code 48907	Exercise of free expression; time, place and manner rules and regulations - <a href="https://simbli.eboardsolutions.com/SU/KDSjnurLBlr2KdV5numJiQ==">https://simbli.eboardsolutions.com/SU/KDSjnurLBlr2KdV5numJiQ==</a>
Ed. Code 48950	Speech and other communication - <a href="https://simbli.eboardsolutions.com/SU/Q5itwgUPloTFejGslshDadJ4g==">https://simbli.eboardsolutions.com/SU/Q5itwgUPloTFejGslshDadJ4g==</a>
Ed. Code 49330-49335	Injurious objects - <a href="https://simbli.eboardsolutions.com/SU/4youhLXID32plus5eslshL5sQsAg==">https://simbli.eboardsolutions.com/SU/4youhLXID32plus5eslshL5sQsAg==</a>
Gov. Code 54954.3	Opportunity for public to address legislative body - <a href="https://simbli.eboardsolutions.com/SU/9tmO3fD85XtoLZj5dg6MyA==">https://simbli.eboardsolutions.com/SU/9tmO3fD85XtoLZj5dg6MyA==</a>
Gov. Code 54957.9	Disorderly conduct of general public during meeting; clearing of room - <a href="https://simbli.eboardsolutions.com/SU/cZdprH9OJRabqKHMajBgRw==">https://simbli.eboardsolutions.com/SU/cZdprH9OJRabqKHMajBgRw==</a>
Pen. Code 243.5	Assault or battery on school property - <a href="https://simbli.eboardsolutions.com/SU/XAIBkEqG6TvwUX9ELy4drw==">https://simbli.eboardsolutions.com/SU/XAIBkEqG6TvwUX9ELy4drw==</a>
Pen. Code 415.5	Disturbance of peace of school - <a href="https://simbli.eboardsolutions.com/SU/ZjIDnpluSpJrQuL9SZV1HFFGQ==">https://simbli.eboardsolutions.com/SU/ZjIDnpluSpJrQuL9SZV1HFFGQ==</a>
Pen. Code 422.55	Definition of hate crime - <a href="https://simbli.eboardsolutions.com/SU/EXmP7bT1slshj3qOjaM9qTkHA==">https://simbli.eboardsolutions.com/SU/EXmP7bT1slshj3qOjaM9qTkHA==</a>
Pen. Code 422.6	Crimes; harassment - <a href="https://simbli.eboardsolutions.com/SU/vVSJrxnKuuauWDfn4F58wg==">https://simbli.eboardsolutions.com/SU/vVSJrxnKuuauWDfn4F58wg==</a>
Pen. Code 626-626.11	Weapons on school grounds and other school crimes - <a href="https://simbli.eboardsolutions.com/SU/XIslsh9slshcoCcD30HV7KfmpIhg==">https://simbli.eboardsolutions.com/SU/XIslsh9slshcoCcD30HV7KfmpIhg==</a>
Pen. Code 627-627.10	Access to school premises - <a href="https://simbli.eboardsolutions.com/SU/slsh08IJOUW1slshWi5m7e7pv96w==">https://simbli.eboardsolutions.com/SU/slsh08IJOUW1slshWi5m7e7pv96w==</a>
Pen. Code 653.2	Electronic communication devices; threats to safety - <a href="https://simbli.eboardsolutions.com/SU/b3lplusd0Hih11bxg2qs6OYFQ==">https://simbli.eboardsolutions.com/SU/b3lplusd0Hih11bxg2qs6OYFQ==</a>
Pen. Code 653b	Loitering about schools or public places - <a href="https://simbli.eboardsolutions.com/SU/6OyV4hoRTPslshAtqoXCYbKfQ==">https://simbli.eboardsolutions.com/SU/6OyV4hoRTPslshAtqoXCYbKfQ==</a>

## Federal References

U.S. Constitution	Amendment 1; Free exercise, free speech, and establishment clauses - <a href="https://simbli.eboardsolutions.com/SU/iMUl98OyDFSCBGcGx5DwnA==">https://simbli.eboardsolutions.com/SU/iMUl98OyDFSCBGcGx5DwnA==</a>
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## Management Resources References

California Department of Education Publication	California's Social and Emotional Learning: Guiding Principles, 2018
California Department of Education Publication	Social and Emotional Learning in California: A Guide to Resources, 2018

## Description

## Description

Commission on Teacher Credentialing Publication	California Professional Standards for Educational Leaders, February 2014
Court Decision	Baca v. Moreno Valley Unified School District, (1996) 936 F. Supp. 719
Court Decision	Hazelwood School District v. Kuhlmeier, (1988) 108 S. Ct. 562
Court Decision	City of San Jose v. William Garbett, (2010) 190 Cal. App. 4th 526
Court Decision	Norse v. City of Santa Cruz, (9th Cir. 2010) 629 F3d 966
CSBA Publication	Professional Governance Standards for School Boards
CSBA Publication	Superintendent Governance Standards
Nat'l Policy Board For Educational Administration	Professional Standards for Educational Leaders, October 2015
Website	CSBA District and County Office of Education Legal Services - <a href="https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ==">https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ==</a>
Website	National Policy Board for Educational Administration - <a href="https://simbli.eboardsolutions.com/SU/GPslshkam3pWnYNsfBf6iWslshmq==">https://simbli.eboardsolutions.com/SU/GPslshkam3pWnYNsfBf6iWslshmq==</a>
Website	National School Safety Center - <a href="https://simbli.eboardsolutions.com/SU/DT4ecTE5xOmkiuXplMccKw==">https://simbli.eboardsolutions.com/SU/DT4ecTE5xOmkiuXplMccKw==</a>
Website	Center for Safe and Responsible Internet Use - <a href="https://simbli.eboardsolutions.com/SU/SYNvZCFDU9rOyHBP2bWINA==">https://simbli.eboardsolutions.com/SU/SYNvZCFDU9rOyHBP2bWINA==</a>
Website	California Office of the Attorney General - <a href="https://simbli.eboardsolutions.com/SU/5qNslsh5DoKuytasYcv9khGiA==">https://simbli.eboardsolutions.com/SU/5qNslsh5DoKuytasYcv9khGiA==</a>
Website	National Council for the Social Studies - <a href="https://simbli.eboardsolutions.com/SU/3cNbElvx93Aslshf4rspplusG6gA==">https://simbli.eboardsolutions.com/SU/3cNbElvx93Aslshf4rspplusG6gA==</a>
Website	Commission on Teacher Credentialing - <a href="https://simbli.eboardsolutions.com/SU/cxWNIqRUuIsaq7efc7aH4Q==">https://simbli.eboardsolutions.com/SU/cxWNIqRUuIsaq7efc7aH4Q==</a>
Website	CSBA - <a href="https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==">https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==</a>
Website	California Department of Education - <a href="https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==">https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==</a>
Website	U.S. Department of Education - <a href="https://simbli.eboardsolutions.com/SU/XcSsJimoslsh3XhJKy4tplus7wplusA==">https://simbli.eboardsolutions.com/SU/XcSsJimoslsh3XhJKy4tplus7wplusA==</a>
Website	U.S. Equal Employment Opportunity Commission - <a href="https://simbli.eboardsolutions.com/SU/vWZpgy5hWTz73t9BVEDPpA==">https://simbli.eboardsolutions.com/SU/vWZpgy5hWTz73t9BVEDPpA==</a>

**Policy 1321: Solicitation Of Funds From And By Students**

**Status:** DRAFT

**Original Adopted Date:** Pending

The Governing Board recognizes that student participation in fund-raising activities for the schools and nonprofit, nonpartisan charitable organizations can help develop a sense of social responsibility in students, enhance the relationship between the school and community, and contribute to the improvement of the school program.

Whether solicitations are made on behalf of the school or on behalf of a charitable organization, students shall not be barred from an event or activity because they did not participate in fund-raising. Potential donors, including parents/guardians and members of the community, should not be unduly pressured to contribute to the school system or charitable organizations. Staff is expected to emphasize the fact that donations are always voluntary.

The Superintendent or designee shall ensure that parents/guardians are informed of the purpose of fund-raisers.

**Solicitations on Behalf of the School**

With the prior written approval of the Superintendent or designee, official school-related organizations may organize fund-raising events involving students.

After the fund-raiser has been held, parents/guardians shall be informed how much money was raised and how it was spent.

**Solicitations on Behalf of Charities**

When approved in advance by the Superintendent or designee, nonprofit, nonpartisan organizations that are properly chartered or licensed by state or federal law may solicit students on school grounds during school hours and within one hour before school has opened and one hour after school has closed. (Education Code 51520)

**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

**State References**

8 CCR 11701-11707

Bus. Code 17510-17510.95

Ed. Code 51520

Ed. Code 51521

Pen. Code 319-329

Rev. & Tax Code 6361

**Description**

Prohibited and dangerous occupations for minors -  
<https://simbli.eboardsolutions.com/SU/N2GrjzaqKZSLfslsh6BK5TeYQ==>

Charitable solicitations -  
<https://simbli.eboardsolutions.com/SU/Nlp1YHHUFHilKCqfGACa0w==>

Prohibited solicitations on school premises -  
<https://simbli.eboardsolutions.com/SU/OHINokWcmplusTbNcUoyiAtzQ==>

Unlawful solicitations of contribution or purchase of personal property for benefit of public school or student body; exception -  
<https://simbli.eboardsolutions.com/SU/slshcl6PBgZiWC04MUXdf4tWg==>

Raffles -  
<https://simbli.eboardsolutions.com/SU/Ukj7jM8Fj6b2ByP2tsFRpw==>

Sales tax exemption for certain sales -  
<https://simbli.eboardsolutions.com/SU/H0YkiLxmK8NkzQymGAMpkQ==>

**Management Resources References**

CSBA Publication

Website

Website

**Description**

Healthy Food Policy Resource Guide, 2003

CSBA District and County Office of Education Legal Services -  
<https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIsHxk6R5akQ==>

Office of the Attorney General -  
<https://simbli.eboardsolutions.com/SU/hZJ0WChT88q6UgrC1Hnyqg==>

**Regulation 1321: Solicitation Of Funds From And By Students**

**Status:** DRAFT

**Original Adopted Date:** Pending

The Superintendent or designee shall approve all fund-raising activities at least 15 days before the activity. If the event involves a contract with a commercial vendor, the Superintendent or designee shall review the contract.

In order to minimize interruptions to the educational program, staff shall limit fund-raising activities to appropriate time periods designated by the principal.

No student shall be required to raise a specified amount of money in order to participate in an activity sponsored by a school-related organization.

Students engaged in fund-raising activities on behalf of the school or for school-related projects are expected to be courteous and respectful towards all individuals and businesses.

**Door-to-Door Sales**

Students under 16 years old may engage in door-to-door sales of newspaper or magazine subscriptions, candy, cookies, flowers or other merchandise only under the following conditions:

1. The students shall work in pairs, as a team, on the same or opposite side of the street. (8 CCR 11706)
2. The students shall be supervised by an adult, with one adult for every crew of 10 or fewer students. (8 CCR 11706)
3. The students must be within the sight or sound of their adult supervisor at least once every 15 minutes. (8 CCR 11706)
4. The students shall be returned to their respective homes or meeting places after each day's work. (8 CCR 11706)
5. The students shall not engage in door-to-door sales after dark.
6. The students shall not work outside of their immediate neighborhood.
7. Students in grades Pre-2 shall not be involved in any door-to-door sales or solicitations without parental supervision.

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**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

**State References**

**Description**

8 CCR 11701-11707

Prohibited and dangerous occupations for minors -  
<https://simbli.eboardsolutions.com/SU/N2GrjzaqKZSLfslsh6BK5TeYQ==>

Bus. Code 17510-17510.95

Charitable solicitations -  
<https://simbli.eboardsolutions.com/SU/Nlp1YHHUFHilKCqfGACa0w==>

Ed. Code 51520

Prohibited solicitations on school premises -  
<https://simbli.eboardsolutions.com/SU/OHINokWcmplusTbNcUoyiAtzQ==>

Ed. Code 51521

Unlawful solicitations of contribution or purchase of personal property for benefit of public school or student body; exception -  
<https://simbli.eboardsolutions.com/SU/slshcl6PBgZiWC04MUXdf4tWg==>

Pen. Code 319-329

Raffles -  
<https://simbli.eboardsolutions.com/SU/Ukj7jM8Fj6b2BvP2tsFRpw==>

Rev. & Tax Code 6361

Sales tax exemption for certain sales -  
<https://simbli.eboardsolutions.com/SU/H0YkiLxmK8NkzQymGAMpkQ==>

**Management Resources References**

CSBA Publication

Website

Website

**Description**

Healthy Food Policy Resource Guide, 2003

CSBA District and County Office of Education Legal Services -  
<https://simbli.eboardsolutions.com/SU/UdykszdmPETuDslshXk6R5akQ==>

Office of the Attorney General -  
<https://simbli.eboardsolutions.com/SU/hZJ0WChT88q6UgrC1Hnyqg==>

**Policy 1325: Advertising And Promotion**

**Status:** DRAFT

**Original Adopted Date:** Pending

The Governing Board establishes this policy to ensure effective and consistent standards for advertisements and promotions by nonschool groups in school-sponsored publications, on district and school web sites and social media, and on school facilities and grounds. Student speech shall be regulated in accordance with BP/AR 5145.2 - Freedom of Speech/Expression.

The Board desires to promote positive relationships between district schools and the community in order to enhance community partnerships, support, and involvement in the schools. The Superintendent or designee may, consistent with the criteria established in this policy, approve:

1. Distribution of noncommercial materials that publicize services, special events, public meetings, or other gatherings of interest to students or parents/guardians
2. Distribution of promotional materials of a commercial nature to students or parents/guardians
3. Paid advertisements on school property, including, but not limited to, advertisements on school buildings, athletic fields, scoreboards, and billboards
4. Paid advertisements in school-sponsored publications, yearbooks, announcements, and other school communications, including web sites and social media
5. Products and materials donated by commercial enterprises for educational use, including those that bear the name and/or logo of the donor, as long as they do not unduly promote the donor or any commercial activity or product

Prior to the distribution, posting, or publishing of any nonschool group's promotional materials or advertisement, the Superintendent, principal, or designee shall review the materials or advertisement based on the criteria listed below. He/she may not disapprove materials or advertisement in an arbitrary or capricious manner or in a way that discriminates against a particular viewpoint on a subject that is otherwise allowed by Board policy.

All materials to be distributed shall bear the name and contact information of the sponsoring entity.

As necessary, the Superintendent, principal, or designee shall require a disclaimer on any nonschool group's promotional materials to be distributed, posted, or published, stating that the distribution, posting, or publishing of the materials does not imply district endorsement of the group's activities, products, or services. District- and school-sponsored publications shall include a disclaimer stating that the district or school does not endorse any advertised products or services.

**Criteria for Approval**

The Superintendent, principal, or designee shall not accept for distribution, or allow on school property, any materials or advertisements that:

1. Are lewd, obscene, libelous, or slanderous
2. Incite students to commit unlawful acts, violate school rules, or disrupt the orderly operation of the schools
3. Promote any particular political interest, candidate, party, or ballot measure, unless the candidates or advocates from all sides are provided the opportunity to present their views to the students during school hours or during events scheduled pursuant to the Civic Center Act
4. Contain prayer or proselytizing language
5. Position the district on any side of a controversial issue
6. Discriminate against, attack, or denigrate any group on account of any unlawful consideration
7. Promote the use or sale of materials or services that are illegal or inconsistent with school objectives, including,

but not limited to, materials or advertisements for tobacco, intoxicants, and movies or products unsuitable for children

8. Promote during the school day any food or beverage that does not comply with state nutritional standards pursuant to Education Code 49430-49434, including a corporate incentive program that offers free or discounted foods or beverages that do not meet nutritional standards as rewards for students who reach certain academic goals. This prohibition does not include advertising on clothing with brand images worn on school grounds, advertising contained in product packaging, or advertising of infrequent school fundraising events involving food or beverages that do not meet the nutritional standards. (Education Code 49431.9)
9. Solicit funds or services for an organization, with the exception of solicitations authorized in Board policy
10. Distribute unsolicited merchandise for which an ensuing payment is requested

The Superintendent or designee may also consider the educational value of the materials or advertisements, the age or maturity of the students in the intended audience, and whether the materials or advertisements support the basic educational mission of the district, directly benefit the students, or are of intrinsic value to the students or their parents/guardians.

Schools may establish additional criteria pertaining to the content of advertisements in school publications and yearbooks, as deemed appropriate by the Superintendent or designee in accordance with law and Board policy.

**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

#### State References

State References	Description
Bus. Code 25664	Advertisements encouraging minors to drink - <a href="https://simbli.eboardsolutions.com/SU/Dxt73YHP4ggfSUgpxhv7aw==">https://simbli.eboardsolutions.com/SU/Dxt73YHP4ggfSUgpxhv7aw==</a>
CA Constitution Article 1, Section 2	Freedom of speech and expression - <a href="https://simbli.eboardsolutions.com/SU/vSxJBja0lq0CDQS0OaxOsQ==">https://simbli.eboardsolutions.com/SU/vSxJBja0lq0CDQS0OaxOsQ==</a>
Ed. Code 35160	Authority of governing boards - <a href="https://simbli.eboardsolutions.com/SU/FFplus3PC2rsgGxvplus8DVSsrkQ==">https://simbli.eboardsolutions.com/SU/FFplus3PC2rsgGxvplus8DVSsrkQ==</a>
Ed. Code 35160.1	Broad authority of school districts - <a href="https://simbli.eboardsolutions.com/SU/ewe0Cc8cKGTgDzaAt5MKhw==">https://simbli.eboardsolutions.com/SU/ewe0Cc8cKGTgDzaAt5MKhw==</a>
Ed. Code 35172	Promotional activities - <a href="https://simbli.eboardsolutions.com/SU/mVfx6wBztjEsmgOccplusEJNQ==">https://simbli.eboardsolutions.com/SU/mVfx6wBztjEsmgOccplusEJNQ==</a>
Ed. Code 35172	Promotional activities - <a href="https://simbli.eboardsolutions.com/SU/mVfx6wBztjEsmgOccplusEJNQ==">https://simbli.eboardsolutions.com/SU/mVfx6wBztjEsmgOccplusEJNQ==</a>
Ed. Code 38130-38139	Civic Center Act - <a href="https://simbli.eboardsolutions.com/SU/tloM8gkAiBJoSSNvFbplum4w==">https://simbli.eboardsolutions.com/SU/tloM8gkAiBJoSSNvFbplum4w==</a>
Ed. Code 49430-49434	The Pupil Nutrition, Health, and Achievement Act of 2001 - <a href="https://simbli.eboardsolutions.com/SU/Vblde2N1RyrO8XDSzoAlsA==">https://simbli.eboardsolutions.com/SU/Vblde2N1RyrO8XDSzoAlsA==</a>
Ed. Code 49431.9	Prohibition of advertisement of non-nutritious foods - <a href="https://simbli.eboardsolutions.com/SU/MejOq1GZtZsd1EzuDSIJZA==">https://simbli.eboardsolutions.com/SU/MejOq1GZtZsd1EzuDSIJZA==</a>
Ed. Code 7050-7058	Political activities of school officers and employees - <a href="https://simbli.eboardsolutions.com/SU/5YoLGWwfbAw1M58GNpyRw==">https://simbli.eboardsolutions.com/SU/5YoLGWwfbAw1M58GNpyRw==</a>

#### Federal References

Federal References	Description
42 USC 1751-1769j	School Lunch Program
42 USC 1773	School Breakfast Program
U.S. Constitution	Amendment 1; Free exercise, free speech, and establishment clauses - <a href="https://simbli.eboardsolutions.com/SU/iMUl98OyDFSCBGcGx5DwnA==">https://simbli.eboardsolutions.com/SU/iMUl98OyDFSCBGcGx5DwnA==</a>

#### Management Resources References

#### Description



Court Case	Yeo v. Town of Lexington, (1997) 131 F.3d 241
Court Case	Bright v. Los Angeles Unified School District, (1976) 18 Cal. 3d 450
Court Case	DiLoreto v. Downey Unified School District, (1999) 196 F.3d 958
Court Case	Hemry v. School Board of Colorado Springs, (D.Col. 1991) 760 F.Supp. 856
Court Case	Hills v. Scottsdale Unified School District, (2003) 329 F.3d 1044
Court Case	Lehman v. Shaker Heights, (1974) 418 U.S. 298
Website	CSBA District and County Office of Education Legal Services - <a href="https://simbli.eboardsolutions.com/SU/UdykszdmPETuDslshXk6R5akQ==">https://simbli.eboardsolutions.com/SU/UdykszdmPETuDslshXk6R5akQ==</a>
Website	CSBA - <a href="https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==">https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==</a>

**Policy 1330: Use Of School Facilities**

**Status:** DRAFT

**Original Adopted Date:** Pending

The Governing Board believes that school facilities and grounds are a vital community resource which should be used to foster community involvement and development. Therefore, the Board authorizes the use of school facilities by district residents and community groups for purposes specified in the Civic Center Act, to the extent that such use does not interfere with school activities or other school-related uses.

The Superintendent or designee shall give priority to school-related activities in the use of school facilities and grounds. Other uses authorized under the Civic Center Act shall be on a first-come, first-served basis.

For the effective management and control of school facilities and grounds, the Superintendent or designee shall maintain procedures and regulations that: (Education Code 38133)

1. Aid, encourage, and assist groups desiring to use school facilities for approved activities
2. Preserve order in school facilities and on school grounds and protect school facilities, designating a person to supervise this task, if necessary
3. Ensure that the use of school facilities or grounds is not inconsistent with their use for school purposes and does not interfere with the regular conduct of school work

Subject to prior approval by the Board, the Superintendent or designee may grant the use of school facilities or grounds on those days on which district schools are closed. (Education Code 37220)

There shall be no advertising on school facilities and grounds except as allowed by district policy specified in BP 1325 - Advertising and Promotion.

As necessary to ensure efficient use of school facilities, the Superintendent or designee may, with the Board's approval, enter into an agreement for the joint use of any school facilities or grounds. The Board shall approve any such agreement only if it determines that it is in the best interest of the district and the community.

**Fees**

The Board shall adopt a comprehensive schedule of fees to be charged for community use of school facilities and grounds, including, but not limited to, the multipurpose room(s), playing or athletic field(s), track and field venue(s), tennis court(s), and outdoor basketball court(s). The schedule of fees shall be prepared in accordance with 5 CCR 14037-14041. (5 CCR 14041)

The Board authorizes the use of school facilities or grounds without charge to school-related organizations whose activities are directly related to or for the benefit of district schools. All other groups requesting the use of school facilities under the Civic Center Act shall be charged an amount not exceeding direct costs determined in accordance with 5 CCR 14037-14041.

Additionally, when any use of school facilities or grounds is for religious services, the district shall charge an amount at least equal to the district's direct costs. (Education Code 38134)

Groups shall be charged fair rental value when using school facilities or grounds for entertainment or meetings where admission is charged or contributions solicited and net receipts are not to be expended for charitable purposes or for the welfare of the district's students. (Education Code 38134)

**Calculating Direct Costs**

Direct costs to be charged for community use of each, or each type of, school facility or grounds shall be calculated in accordance with 5 CCR 14038 and may reflect the community's proportionate share of the following costs: (Education Code 38134; 5 CCR 14038-14041)

1. Capital direct costs calculated in accordance with 5 CCR 14039, including the estimated costs of maintenance, repair, restoration, and refurbishment of non-classroom space school facilities or grounds

2. Operational direct costs calculated in accordance with 5 CCR 14040, including estimated costs of supplies, utilities, janitorial services, other services performed by district employees and/or contracted workers, and salaries and benefits paid to district employees directly associated with the administration of the Civic Center Act to operate and maintain school facilities and grounds

Direct cost fees shall not be discounted to any group or organization except when the discount is specifically authorized in the adopted fee schedule. (5 CCR 14041)

### Expending Funds Collected as Capital Direct Costs

Any funds collected as capital direct costs shall be deposited into a special fund to be used only for capital maintenance, repair, restoration, and refurbishment of school facilities and grounds. (5 CCR 14042)

### Use of School Facility as Polling Place

The Board may authorize the use of school buildings as polling places on any election day, and may also authorize the use of school buildings, without cost, for the storage of voting machines and other vote-tabulating devices. However, if a city or county elections official specifically requests the use of a school building as a polling place, the Board shall allow its use for such purpose. If school will be in session, the Superintendent or designee shall identify to elections officials the specific areas of the school buildings not occupied by school activities that will be allowed for use as polling places. (Elections Code 12283)

When a school is used as a polling place, the Superintendent or designee shall provide the elections official a site with an adequate amount of space that will allow the precinct board to perform its duties in a manner that will not impede, interfere, or interrupt the normal process of voting and shall make a telephone line for Internet access available for use by local elections officials if so requested. He/she shall make a reasonable effort to ensure that the site is accessible to persons with disabilities. (Elections Code 12283)

The Superintendent or designee shall establish procedures to ensure student safety and minimize disruptions whenever school is in session while the facilities are being used as a polling place.

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**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

#### State References

5 CCR 14037-14042

Bus. Code 25608

Ed. Code 10900-10914.5

Ed. Code 32280-32289.5

Ed. Code 37220

Ed. Code 38130-38138

Elec. Code 12283

Gov. Code 54950-54963

M&V Code 1800

#### Description

Proportionate direct costs for use of school facilities and grounds

Alcohol on school property; use in connection with instruction -  
<https://simbli.eboardsolutions.com/SU/FNTmwCbl5wapMSIUJRgAkW==>

Community recreation programs -  
<https://simbli.eboardsolutions.com/SU/2plusoOINP9plus8k2kxekeluvFw==>

School safety plans -  
<https://simbli.eboardsolutions.com/SU/gz33QjVcfk6ufvjfPS84Kw==>

School holidays -  
<https://simbli.eboardsolutions.com/SU/plusB5QsDGvKOO1slshAvenu11TQ==>

Civic Center Act; use of school property for public purposes -  
<https://simbli.eboardsolutions.com/SU/tloM8gkAiBJoSSNvFbplum4w==>

Polling places: schools -  
<https://simbli.eboardsolutions.com/SU/7mGanslshLrPOn4XJjMrQjswg==>

The Ralph M. Brown Act -  
<https://simbli.eboardsolutions.com/SU/Zh2Bb3plus0XDQweT5vBx4GSg==>

Definitions -  
<https://simbli.eboardsolutions.com/SU/8cMAXVl6pluslXqzoklcrAUTw==>

#### Federal References

20 USC 7905

#### Description

Equal access to public school facilities

40 CFR 141.1-141.723

Drinking water standards

**Management Resources References**

**Description**

Attorney General Opinion

79 Ops.Cal.Atty.Gen. 248 (1996)

Attorney General Opinion

82 Ops.Cal.Atty.Gen. 90 (1999)

Court Decision

Ellis v. Board of Education, (1945) 27 Cal.2d 322

Court Decision

Good News Club v. Milford Central School, (2001) 533 U.S. 98

Court Decision

Lamb's Chapel v. Center Moriches Union Free School District, (1993) 508 U.S. 384

Court Decision

ACLU v. Board of Education of Los Angeles, (1961) 55 Cal .2d 167

Court Decision

Cole v. Richardson, (1972) 405 U.S. 676

Court Decision

Connell v. Higgenbotham, (1971) 403 U.S. 207

CSBA Publication

Building Healthy Communities: A School Leader's Guide to Collaboration and Community Engagement, 2009

CSBA Publication

Maximizing Opportunities for Physical Activity Through Joint Use of Facilities, Policy Brief, February 2010

Website

CSBA District and County Office of Education Legal Services -  
<https://simbli.eboardsolutions.com/SU/UdykszdmPETuDslshXk6R5akQ==>

Website

California Department of Education -  
<https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==>

Website

CSBA -  
<https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==>

**Regulation 1330: Use Of School Facilities**

**Status:** DRAFT

**Original Adopted Date:** Pending

**Application for Use of Facilities**

Any person applying for the use of any school facilities or grounds on behalf of any society, group, or organization shall present written authorization from the group or organization to make the application.

Persons or organizations applying for the use of school facilities or grounds shall submit a facilities use statement indicating that they uphold the state and federal constitutions and do not intend to use school premises or facilities to commit unlawful acts.

**Civic Center Use**

Subject to district policies and regulations, school facilities and grounds shall be available to citizens and community groups as a civic center for the following purposes: (Education Code 32282, 38131)

1. Public, literary, scientific, recreational, educational, or public agency meetings
2. The discussion of matters of general or public interest
3. The conduct of religious services for temporary periods, on a one-time or renewable basis, by any church or religious organization
4. Child care programs to provide supervision and activities for children of preschool and elementary school age
5. The administration of examinations for the selection of personnel or the instruction of precinct board members by public agencies
6. Supervised recreational activities, including, but not limited to, sports league activities that are arranged for and supervised by entities, including religious organizations or churches, and in which youth may participate regardless of religious belief or denomination
7. A community youth center
8. Mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare
9. A ceremony, patriotic celebration, or related educational assembly conducted by a veterans' organization

A veterans' organization means the American Legion, Veterans of Foreign Wars, Disabled American Veterans, United Spanish War Veterans, Grand Army of the Republic, or other duly recognized organization of honorably discharged soldiers, sailors, or marines of the United States, or any of their territories. (Military and Veterans Code 1800)

10. Other purposes deemed appropriate by the Governing Board

**Restrictions**

School facilities or grounds shall not be used for any of the following activities:

1. Any use by an individual or group for the commission of any crime or any act prohibited by law
2. Any use which is inconsistent with the use of school facilities for school purposes or which interferes with the regular conduct of school or school work
3. Any use which involves the possession, consumption, or sale of drugs or any restricted substances, including tobacco
4. Any use which involves the possession, consumption, or sale of alcoholic beverages, except for special events approved by the Superintendent or designee pursuant to Business and Professions Code 25608 which are

covered by a special events permit pursuant to Division 9 of the Business and Professions Code and which will occur at a time when students are not on the grounds. Any such use of school facilities shall be subject to any limitations that may be necessary to reduce risks to the district and ensure the safety of participants, as determined by the Superintendent or designee. Applicable limitations shall be clearly stated in the facility use agreement to be signed by the user's representative.

The district may exclude certain school facilities from nonschool use for safety or security reasons.

### Damage and Liability

Groups, organizations, or persons using school facilities or grounds shall be liable for any property damage caused by the activity. The district may charge the amount necessary to repair the damages and may deny the group further use of school facilities or grounds. (Education Code 38134)

Any group or organization using school facilities or grounds shall be liable for any injuries resulting from its negligence during the use of district facilities or grounds. The group shall bear the cost of insuring against this risk and defending itself against claims arising from this risk. (Education Code 38134)

Groups or organizations shall provide the district with evidence of insurance against claims arising out of the group's own negligence when using school facilities. (Education Code 38134)

As permitted, the Superintendent or designee may require a hold harmless agreement and indemnification when warranted by the type of activity or the specific facilities being used.

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**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

### State References

State References	Description
5 CCR 14037-14042	Proportionate direct costs for use of school facilities and grounds
Bus. Code 25608	Alcohol on school property; use in connection with instruction - <a href="https://simbli.eboardsolutions.com/SU/FNTmwCbl5wapMSIUJRgAkW==">https://simbli.eboardsolutions.com/SU/FNTmwCbl5wapMSIUJRgAkW==</a>
Ed. Code 10900-10914.5	Community recreation programs - <a href="https://simbli.eboardsolutions.com/SU/2plusoOINP9plus8k2kxekeluvFw==">https://simbli.eboardsolutions.com/SU/2plusoOINP9plus8k2kxekeluvFw==</a>
Ed. Code 32280-32289.5	School safety plans - <a href="https://simbli.eboardsolutions.com/SU/gz33QjVcfk6ufvjfPS84Kw==">https://simbli.eboardsolutions.com/SU/gz33QjVcfk6ufvjfPS84Kw==</a>
Ed. Code 37220	School holidays - <a href="https://simbli.eboardsolutions.com/SU/plusB5QsDGvKOO1slshAvenu11TQ==">https://simbli.eboardsolutions.com/SU/plusB5QsDGvKOO1slshAvenu11TQ==</a>
Ed. Code 38130-38138	Civic Center Act; use of school property for public purposes - <a href="https://simbli.eboardsolutions.com/SU/tloM8gkAiBJoSSNvFbplum4w==">https://simbli.eboardsolutions.com/SU/tloM8gkAiBJoSSNvFbplum4w==</a>
Elec. Code 12283	Polling places: schools - <a href="https://simbli.eboardsolutions.com/SU/7mGanslshLrPOn4XJjMrQjswg==">https://simbli.eboardsolutions.com/SU/7mGanslshLrPOn4XJjMrQjswg==</a>
Gov. Code 54950-54963	The Ralph M. Brown Act - <a href="https://simbli.eboardsolutions.com/SU/Zh2Bb3plus0XDQweT5vBx4GSg==">https://simbli.eboardsolutions.com/SU/Zh2Bb3plus0XDQweT5vBx4GSg==</a>
M&V Code 1800	Definitions - <a href="https://simbli.eboardsolutions.com/SU/8cMAXVI6plusIXqzoklcrAUTw==">https://simbli.eboardsolutions.com/SU/8cMAXVI6plusIXqzoklcrAUTw==</a>

### Federal References

Federal References	Description
20 USC 7905	Equal access to public school facilities
40 CFR 141.1-141.723	Drinking water standards

### Management Resources References

Management Resources References	Description
Attorney General Opinion	79 Ops.Cal.Atty.Gen. 248 (1996)
Attorney General Opinion	82 Ops.Cal.Atty.Gen. 90 (1999)

Court Decision	Ellis v. Board of Education, (1945) 27 Cal.2d 322
Court Decision	Good News Club v. Milford Central School, (2001) 533 U.S. 98
Court Decision	Lamb's Chapel v. Center Moriches Union Free School District, (1993) 508 U.S. 384
Court Decision	ACLU v. Board of Education of Los Angeles, (1961) 55 Cal .2d 167
Court Decision	Cole v. Richardson, (1972) 405 U.S. 676
Court Decision	Connell v. Higgenbotham, (1971) 403 U.S. 207
CSBA Publication	Building Healthy Communities: A School Leader's Guide to Collaboration and Community Engagement, 2009
CSBA Publication	Maximizing Opportunities for Physical Activity Through Joint Use of Facilities, Policy Brief, February 2010
Website	CSBA District and County Office of Education Legal Services - <a href="https://simbli.eboardsolutions.com/SU/UdykszdmPETuDslshXk6R5akQ==">https://simbli.eboardsolutions.com/SU/UdykszdmPETuDslshXk6R5akQ==</a>
Website	California Department of Education - <a href="https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==">https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==</a>
Website	CSBA - <a href="https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==">https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==</a>

**Exhibit 1330-E(1): Use Of School Facilities**

**Status:** DRAFT

**Original Adopted Date:** Pending

**WEST PARK SCHOOL DISTRICT FACILITIES USE STATEMENT**

The undersigned, \_\_\_\_\_, is duly authorized by \_\_\_\_\_(name of organization)\_\_\_\_\_, to act on its behalf in requesting the use of school facilities, including, but not limited to, executing any agreement or undertaking required by law and district policy and regulations governing the use of the facilities.

The organization shall comply with all restrictions placed on the use of the school facilities by law or district policy or regulations.

The organization recognizes that, in accordance with Education Code 38134, it is liable for any damage to the school facilities or for any injury to any person due to the organization's negligence in using the school facilities.

\_\_\_\_\_  
(Signed)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Organization)

**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

**State References**

5 CCR 14037-14042	Proportionate direct costs for use of school facilities and grounds
Bus. Code 25608	Alcohol on school property; use in connection with instruction - <a href="https://simbli.eboardsolutions.com/SU/FNTmwCbl5wapMSIUJRgAkW==">https://simbli.eboardsolutions.com/SU/FNTmwCbl5wapMSIUJRgAkW==</a>
Ed. Code 10900-10914.5	Community recreation programs - <a href="https://simbli.eboardsolutions.com/SU/2plusoOINP9plus8k2kxekeluvFw==">https://simbli.eboardsolutions.com/SU/2plusoOINP9plus8k2kxekeluvFw==</a>
Ed. Code 32280-32289.5	School safety plans - <a href="https://simbli.eboardsolutions.com/SU/gz33QjVcfk6ufvjfPS84Kw==">https://simbli.eboardsolutions.com/SU/gz33QjVcfk6ufvjfPS84Kw==</a>
Ed. Code 37220	School holidays - <a href="https://simbli.eboardsolutions.com/SU/plusB5QsDGvKOO1slshAvenu11TQ==">https://simbli.eboardsolutions.com/SU/plusB5QsDGvKOO1slshAvenu11TQ==</a>
Ed. Code 38130-38138	Civic Center Act; use of school property for public purposes - <a href="https://simbli.eboardsolutions.com/SU/tloM8gkAiBJoSSNvFbplum4w==">https://simbli.eboardsolutions.com/SU/tloM8gkAiBJoSSNvFbplum4w==</a>
Elec. Code 12283	Polling places: schools - <a href="https://simbli.eboardsolutions.com/SU/7mGanslshLrPOn4XJjMrQjswg==">https://simbli.eboardsolutions.com/SU/7mGanslshLrPOn4XJjMrQjswg==</a>
Gov. Code 54950-54963	The Ralph M. Brown Act - <a href="https://simbli.eboardsolutions.com/SU/Zh2Bb3plus0XDQweT5vBx4GSg==">https://simbli.eboardsolutions.com/SU/Zh2Bb3plus0XDQweT5vBx4GSg==</a>
M&V Code 1800	Definitions - <a href="https://simbli.eboardsolutions.com/SU/8cMAXVl6pluslXqzoklcrAUTw==">https://simbli.eboardsolutions.com/SU/8cMAXVl6pluslXqzoklcrAUTw==</a>

**Federal References**

20 USC 7905	Equal access to public school facilities
40 CFR 141.1-141.723	Drinking water standards

**Management Resources References**

**Description**



Attorney General Opinion	79 Ops.Cal.Atty.Gen. 248 (1996)
Attorney General Opinion	82 Ops.Cal.Atty.Gen. 90 (1999)
Court Decision	Ellis v. Board of Education, (1945) 27 Cal.2d 322
Court Decision	Good News Club v. Milford Central School, (2001) 533 U.S. 98
Court Decision	Lamb's Chapel v. Center Moriches Union Free School District, (1993) 508 U.S. 384
Court Decision	ACLU v. Board of Education of Los Angeles, (1961) 55 Cal .2d 167
Court Decision	Cole v. Richardson, (1972) 405 U.S. 676
Court Decision	Connell v. Higgenbotham, (1971) 403 U.S. 207
CSBA Publication	Building Healthy Communities: A School Leader's Guide to Collaboration and Community Engagement, 2009
CSBA Publication	Maximizing Opportunities for Physical Activity Through Joint Use of Facilities, Policy Brief, February 2010
Website	CSBA District and County Office of Education Legal Services - <a href="https://simbli.eboardsolutions.com/SU/UdykszdmPETuDslshXk6R5akQ==">https://simbli.eboardsolutions.com/SU/UdykszdmPETuDslshXk6R5akQ==</a>
Website	California Department of Education - <a href="https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==">https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==</a>
Website	CSBA - <a href="https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==">https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==</a>

**Policy 1330.1: Joint Use Agreements**

**Status:** DRAFT

**Original Adopted Date:** Pending

In order to ensure the efficient use of public resources and increase access to needed services, the Governing Board may enter into an agreement with any public agency, public institution, and/or community organization to use community facilities for school programs or to make school facilities or grounds available for use by those entities. Such an agreement shall be based on an assessment of student and community needs and may be designed to increase access to spaces for recreation and physical activity, library services, school health centers, preschool programs, child care centers, before- or after-school programs, or other programs that benefit students and the community.

When it is determined that joint use of facilities is in the best interest of the district and community, the Superintendent or designee shall identify a potential partner agency, institution, or organization. He/she shall involve that partner, appropriate district and school staff, and community members in establishing planning processes, goals and priorities for joint use, locations where programs or facilities are most needed, and protocols for ongoing communication and coordination between the partners.

The Superintendent or designee shall work with the partner agency, institution, or organization to develop a written site-specific joint use agreement that delineates the terms and conditions for joint use of the district or community facilities and the responsibilities of all parties. As appropriate, the agreement may address:

1. The underlying philosophy or reasons for entering into the joint use agreement
2. The specific district or community facilities or grounds that will be made available to the other party and areas that will be restricted
3. Priorities for use of the property
4. Hours that the property will be available for use by the district, the partner, or other parties
5. Projected capital costs, if any, and operating costs
6. Resources to be allocated by the district and the partner
7. Rental or other fees, if any, to be charged to either party or third parties using the facilities
8. Responsibilities for management, scheduling, maintenance, on-site supervision, accounting, and other operations
9. Procedures and timelines for requesting use of the facilities
10. Code of conduct for users of the facilities and consequences for violations of the code
11. Provision for regular inspection and notification of damage, as well as restitution and repair of property
12. Safety and security measures
13. Liability, insurance, and risk management issues
14. Duration of the agreement, process for amending the agreement, and the bases for canceling or terminating the agreement before the expiration date
15. Process for resolving disputes regarding any aspect of the agreement
16. How any equipment purchased or other investments made through the agreement will be disposed of at the termination of the agreement

The agreement shall be reviewed by legal counsel and approved by the Board.

The Superintendent or designee shall provide regular reports to the Board regarding progress toward project goals,

including, but not limited to, levels of participation in joint use programs held at school or community facilities, feedback from program participants, and any report of damage to property or harm to individuals resulting from the joint use. As needed, the Superintendent or designee shall recommend amendments to the joint use agreement.

**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

## State References

	Description
Bus. Code 25608	Alcohol on school property; use in connection with instruction - <a href="https://simbli.eboardsolutions.com/SU/FNTmwCbl5wapMSIUJRgAkw==">https://simbli.eboardsolutions.com/SU/FNTmwCbl5wapMSIUJRgAkw==</a>
Ed. Code 10900-10914.5	Community recreation programs - <a href="https://simbli.eboardsolutions.com/SU/2plusoOINP9plus8k2kxekeluyFw==">https://simbli.eboardsolutions.com/SU/2plusoOINP9plus8k2kxekeluyFw==</a>
Ed. Code 17051-17052	Joint use - <a href="https://simbli.eboardsolutions.com/SU/lstVZG7n5VPzy5UAx0jpvg==">https://simbli.eboardsolutions.com/SU/lstVZG7n5VPzy5UAx0jpvg==</a>
Ed. Code 17077.40-17077.45	Eligibility for joint use funding - <a href="https://simbli.eboardsolutions.com/SU/CXCTplus6QGH0dKfogZjqzAGQ==">https://simbli.eboardsolutions.com/SU/CXCTplus6QGH0dKfogZjqzAGQ==</a>
Ed. Code 17565-17592.5	Board duties; management and control of school property - <a href="https://simbli.eboardsolutions.com/SU/slshLPmzplusmdSy2plusFbczKK1LGw==">https://simbli.eboardsolutions.com/SU/slshLPmzplusmdSy2plusFbczKK1LGw==</a>
Ed. Code 35200-35214	Liabilities - <a href="https://simbli.eboardsolutions.com/SU/6BkNJy81QHZDnJLHzKMK0g==">https://simbli.eboardsolutions.com/SU/6BkNJy81QHZDnJLHzKMK0g==</a>
Ed. Code 37220	School holidays; use of facilities when school is closed - <a href="https://simbli.eboardsolutions.com/SU/plusB5QsDGvKOO1slshAvenu11TQ==">https://simbli.eboardsolutions.com/SU/plusB5QsDGvKOO1slshAvenu11TQ==</a>
Ed. Code 38130-38138	Civic Center Act; use of school property for public purposes - <a href="https://simbli.eboardsolutions.com/SU/tloM8gkAiBJoSSNvFbplum4w==">https://simbli.eboardsolutions.com/SU/tloM8gkAiBJoSSNvFbplum4w==</a>
Ed. Code 44808	Exemption from liability when students are not on school property - <a href="https://simbli.eboardsolutions.com/SU/QlplusslshrHDTFD4Lo433XhMScA==">https://simbli.eboardsolutions.com/SU/QlplusslshrHDTFD4Lo433XhMScA==</a>
Ed. Code 8482-8484.6	After School Education and Safety Program - <a href="https://simbli.eboardsolutions.com/SU/UtnUiesMBgYqY0ld3Fslshm3Q==">https://simbli.eboardsolutions.com/SU/UtnUiesMBgYqY0ld3Fslshm3Q==</a>
Ed. Code 8484.7-8484.9	21st Century Community Learning Centers - <a href="https://simbli.eboardsolutions.com/SU/giVZzMtMblumbGYLS5W8Pw==">https://simbli.eboardsolutions.com/SU/giVZzMtMblumbGYLS5W8Pw==</a>
Gov. Code 814-825.6	Liability of public entities and employees - <a href="https://simbli.eboardsolutions.com/SU/oDrUWB4B0SplusRs8Jx6ZmWgA==">https://simbli.eboardsolutions.com/SU/oDrUWB4B0SplusRs8Jx6ZmWgA==</a>
Gov. Code 830-840.6	Liability; dangerous conditions on property - <a href="https://simbli.eboardsolutions.com/SU/Aky3kPazyStuyiplus4SJZtslshQ==">https://simbli.eboardsolutions.com/SU/Aky3kPazyStuyiplus4SJZtslshQ==</a>
Gov. Code 895-895.8	Liability; agreement between public entities - <a href="https://simbli.eboardsolutions.com/SU/dslshYFcmzs1StQZmLllkOqnQ==">https://simbli.eboardsolutions.com/SU/dslshYFcmzs1StQZmLllkOqnQ==</a>
Gov. Code 989-991.2	Local public entity insurance - <a href="https://simbli.eboardsolutions.com/SU/irGUShGO4TUg0xhN5c0WlQ==">https://simbli.eboardsolutions.com/SU/irGUShGO4TUg0xhN5c0WlQ==</a>

## Federal References

	Description
20 USC 7171-7176	21st Century Community Learning Centers
20 USC 7905	Equal access to public school facilities

## Management Resources References

	Description
CSBA Publication	Building Healthy Communities: A School Leader's Guide to Collaboration and Community Engagement, 2009
CSBA Publication	Maximizing Opportunities for Physical Activity Through Joint Use of Facilities, Policy Brief, February 2010
NPLAN Publication	Model California Joint Use Agreements

NPLAN Publication	Liability for Use of School Property After Hours: An Overview of California Law, July 2009
NPLAN Publication	Checklist for Developing Joint Use Agreements, March 2009
Public Health & Policy Publication	Opening School Grounds to the Community After Hours: A Toolkit for Increasing Physical Activity Through Joint Use Agreements, 2010
Website	CSBA District and County Office of Education Legal Services - <a href="https://simbli.eboardsolutions.com/SU/UdykszdmPETuDslshXk6R5akQ==">https://simbli.eboardsolutions.com/SU/UdykszdmPETuDslshXk6R5akQ==</a>
Website	Joint Use Statewide Task Force - <a href="https://simbli.eboardsolutions.com/SU/WL8nNtB0rDyboCI1O9CKkg==">https://simbli.eboardsolutions.com/SU/WL8nNtB0rDyboCI1O9CKkg==</a>
Website	National Policy and Legal Analysis Network - <a href="https://simbli.eboardsolutions.com/SU/aplusAroXslshus6XnD2dOcG28eA==">https://simbli.eboardsolutions.com/SU/aplusAroXslshus6XnD2dOcG28eA==</a>
Website	Public Health Law and Policy - <a href="https://simbli.eboardsolutions.com/SU/YkrXeETQtFtSzslshFFFJqoA==">https://simbli.eboardsolutions.com/SU/YkrXeETQtFtSzslshFFFJqoA==</a>
Website	California Project LEAN (Leaders Encouraging Activity and Nutrition) - <a href="https://simbli.eboardsolutions.com/SU/lzuCbbhn3rBrfeZTSNnVCw==">https://simbli.eboardsolutions.com/SU/lzuCbbhn3rBrfeZTSNnVCw==</a>
Website	Cities Counties and Schools Partnership - <a href="https://simbli.eboardsolutions.com/SU/vkMU6AgLdg2x1CfasX4n3w==">https://simbli.eboardsolutions.com/SU/vkMU6AgLdg2x1CfasX4n3w==</a>
Website	CSBA - <a href="https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==">https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==</a>

**Policy 1340: Access To District Records**

**Status:** DRAFT

**Original Adopted Date:** Pending

The Governing Board recognizes the right of members of the public to have access to public records of the district. The district shall provide any person reasonable access to the public records of the schools and district during normal business hours and within the requirements of law. Public access shall not be given to records listed as exempt from public disclosure in the California Public Records Act and other state or federal law.

In response to a public records request, the Superintendent or designee shall make reasonable efforts to locate the requested records, including, but not limited to, any electronic communication substantively related to the records, such as email, text messages, instant messages, and other electronic communications, regardless of whether they are transmitted through a district-provided device or account or through an employee's or Board member's personal device or account.

The district may charge for copies of public records or other materials requested by individuals or groups, unless they are using their own personal equipment to reproduce the record. The charge shall be based on actual costs of duplication, as determined by the Superintendent or designee and as specified in administrative regulation.

In order to help maintain the security of district records, members of the public granted access shall examine records in the presence of a district staff member.

**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

**State References**

**Description**

5 CCR 430-438	Individual student records
CA Constitution Article 1, Section 3	Right of access to governmental information - <a href="https://simbli.eboardsolutions.com/SU/0NOFGS6OZ4XNZAAQ8paFRA==">https://simbli.eboardsolutions.com/SU/0NOFGS6OZ4XNZAAQ8paFRA==</a>
Ed. Code 234.7	Student protections relating to immigration and citizenship status - <a href="https://simbli.eboardsolutions.com/SU/tYFq7ZW8Ckhuee1bkSS3cQ==">https://simbli.eboardsolutions.com/SU/tYFq7ZW8Ckhuee1bkSS3cQ==</a>
Ed. Code 35145	Public meetings - <a href="https://simbli.eboardsolutions.com/SU/2zbpplusTYPnqJITCLZ5nGLluA==">https://simbli.eboardsolutions.com/SU/2zbpplusTYPnqJITCLZ5nGLluA==</a>
Ed. Code 35170	Authority to secure copyrights - <a href="https://simbli.eboardsolutions.com/SU/iDsEpkvOwMnNM01mKuDFwA==">https://simbli.eboardsolutions.com/SU/iDsEpkvOwMnNM01mKuDFwA==</a>
Ed. Code 35250	Duty to keep certain records and reports - <a href="https://simbli.eboardsolutions.com/SU/0CNdSb65lqPslshplzWPipnwg==">https://simbli.eboardsolutions.com/SU/0CNdSb65lqPslshplzWPipnwg==</a>
Ed. Code 41020	Requirement for annual audit - <a href="https://simbli.eboardsolutions.com/SU/etPttuB7Ulj1NltnPw7cGg==">https://simbli.eboardsolutions.com/SU/etPttuB7Ulj1NltnPw7cGg==</a>
Ed. Code 42103	Publication of proposed budget; hearing - <a href="https://simbli.eboardsolutions.com/SU/UPvC2wj6l1ZROI0UGalNGQ==">https://simbli.eboardsolutions.com/SU/UPvC2wj6l1ZROI0UGalNGQ==</a>
Ed. Code 44031	Personnel file contents and inspection - <a href="https://simbli.eboardsolutions.com/SU/fM4Aplus8QNx9VcNqdAnloxRw==">https://simbli.eboardsolutions.com/SU/fM4Aplus8QNx9VcNqdAnloxRw==</a>
Ed. Code 44839	Medical certificates; periodic medical examination - <a href="https://simbli.eboardsolutions.com/SU/7ifRt5ldtFyISRocGEB0AQ==">https://simbli.eboardsolutions.com/SU/7ifRt5ldtFyISRocGEB0AQ==</a>
Ed. Code 49060-49079	Student records - <a href="https://simbli.eboardsolutions.com/SU/48PbpM8vuGlggyF7weQSbw==">https://simbli.eboardsolutions.com/SU/48PbpM8vuGlggyF7weQSbw==</a>
Ed. Code 49091.10	Parental review of curriculum and instruction - <a href="https://simbli.eboardsolutions.com/SU/L2uoF3vqxplusePXT4mdpiFbg==">https://simbli.eboardsolutions.com/SU/L2uoF3vqxplusePXT4mdpiFbg==</a>
Gov. Code 3547	Proposals relating to representation - <a href="https://simbli.eboardsolutions.com/SU/elqe9jSfU7plusKqTdKbl3WYg==">https://simbli.eboardsolutions.com/SU/elqe9jSfU7plusKqTdKbl3WYg==</a>
Gov. Code 53262	Employment contracts - <a href="https://simbli.eboardsolutions.com/SU/uMeVoE9plusYkznuzL8rislshZ6Q==">https://simbli.eboardsolutions.com/SU/uMeVoE9plusYkznuzL8rislshZ6Q==</a>

Gov. Code 54957.2	Minute book record of closed sessions - <a href="https://simbli.eboardsolutions.com/SU/2s1EfQM0ehIIC7FrMBzZDQ==">https://simbli.eboardsolutions.com/SU/2s1EfQM0ehIIC7FrMBzZDQ==</a>
Gov. Code 54957.5	Agendas and other writings distributed for discussion or consideration - <a href="https://simbli.eboardsolutions.com/SU/7vEZRhIGDWCGTK6d07W9pQ==">https://simbli.eboardsolutions.com/SU/7vEZRhIGDWCGTK6d07W9pQ==</a>
Gov. Code 6275-6276.48	California Public Records Act; other exemptions from disclosure
Gov. Code 7920.000 - 7930.170	California Public Records Act - <a href="https://simbli.eboardsolutions.com/SU/IBl6lfok6zP3Bde1F55TFg==">https://simbli.eboardsolutions.com/SU/IBl6lfok6zP3Bde1F55TFg==</a>
Gov. Code 81008	Political Reform Act, public records; inspection and reproduction - <a href="https://simbli.eboardsolutions.com/SU/u7EQ6PvScB3XkslshafE1qD8A==">https://simbli.eboardsolutions.com/SU/u7EQ6PvScB3XkslshafE1qD8A==</a>
Gov. Code 8310.3	California Religious Freedom Act - <a href="https://simbli.eboardsolutions.com/SU/ieDxfpzwHLuflv9SQwuY6g==">https://simbli.eboardsolutions.com/SU/ieDxfpzwHLuflv9SQwuY6g==</a>

## Management Resources References

	Description
Attorney General Opinion	64 Ops.Cal.Atty.Gen. 186 (1981)
Attorney General Opinion	71 Ops.Cal.Atty.Gen. 235 (1988)
CA Office of the Attorney General Publication	Promoting a Safe & Secure Learning Environment for All: Guidance & Model Policies to Assist CA K-12 Schools in Responding to Immigration Issues Apr 18
CA Office of the Attorney General Publication	California Department of Justice Guidelines for Access to Public Records, October 2017
Court Decision	Sacramento County Employees' Retirement System v. Superior Court (2011) 195 Cal. App. 4th 440
Court Decision	Fairley v. Superior Court, (1998) 66 Cal.App. 4th 1414
Court Decision	International Federation of Professional and Technical Engineers v. The Superior Court of Alameda County, (2007) 42 Cal.4th 319
Court Decision	Kleitman v. Superior Court, (1999) 74 Cal.App. 4th 324
Court Decision	Los Angeles County Board of Supervisors v. Superior Court (2016) 2 Cal.5th 282
Court Decision	Los Angeles Times v. Alameda Corridor Transportation Authority, (2001) 88 Cal.App.4th 1381
Court Decision	North County Parents Organization for Children with Special Needs v. Department of Education, (1994) 23 Cal.App. 4th 144
Court Decision	City of San Jose v. Superior Court (2017) 2 Cal.5th 608
CSBA Publication	Legal Alert: Tips for Governing Boards in Response to Public Records Act Ruling on Electronic Communications, March 2017
League of California Cities Publication	The People's Business: A Guide to the California Public Records Act, rev. April 2017
Website	CSBA District and County Office of Education Legal Services - <a href="https://simbli.eboardsolutions.com/SU/UdykszdmPETuDslshXk6R5akQ==">https://simbli.eboardsolutions.com/SU/UdykszdmPETuDslshXk6R5akQ==</a>
Website	League of California Cities - <a href="https://simbli.eboardsolutions.com/SU/TUf8jslshHeiQslshKJpHe2qEtug==">https://simbli.eboardsolutions.com/SU/TUf8jslshHeiQslshKJpHe2qEtug==</a>
Website	State Bar of California - <a href="https://simbli.eboardsolutions.com/SU/HeXYVIVNHFx4izN0mRp2fg==">https://simbli.eboardsolutions.com/SU/HeXYVIVNHFx4izN0mRp2fg==</a>
Website	California Office of the Attorney General - <a href="https://simbli.eboardsolutions.com/SU/5qNslsh5DoKuytasYcv9khGiA==">https://simbli.eboardsolutions.com/SU/5qNslsh5DoKuytasYcv9khGiA==</a>
Website	CSBA - <a href="https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==">https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==</a>

**Regulation 1340: Access To District Records**

**Status:** DRAFT

**Original Adopted Date:** Pending

**Definitions**

Public records include any writing containing information relating to the conduct of the district's business prepared, owned, used, or retained by the district regardless of physical form or characteristics. (Government Code 6252)

Writing means any handwriting, typewriting, printing, photostating, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored. (Government Code 6252)

Member of the public means any person, except a member, agent, officer, or employee of the district or a federal, state, or other local agency acting within the scope of such membership, agency, office, or employment. (Government Code 6252)

**Public Records**

Public records to which members of the public shall have access include, but are not limited to:

1. Proposed and approved district budgets and annual audits (Education Code 41020, 42103)
2. Statistical compilations
3. Reports and memoranda
4. Notices and bulletins
5. Minutes of public meetings (Education Code 35145)
6. Meeting agendas (Government Code 54957.5)
7. Official communications between the district and other government agencies
8. District and school plans, and the information and data relevant to the development and evaluation of such plans, unless otherwise prohibited by law
9. Initial proposals of exclusive employee representatives and of the district (Government Code 3547)
10. Records pertaining to claims and litigation against the district which have been adjudicated or settled (Government Code 6254, 6254.25)
11. Statements of economic interests required by the Conflict of Interest Code (Government Code 81008)
12. Documents containing names, salaries, and pension benefits of district employees
13. Employment contracts and settlement agreements (Government Code 53262)
14. Instructional materials including, but not limited to, textbooks (Education Code 49091.10)

Access to public records of the district shall be granted to Governing Board members on the same basis as any other member of the public. When Board members are authorized to access public records in the administration of their duties, the Superintendent or designee shall not discriminate among any of the Board members as to which record, or portion of the record, will be made available, or when it will be made available. (Government Code 6252.5, 6252.7)

When disclosing to a member of the public any record that contains personal information, including, but not limited to, an employee's home address, home telephone number, social security number, personal cell phone number, or birth date, the Superintendent or designee shall ensure that such personal information is redacted from that record.

(Government Code 6254.29, 6254.3)

### **Confidential Public Records**

Unless otherwise authorized or required by law, information regarding an individual's citizenship or immigration status or religious beliefs, practices, or affiliation shall not be disclosed to federal government authorities. (Education Code 234.7; Government Code 8310.3)

Records to which the members of the public shall not have access include, but are not limited to:

1. Preliminary drafts, notes, and interagency or intradistrict memoranda that are not retained by the district in the ordinary course of business, provided that the public interest in withholding these records clearly outweighs the public interest in disclosure (Government Code 6254)
2. Records specifically generated in connection with or prepared for use in litigation to which the district is a party or to respond to claims made against the district pursuant to the Tort Claims Act, until the litigation or claim has been finally adjudicated or otherwise settled, or beyond, if the records are protected by some other provision of law (Government Code 6254, 6254.25)
3. Personnel records, medical records, or similar materials, the disclosure of which would constitute an unwarranted invasion of personal privacy (Government Code 6254)

The home addresses, home telephone numbers, personal cell phone numbers, or birth date of employees may only be disclosed as follows: (Government Code 6254.3)

- a. To an agent or a family member of the employee
  - b. To an officer or employee of a state agency or another school district or county office of education when necessary for the performance of official duties
  - c. To an employee organization pursuant to regulations and decisions of the Public Employment Relations Board, except that the home address and any telephone number for an employee who performs law enforcement-related functions, or the birth date of any employee, shall not be disclosed
  - d. Upon written request of any employee, the district shall not disclose the employee's home address, home telephone number, personal cell phone number, personal email address, or birth date, and the district shall remove the home address, home telephone number, and personal cell phone number from any mailing list of the district except a list used exclusively to contact the employee.
  - e. To an agent or employee of a health benefit plan providing health services or administering claims for health services to district employees and their enrolled dependents, for the purpose of providing the health services or administering claims for employees and their enrolled dependents
4. Student records, except directory information and other records to the extent permitted by law and district policy
  5. Test questions, scoring keys, and other examination data except as provided by law (Government Code 6254)
  6. Without affecting the law of eminent domain, the contents of real estate appraisals or engineering or feasibility estimates and evaluations made for or by the district relative to the acquisition of property, or to prospective public supply and construction contracts, until all of the property has been acquired or all of the contract agreement obtained (Government Code 6254)
  7. Information required from any taxpayer in connection with the collection of local taxes that is received in confidence and the disclosure of the information to other persons would result in an unfair competitive disadvantage to the person supplying the information (Government Code 6254)
  8. Library circulation and patron use records of a borrower or patron including, but not limited to, name, address, telephone number, email address, borrowing information, or use of library information resources, except when disclosure is to persons acting within the scope of their duties in the administration of the library; to persons authorized in writing, by the individual to whom the records pertain, to inspect the records; or by court order



(Government Code 6254, 6267)

9. Records for which the disclosure is exempted or prohibited pursuant to state or federal law, including, but not limited to, provisions of the Evidence Code relating to privilege (Government Code 6254)
10. Documents prepared by or for the district to assess its vulnerability to terrorist attack or other criminal acts intended to disrupt district operations and that are for distribution or consideration in closed session (Government Code 6254)
11. Recall petitions, petitions for special elections to fill Board vacancies, or petitions for the reorganization of the school district (Government Code 6253.5)
12. Minutes of Board meetings held in closed session (Government Code 54957.2)
13. Computer software developed by the district (Government Code 6254.9)
14. Information security records, the disclosure of which would reveal vulnerabilities to, or otherwise increase potential for an attack on, the district's information technology system (Government Code 6254.19)
15. Records that contain individually identifiable health information, including records that may be exempt pursuant to physician-patient privilege, the Confidentiality of Medical Information Act, and the Health Insurance Portability and Accountability Act (Government Code 6254, 6255)
16. Any other records listed as exempt from public disclosure in the California Public Records Act or other statutes
17. Any other records for which the district can demonstrate that, based on the particular facts of the case, the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record (Government Code 6255)

#### **Inspection of Records and Requests for Copies**

Any person may request a copy or inspection of any district record that is not exempt from disclosure. (Government Code 6253)

Within 10 days of receiving any request to inspect or copy a district record, the Superintendent or designee shall determine whether the request seeks release of a disclosable public record in the district's possession. The Superintendent or designee shall promptly inform the person making the request of the determination and the reasons for the decision. (Government Code 6253)

In unusual circumstances, the Superintendent or designee may extend the 10-day limit for up to 14 days by providing written notice to the requester setting forth the reasons for the extension and the date on which a determination is expected to be made. Unusual circumstances include the following, but only to the extent reasonably necessary to properly process the request: (Government Code 6253)

1. The need to search for and collect the requested records from field facilities or other establishments that are separate from the office processing the request
2. The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records which are demanded in a single request
3. The need for consultation, which shall be conducted with all practicable speed, with another agency (e.g., a state agency or city) having a substantial interest in the determination of the request or among two or more components of the district (e.g., two different school sites) with substantial interest in the request
4. In the case of electronic records, the need to compile data, write programming language or a computer program, or construct a computer report to extract data

If the Superintendent or designee determines that the request seeks disclosable public records, the determination shall state the estimated date and time when the records will be made available. (Government Code 6253)

Public records shall be open to inspection at all times during district office hours. Any reasonably segregable portion

of a record shall be made available for inspection by any person requesting the record after deletion of the portions that are exempted by law. (Government Code 6253)

Upon request for a copy that reasonably describes an identifiable record, an exact copy shall be promptly provided unless it is impracticable to do so. (Government Code 6253)

The Superintendent or designee shall charge an amount for copies that reflects the direct costs of duplication. Written requests to waive the fee shall be submitted to the Superintendent or designee.

Without charging any fees or costs, the Superintendent or designee shall allow members of the public to use their own equipment on district premises to photograph or otherwise copy or reproduce a disclosable record as long as the means of copy or reproduction: (Government Code 6253)

1. Do not require the equipment to make physical contact with the record
2. Will not result in damage to the record
3. Will not result in unauthorized access to the district's computer systems or secured networks by using software, equipment, or any other technology capable of accessing, altering, or compromising the district's electronic records

The Superintendent or designee may impose any reasonable limit on the use of personal equipment to photograph, copy, or reproduce a disclosable record that is necessary to protect the safety of the records, or to prevent the copying of records from being an unreasonable burden to the orderly function of the district and its employees. The Superintendent or designee may also impose any limit that is necessary to maintain the integrity of, or ensure the long-term preservation of, historic or high-value records. (Government Code 6253)

In addition to maintaining public records for public inspection during district office hours, the district may comply with public records requests by posting any public record on the district's web site and, in response to a public records request, directing the member of the public to the location on the web site where the record can be found. However, if the member of the public is unable to access or reproduce the record from the web site, the district shall promptly provide an exact copy of the public record upon payment of duplication fees, if applicable, unless it is impracticable to provide an exact copy. (Government Code 6253)

If any person requests that a public record be provided in an electronic format, the district shall make that record available in any electronic format in which it holds the information. The district shall provide a copy of the electronic record in the format requested as long as the requested format is one that has been used by the district to create copies for its own use or for use by other agencies. (Government Code 6253.9)

The cost of duplicating an electronic record shall be limited to the direct cost of producing a copy of the record in electronic format. However, the requester shall bear the cost of producing the copy of the electronic record, including the cost to construct the record and the cost of programming and computer services necessary to produce the copy, under the following circumstances: (Government Code 6253.9)

1. The electronic record is one that is produced only at otherwise regularly scheduled intervals.
2. The request would require data compilation, extraction, or programming to produce the record.

#### **Assistance in Identifying Requested Records**

If the Superintendent or designee denies a request for disclosable records, the requester shall be assisted in making a focused and effective request that reasonably describes an identifiable record. To the extent reasonable under the circumstances, the Superintendent or designee shall do all of the following: (Government Code 6253.1)

1. Assist in identifying records and information responsive to the request or the purpose of the request, if specified

If, after making a reasonable effort to elicit additional clarifying information from the requester to help identify the record, the Superintendent or designee is still unable to identify the information, this requirement shall be deemed satisfied.

2. Describe the information technology and physical location in which the records exist
3. Provide suggestions for overcoming any practical basis for denying access to the records or information sought

Provisions of the Public Records Act shall not be construed so as to delay or obstruct the inspection or copying of public records. Any notification denying a request for public records shall state the name and title of each person responsible for the denial. (Government Code 6253)

**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

## State References

State References	Description
5 CCR 430-438	Individual student records
CA Constitution Article 1, Section 3	Right of access to governmental information - <a href="https://simbli.eboardsolutions.com/SU/0NOFGS6OZ4XNZAAQ8paFRA==">https://simbli.eboardsolutions.com/SU/0NOFGS6OZ4XNZAAQ8paFRA==</a>
Ed. Code 234.7	Student protections relating to immigration and citizenship status - <a href="https://simbli.eboardsolutions.com/SU/tYFq7ZW8Ckhuee1bkSS3cQ==">https://simbli.eboardsolutions.com/SU/tYFq7ZW8Ckhuee1bkSS3cQ==</a>
Ed. Code 35145	Public meetings - <a href="https://simbli.eboardsolutions.com/SU/2zbplusTYPnqJITCLZ5nGLluA==">https://simbli.eboardsolutions.com/SU/2zbplusTYPnqJITCLZ5nGLluA==</a>
Ed. Code 35170	Authority to secure copyrights - <a href="https://simbli.eboardsolutions.com/SU/iDsEpkvOwMnNM01mKuDFwA==">https://simbli.eboardsolutions.com/SU/iDsEpkvOwMnNM01mKuDFwA==</a>
Ed. Code 35250	Duty to keep certain records and reports - <a href="https://simbli.eboardsolutions.com/SU/0CNdSb65lqPslshplzWPipnwg==">https://simbli.eboardsolutions.com/SU/0CNdSb65lqPslshplzWPipnwg==</a>
Ed. Code 41020	Requirement for annual audit - <a href="https://simbli.eboardsolutions.com/SU/etPtTuB7Ulj1NltnPw7cGg==">https://simbli.eboardsolutions.com/SU/etPtTuB7Ulj1NltnPw7cGg==</a>
Ed. Code 42103	Publication of proposed budget; hearing - <a href="https://simbli.eboardsolutions.com/SU/UPvC2wj6l1ZROI0UGaINGQ==">https://simbli.eboardsolutions.com/SU/UPvC2wj6l1ZROI0UGaINGQ==</a>
Ed. Code 44031	Personnel file contents and inspection - <a href="https://simbli.eboardsolutions.com/SU/fM4Aplus8QNx9VcNqdAnloxRw==">https://simbli.eboardsolutions.com/SU/fM4Aplus8QNx9VcNqdAnloxRw==</a>
Ed. Code 44839	Medical certificates; periodic medical examination - <a href="https://simbli.eboardsolutions.com/SU/7ifRt5ldtFyISRocGEBaAQ==">https://simbli.eboardsolutions.com/SU/7ifRt5ldtFyISRocGEBaAQ==</a>
Ed. Code 49060-49079	Student records - <a href="https://simbli.eboardsolutions.com/SU/48PbpM8vuGlggyF7weQSbw==">https://simbli.eboardsolutions.com/SU/48PbpM8vuGlggyF7weQSbw==</a>
Ed. Code 49091.10	Parental review of curriculum and instruction - <a href="https://simbli.eboardsolutions.com/SU/L2uoF3vqxplusePXT4mdpiFbg==">https://simbli.eboardsolutions.com/SU/L2uoF3vqxplusePXT4mdpiFbg==</a>
Gov. Code 3547	Proposals relating to representation - <a href="https://simbli.eboardsolutions.com/SU/elqe9jSfU7plusKqTdKbl3WYg==">https://simbli.eboardsolutions.com/SU/elqe9jSfU7plusKqTdKbl3WYg==</a>
Gov. Code 53262	Employment contracts - <a href="https://simbli.eboardsolutions.com/SU/uMeVoE9plusYkznuzL8rislshZ6Q==">https://simbli.eboardsolutions.com/SU/uMeVoE9plusYkznuzL8rislshZ6Q==</a>
Gov. Code 54957.2	Minute book record of closed sessions - <a href="https://simbli.eboardsolutions.com/SU/2s1EfQM0ehIIC7FrMBzZDQ==">https://simbli.eboardsolutions.com/SU/2s1EfQM0ehIIC7FrMBzZDQ==</a>
Gov. Code 54957.5	Agendas and other writings distributed for discussion or consideration - <a href="https://simbli.eboardsolutions.com/SU/7vEZRhIGDWCGTK6d07W9pQ==">https://simbli.eboardsolutions.com/SU/7vEZRhIGDWCGTK6d07W9pQ==</a>
Gov. Code 6275-6276.48	California Public Records Act; other exemptions from disclosure
Gov. Code 7920.000 - 7930.170	California Public Records Act - <a href="https://simbli.eboardsolutions.com/SU/IBl6lfok6zP3Bde1F55TFg==">https://simbli.eboardsolutions.com/SU/IBl6lfok6zP3Bde1F55TFg==</a>
Gov. Code 81008	Political Reform Act, public records; inspection and reproduction - <a href="https://simbli.eboardsolutions.com/SU/u7EQ6PvScB3XkslshafE1qD8A==">https://simbli.eboardsolutions.com/SU/u7EQ6PvScB3XkslshafE1qD8A==</a>
Gov. Code 8310.3	California Religious Freedom Act - <a href="https://simbli.eboardsolutions.com/SU/ieDxfpzwHLuflv9SQwuY6g==">https://simbli.eboardsolutions.com/SU/ieDxfpzwHLuflv9SQwuY6g==</a>

**Management Resources References****Description**

Attorney General Opinion	64 Ops.Cal.Atty.Gen. 186 (1981)
Attorney General Opinion	71 Ops.Cal.Atty.Gen. 235 (1988)
CA Office of the Attorney General Publication	Promoting a Safe & Secure Learning Environment for All: Guidance & Model Policies to Assist CA K-12 Schools in Responding to Immigration Issues Apr 18
CA Office of the Attorney General Publication	California Department of Justice Guidelines for Access to Public Records, October 2017
Court Decision	Sacramento County Employees' Retirement System v. Superior Court (2011) 195 Cal. App. 4th 440
Court Decision	Fairley v. Superior Court, (1998) 66 Cal.App. 4th 1414
Court Decision	International Federation of Professional and Technical Engineers v. The Superior Court of Alameda County, (2007) 42 Cal.4th 319
Court Decision	Kleitman v. Superior Court, (1999) 74 Cal.App. 4th 324
Court Decision	Los Angeles County Board of Supervisors v. Superior Court (2016) 2 Cal.5th 282
Court Decision	Los Angeles Times v. Alameda Corridor Transportation Authority, (2001) 88 Cal.App.4th 1381
Court Decision	North County Parents Organization for Children with Special Needs v. Department of Education, (1994) 23 Cal.App. 4th 144
Court Decision	City of San Jose v. Superior Court (2017) 2 Cal.5th 608
CSBA Publication	Legal Alert: Tips for Governing Boards in Response to Public Records Act Ruling on Electronic Communications, March 2017
League of California Cities Publication	The People's Business: A Guide to the California Public Records Act, rev. April 2017
Website	CSBA District and County Office of Education Legal Services - <a href="https://simbli.eboardsolutions.com/SU/UdykszdmPETuDslshXk6R5akQ==">https://simbli.eboardsolutions.com/SU/UdykszdmPETuDslshXk6R5akQ==</a>
Website	League of California Cities - <a href="https://simbli.eboardsolutions.com/SU/TUf8jslshHeiQslshKJpHe2qEtug==">https://simbli.eboardsolutions.com/SU/TUf8jslshHeiQslshKJpHe2qEtug==</a>
Website	State Bar of California - <a href="https://simbli.eboardsolutions.com/SU/HeXYVIVNHfX4izN0mRp2fg==">https://simbli.eboardsolutions.com/SU/HeXYVIVNHfX4izN0mRp2fg==</a>
Website	California Office of the Attorney General - <a href="https://simbli.eboardsolutions.com/SU/5qNslsh5DoKuytasYcv9khGiA==">https://simbli.eboardsolutions.com/SU/5qNslsh5DoKuytasYcv9khGiA==</a>
Website	CSBA - <a href="https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==">https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==</a>

**Policy 1400: Relations Between Other Governmental Agencies And The Schools**

**Status:** DRAFT

**Original Adopted Date:** Pending

The Governing Board believes that district efforts to provide a high-quality education for students in the community can be enhanced by collaboration with other government and public agencies that are responsible for the health, safety, and well-being of children and youth. The district shall initiate and maintain good working relationships with representatives of local agencies to maximize student and family access to support services that will help students achieve to their highest potential.

The Board shall initiate or participate in collaborative relationships with city and county elected officials to design and coordinate multi-agency programs that respond to the needs of children and families and provide more efficient use of district and community resources. To further such collaborations, the Board may establish or participate in formal structures for governance teams to regularly meet and discuss issues of mutual concern.

The Superintendent and appropriate staff shall cooperate with government and public agencies in the planning and implementation of joint projects or activities within the community. The Superintendent or designee may designate a coordinator to ensure effective implementation of the district's responsibilities in any such collaborative project.

In order to identify priorities for services, the Board shall encourage a periodic assessment of children's needs within the community, which may include, but not be limited to, needs based on poverty, child abuse and neglect, poor physical or mental health, substance abuse, violence, homelessness, placement in foster care, or lack of access to child care. The needs assessment should also examine the extent to which those needs are being met through existing services in the district and in the community, the costs of providing those services, and any gaps, delay, or duplication of services.

The Board shall approve the services to be offered by the district, the resources that will be allocated to support collaboration, any use of school facilities for services, and any development or joint use of facilities with other jurisdictions. All agreements with other agencies to coordinate services or share resources shall be in writing. The Board may establish joint powers agreements or memorandums of understanding, when feasible, to formalize the responsibilities and liabilities of all parties in a collaborative activity.

The Superintendent or designee shall work with interagency partners to explore funding opportunities available through each agency, state and national grant programs, and/or private foundations for youth service coordination and delivery.

In order to facilitate service delivery or determination of eligibility for services, the district may share information with other appropriate agencies as long as the parent/guardian consents and the information is shared in accordance with laws pertaining to confidentiality and privacy.

The Board shall receive regular reports of progress toward the identified goals of the collaborative effort. The reports may include, but not be limited to, feedback from staff and families regarding service delivery, numbers of children and families served, specific indicators of conditions of children, and indicators of system efficiency and cost effectiveness.

The Board shall communicate with the community about the district's collaborative efforts and the conditions of children within the schools. The Board may advocate for local, state, and national policies, programs, and initiatives designed to improve the conditions of children and youth.

**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

**State References**

Ed. Code 10900-10914.5

Ed. Code 49073-49079

**Description**

Community recreation programs -  
<https://simbli.eboardsolutions.com/SU/2plusoOINP9plus8k2kxekeluvFw==>

Privacy of student records -  
<https://simbli.eboardsolutions.com/SU/7w3lTz5N0pl8FxFYHEmjcg==>

Ed. Code 49075	Parent/guardian permission for release of student records - <a href="https://simbli.eboardsolutions.com/SU/iX46jslshfe0pWsESxyhVBOcg==">https://simbli.eboardsolutions.com/SU/iX46jslshfe0pWsESxyhVBOcg==</a>
Ed. Code 49557.2	Sharing of information for MediCal eligibility - <a href="https://simbli.eboardsolutions.com/SU/bO8Yib9VMbiuhVwi2RyYgw==">https://simbli.eboardsolutions.com/SU/bO8Yib9VMbiuhVwi2RyYgw==</a>
Ed. Code 8800-8807	Healthy Start support services for children - <a href="https://simbli.eboardsolutions.com/SU/2xUDoU7dwl2JxiXZfjoJdQ==">https://simbli.eboardsolutions.com/SU/2xUDoU7dwl2JxiXZfjoJdQ==</a>
H&S Code 120440	Immunization records; release to local health departments - <a href="https://simbli.eboardsolutions.com/SU/lp3fbcUW5yWRlmpq77OUcg==">https://simbli.eboardsolutions.com/SU/lp3fbcUW5yWRlmpq77OUcg==</a>
H&S Code 130100-130155	Early childhood development; First 5 Commission - <a href="https://simbli.eboardsolutions.com/SU/PL9CXfqKRNYDEAVGslsh0VMFA==">https://simbli.eboardsolutions.com/SU/PL9CXfqKRNYDEAVGslsh0VMFA==</a>
W&I Code 18961.5	Computerized database; families at risk for child abuse; sharing of information - <a href="https://simbli.eboardsolutions.com/SU/FWslshOaji8QMKlgVdULBAjMg==">https://simbli.eboardsolutions.com/SU/FWslshOaji8QMKlgVdULBAjMg==</a>
W&I Code 18980-18983.8	Child Abuse Prevention Coordinating Council - <a href="https://simbli.eboardsolutions.com/SU/BT5ADATgYXrTOqLsslB6Sw==">https://simbli.eboardsolutions.com/SU/BT5ADATgYXrTOqLsslB6Sw==</a>
W&I Code 18986-18986.30	Interagency Children's Services Act - <a href="https://simbli.eboardsolutions.com/SU/4Esfngzp0pROsmplusQdplusQlslshQ==">https://simbli.eboardsolutions.com/SU/4Esfngzp0pROsmplusQdplusQlslshQ==</a>
W&I Code 18986.40-18986.46	Multidisciplinary services teams - <a href="https://simbli.eboardsolutions.com/SU/QLB3rG6qwFRss7PYD2ZRA==">https://simbli.eboardsolutions.com/SU/QLB3rG6qwFRss7PYD2ZRA==</a>
W&I Code 18986.50-18986.53	Integrated day care program - <a href="https://simbli.eboardsolutions.com/SU/7klOhdZ5RjKQ1slshrETj5Ovw==">https://simbli.eboardsolutions.com/SU/7klOhdZ5RjKQ1slshrETj5Ovw==</a>
W&I Code 18987.6-18987.62	Family-based services - <a href="https://simbli.eboardsolutions.com/SU/bP0zORZvplusOha7w5DBsVaug==">https://simbli.eboardsolutions.com/SU/bP0zORZvplusOha7w5DBsVaug==</a>
W&I Code 5850-5883	Mental Health Services Act - <a href="https://simbli.eboardsolutions.com/SU/VIPbaVJvtllf2jphwZWcoA==">https://simbli.eboardsolutions.com/SU/VIPbaVJvtllf2jphwZWcoA==</a>

## Management Resources References

## Description

Cities, Counties And Schools Partnership Pub.	Stretching Community Dollars: Cities, Counties and School Districts Building for the Future, 2006
Cities, Counties And Schools Partnership Pub.	Healthy Children, Healthy Communities: An Action Guide for California Communities, 2006
Website	CSBA District and County Office of Education Legal Services - <a href="https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsishXk6R5akQ==">https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsishXk6R5akQ==</a>
Website	First 5 California - <a href="https://simbli.eboardsolutions.com/SU/sEYslsh3n3gnmyslsh1pLxXzislsrQ==">https://simbli.eboardsolutions.com/SU/sEYslsh3n3gnmyslsh1pLxXzislsrQ==</a>
Website	California Department of Social Services - <a href="https://simbli.eboardsolutions.com/SU/TFIWOAAhRHb4PYNSjlzKIQ==">https://simbli.eboardsolutions.com/SU/TFIWOAAhRHb4PYNSjlzKIQ==</a>
Website	California State Association of Counties - <a href="https://simbli.eboardsolutions.com/SU/4JlSoT4kl6n75bFFpkXeHg==">https://simbli.eboardsolutions.com/SU/4JlSoT4kl6n75bFFpkXeHg==</a>
Website	Children Now - <a href="https://simbli.eboardsolutions.com/SU/slshO5TbGcxRddmDe2D19CplusnA==">https://simbli.eboardsolutions.com/SU/slshO5TbGcxRddmDe2D19CplusnA==</a>
Website	California Department of Education, Learning Support - <a href="https://simbli.eboardsolutions.com/SU/qmmqslshbZsaNEYjbqlwTgYmQ==">https://simbli.eboardsolutions.com/SU/qmmqslshbZsaNEYjbqlwTgYmQ==</a>
Website	Cities Counties and Schools Partnership - <a href="https://simbli.eboardsolutions.com/SU/vkMU6AgLdg2x1CfasX4n3w==">https://simbli.eboardsolutions.com/SU/vkMU6AgLdg2x1CfasX4n3w==</a>
Website	League of California Cities - <a href="https://simbli.eboardsolutions.com/SU/TUf8jslshHeiQslshKJpHe2qEtug==">https://simbli.eboardsolutions.com/SU/TUf8jslshHeiQslshKJpHe2qEtug==</a>
Website	Youth Law Center - <a href="https://simbli.eboardsolutions.com/SU/TypYfsxSyRTA3njdHCslshCrA==">https://simbli.eboardsolutions.com/SU/TypYfsxSyRTA3njdHCslshCrA==</a>
Website	CSBA - <a href="https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==">https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==</a>

Website

California Department of Public Health -  
<https://simbli.eboardsolutions.com/SU/plusKghL3cnZRJOzDybcVsugA==>

Youth Law Center Publication

Model Form for Consent to Exchange Confidential Information among the  
Members of an Interagency Collaborative, 1995

**Policy 1431: Waivers**

**Status:** DRAFT

**Original Adopted Date:** Pending

The Governing Board recognizes that circumstances may arise in the operation of the district that require a waiver from state law or regulation. When it is in the interest of district students, the Board may request that the State Board of Education (SBE) waive any provision of state law or regulation which SBE has authority to waive pursuant to Education Code 33050.

Any waiver request to be submitted to SBE shall first be approved by the Board. The Superintendent or designee shall ensure that each proposed waiver request includes all information necessary for the Board to analyze the need for the waiver and make an informed decision.

If the proposed waiver request affects a program that requires the existence of a school site council, the Superintendent or designee shall obtain the school site council's approval of the request before presenting it to the Board. As appropriate, other councils or advisory committees, including bilingual advisory committees, shall be provided adequate opportunity to review a proposed waiver request, and the request shall include a written summary of any objections to the request by the councils or advisory committees. (Education Code 33051)

In addition, the Superintendent or designee shall consult with the exclusive representative of district employees in the development of the waiver request, and shall include in the request the exclusive representative's position regarding the waiver. (Education Code 33050, 33051)

A request for a waiver related to a regional occupational center or program operated by a joint powers agency shall be submitted as a joint waiver request with other participating school districts upon approval of a unanimous vote of the governing board of the joint powers agency. (Education Code 33050)

To receive public testimony on each proposal for a waiver request, the Board shall hold a properly noticed public hearing during a Board meeting. (Education Code 33050)

The notice, which shall state the time, date, location, and subject of the public hearing and invite public testimony, may be printed in a newspaper of general circulation and/or posted at each school and three public places in the district.

If the district determines that a waiver is needed for more than one year, the Board shall reapply to SBE. When the Board has requested and received the same general waiver from SBE for two consecutive years, the Board does not subsequently need to reapply annually provided that the information contained on the request remains current, except that the district shall apply annually for the renewal of any waiver regarding teacher credentialing. (Education Code 33051)

**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

**State References**

**Description**

Ed. Code 33050-33053	General waiver authority - <a href="https://simbli.eboardsolutions.com/SU/Z43hmCst0gQT7SnBxRFv6g==">https://simbli.eboardsolutions.com/SU/Z43hmCst0gQT7SnBxRFv6g==</a>
Ed. Code 48800	Attendance at community college - <a href="https://simbli.eboardsolutions.com/SU/plusubKJND24QXXZv7aIT7gGA==">https://simbli.eboardsolutions.com/SU/plusubKJND24QXXZv7aIT7gGA==</a>
Ed. Code 51747.3	Charter school independent study funding - <a href="https://simbli.eboardsolutions.com/SU/AFsmvqZUuKjCgPphjZslshkYg==">https://simbli.eboardsolutions.com/SU/AFsmvqZUuKjCgPphjZslshkYg==</a>
Ed. Code 56000-56865	Special education programs - <a href="https://simbli.eboardsolutions.com/SU/py2K4CXw98zsvRq5YA0RGQ==">https://simbli.eboardsolutions.com/SU/py2K4CXw98zsvRq5YA0RGQ==</a>
Ed. Code 65000-65001	School site councils - <a href="https://simbli.eboardsolutions.com/SU/0EAplZMGH2XevzVUbza2cw==">https://simbli.eboardsolutions.com/SU/0EAplZMGH2XevzVUbza2cw==</a>

**Management Resources References**

**Description**



Website	CSBA District and County Office of Education Legal Services - <a href="https://simbli.eboardsolutions.com/SU/UdykszdmPETuDslshXk6R5akQ==">https://simbli.eboardsolutions.com/SU/UdykszdmPETuDslshXk6R5akQ==</a>
Website	California Department of Education, Waiver Office - <a href="https://simbli.eboardsolutions.com/SU/HfOSQ3Px2zslsh5RfLAjlH59A==">https://simbli.eboardsolutions.com/SU/HfOSQ3Px2zslsh5RfLAjlH59A==</a>
Website	Commission on Teacher Credentialing - <a href="https://simbli.eboardsolutions.com/SU/cxWNiqRUulsaq7efc7aH4Q==">https://simbli.eboardsolutions.com/SU/cxWNiqRUulsaq7efc7aH4Q==</a>

**Policy 1700: Relations Between Private Industry And The Schools**

**Status:** DRAFT

**Original Adopted Date:** Pending

The Governing Board recognizes that private industry and the schools have a mutual interest in maximizing student achievement in order to prepare students to be productive citizens and contribute to the economic health of the community. The Board shall encourage local business involvement in efforts that support the core mission and goals of the district and promote the academic, social, and physical well-being of students.

The Board and the Superintendent or designee shall develop strategies to initiate business partnerships and shall communicate with business partners about district needs and priorities. The Superintendent or designee may assign district staff to coordinate community/business outreach efforts on behalf of the district and work to ensure equitable distribution of business involvement across all district schools.

Businesses and industry and/or their representatives may support district schools and programs by:

1. Volunteering in the classroom or school, providing special instructional programs or assemblies, and serving as tutors or mentors for individual students
2. Donating funds, products, instructional materials, or services that serve an educational purpose
3. Purchasing advertisements in school-sponsored publications or on school property in accordance with law and Board policy
4. Serving on advisory committees in order to provide business expertise or perspectives
5. Working with district staff to ensure the relevance and rigor of the district's career technical education program and providing work opportunities for students enrolled in these programs
6. Engaging in other activities approved by the Superintendent or designee that are designed to increase student learning or support school operations

The Board urges employers to further support the schools by recognizing their employees' needs as parents/guardians, accommodating their needs for child care, and supporting their involvement with their children's schools.

The Superintendent or designee may publicly acknowledge the support of a business partner in district communications and/or by allowing the use of the business name or logo on donated products or materials, but shall not unduly promote or endorse any commercial activity or products. He/she also may recommend Board commendation to those individuals and/or businesses that have made extraordinary contributions to the district.

The Superintendent or designee shall regularly report to the Board regarding the district's progress in establishing and sustaining business partnerships and the ways in which businesses have supported district programs.

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**State References**

**Description**

Ed. Code 35160	Authority of governing boards - <a href="https://simbli.eboardsolutions.com/SU/FFplus3PC2rsgGxvplus8DVSsrkQ==">https://simbli.eboardsolutions.com/SU/FFplus3PC2rsgGxvplus8DVSsrkQ==</a>
Ed. Code 35160.1	Broad authority of school districts - <a href="https://simbli.eboardsolutions.com/SU/ewe0Cc8cKGTgDzaAt5MKhw==">https://simbli.eboardsolutions.com/SU/ewe0Cc8cKGTgDzaAt5MKhw==</a>
Ed. Code 41030-41037	Gifts and bequests - <a href="https://simbli.eboardsolutions.com/SU/67AgExfKGO0MG7PyFSRGPQ==">https://simbli.eboardsolutions.com/SU/67AgExfKGO0MG7PyFSRGPQ==</a>
Ed. Code 51760-51769.5	Work experience education - <a href="https://simbli.eboardsolutions.com/SU/zjSVslsh8wmislshslshQgSmi6ISfYw==">https://simbli.eboardsolutions.com/SU/zjSVslsh8wmislshslshQgSmi6ISfYw==</a>
Ed. Code 52300-52462	Career technical education - <a href="https://simbli.eboardsolutions.com/SU/W5QWdzplusIzuXHkwAarOug5w==">https://simbli.eboardsolutions.com/SU/W5QWdzplusIzuXHkwAarOug5w==</a>

Ed. Code 8070

Career technical education advisory committee -  
<https://simbli.eboardsolutions.com/SU/bni7u78ASc48VJR9hgZtoQ==>

### **Federal References**

20 USC 2301-2414

### **Description**

Strengthening Career and Technical Education for the 21st Century Act -  
<https://simbli.eboardsolutions.com/SU/9yof5kixbBlok9FzhxqqWg==>

20 USC 2354

Local application for career technical education; business involvement

### **Management Resources References**

### **Description**

Council for Corporate & School Partnerships Pub.

A How-To Guide for School-Business Partnerships

CSBA Publication

School-Based Marketing of Foods and Beverages: Policy Implications for School Boards, Policy Brief, March 2006

Nat'l. Assoc. of State BOE Publication

Building Business Support for School Health Programs, 1999

Website

CSBA District and County Office of Education Legal Services -  
<https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ==>

Website

California Consortium of Education Foundations -  
<https://simbli.eboardsolutions.com/SU/0v2zinBla54BTLZLGVHlhA==>

Website

California Department of Education, Parents/Family and Community -  
<https://simbli.eboardsolutions.com/SU/gOko5w3EpF8hJ3HfHCrajw==>

Website

Council for Corporate and School Partnerships -  
<https://simbli.eboardsolutions.com/SU/yszslshZbtTNlj1GWUlyfPBMQ==>

Website

National Association of State Boards of Education -  
<https://simbli.eboardsolutions.com/SU/p9EGJQrfe1c2fVDHCT1QRQ==>

Website

CSBA -  
<https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==>