

CAMPUS SECURITY

The ~~Governing Board of Education~~ is committed to providing a school environment that promotes the safety of students, ~~employees~~ staff, and visitors to school grounds. The Board also recognizes the importance of protecting district property, facilities, and equipment from vandalism and theft.

(cf. 4158/4258/4358 - Employee Security)

(cf. 5131.5 - Vandalism and Graffiti)

(cf. 5142 - Safety)

The Superintendent or designee shall develop campus security procedures, which ~~are consistent with the goals and objectives of~~ may be included in the district's comprehensive safety plan and/or site-level safety plans. Such procedures shall be regularly reviewed to reflect changed circumstances and to assess their effectiveness in achieving safe school objectives.

(cf. 0450 - Comprehensive Safety Plan)

Surveillance Systems

~~The Board believes that limited use of surveillance cameras will help the district achieve its goals for providing a safe environment.~~

In consultation with ~~the district's safety planning committee, other school administration,~~ relevant stakeholders, and staff, the Superintendent or designee shall identify appropriate locations for the placement of surveillance cameras ~~outside of school buildings, in common areas, and/or in hallways as needed to monitor areas where safety or vandalism concerns are present. Cameras shall not be placed inside restroom, classrooms, or office areas without Board approval. Cameras shall not be placed in areas where students, staff, or community members have a reasonable expectation of privacy. Any audio capability on the district's surveillance equipment shall be disabled so that sounds are not recorded.~~

(cf. 5131.1 - Bus Conduct)

(cf. 5145.12 - Search and Seizure)

Prior to the operation of the surveillance system, the Superintendent or designee shall ensure that signs are posted at conspicuous and targeted locations ~~at affected~~ around school buildings and grounds. These signs shall ~~inform students, staff, and visitors state that the facility uses video surveillance equipment for security purposes and that the equipment may occur and shall state whether the district's system is or may not be~~ actively monitored ~~by school personnel at any time.~~ The Superintendent or designee shall also provide prior written notice to students and parents/guardians about the district's surveillance system, including the locations where surveillance may occur, explaining and that the recordings may be used in disciplinary proceedings, ~~and that matters captured by the camera may be~~ and/or referred to local law enforcement, as appropriate.

(cf. 5144 - Discipline)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

To the extent that any images from the district's surveillance system create a student or personnel record, the Superintendent or designee shall ensure that the images are accessed, retained, and disclosed in accordance with law, Board policy, administrative regulation, and any applicable collective bargaining agreements.

BP 3515(b)

CAMPUS SECURITY (continued)

(cf. 4112.6/4212.6/4312.6 - Personnel Files)

(cf. 5125 - Student Records)

(cf. 5125.1 - Release of Directory Information)

Legal Reference:

EDUCATION CODE

17070.10-17079.30 Leroy F. Greene School Facilities Act, especially:

17075.50 Classroom security locks, new construction projects

17583 Classroom security locks, modernization projects

32020 Access gates

32211 Threatened disruption or interference with classes

32280-~~32288~~32289 School safety plans

35160 Authority of governing boards

35160.1 Broad authority of school districts

38000-38005 Security ~~patrols~~ departments

49050-49051 Searches by school employees

49060-49079 Student records

PENAL CODE

469 Unauthorized making, duplicating or possession of key to public building

626-626.~~1011~~ Disruption of schools

CALIFORNIA CODE OF REGULATIONS, TITLE 24

1010.1.9 Door operations

1010.1.11 Lockable doors from the inside

CALIFORNIA CONSTITUTION

Article 1, Section 28(c) Right to Safe Schools

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act

CODE OF FEDERAL REGULATIONS, TITLE 34

99.3 Definition of education records

COURT DECISIONS

Brannum v. Overton County School Board (2008) 516 F. 3d 489

New Jersey v. T.L.O. (1985) 469 U.S. 325

ATTORNEY GENERAL OPINIONS

83 Ops.Cal.Atty.Gen. 257 (2000)

75 Ops.Cal.Atty.Gen. 155 (1992)

Management Resources: (see next page)

CSBA PUBLICATIONS

Protecting Our Schools: Board of Education Strategies to Combat School Violence, 1999

BP 3515(c)

CAMPUS SECURITY (continued)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Safe Schools: A Planning Guide for Action, 2002

NATIONAL INSTITUTE OF JUSTICE PUBLICATIONS

The Appropriate and Effective Use of Security Technologies in U.S. Schools: A Guide for Schools and Law Enforcement Agencies, 1999 rev. 2005

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

FAQs on Photos and Videos under FERPA

WEB SITES

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

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

California Department of Education, Safe Schools Office: <http://www.cde.ca.gov/ls/ss>
<http://www.cde.ca.gov/ls/ss>

National Institute of Justice: <http://www.ojp.usdoj.gov/nij> <http://www.ojp.usdoj.gov/nij>

National School Safety Center: <http://www.schoolsafety.us>

U.S. Department of Education, Protecting Student Privacy: <https://studentprivacy.ed.gov>

Policy ~~ALAMEDA UNIFIED SCHOOL DISTRICT~~ CSBA MANUAL MAINTENANCE
SERVICE

adopted: ~~August 25, 2009 Alameda, California~~ October 2019

~~revised: July 21, 2018~~

CAMPUS SECURITY

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(cf. 4158/4258/4358 - Employee Security)

(cf. 5131.5 - Vandalism and Graffiti)

(cf. 5142 - Safety)

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(cf. 0450 - Comprehensive Safety Plan)

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(cf. 5131.1 - Bus Conduct)

(cf. 5145.12 - Search and Seizure)

Prior to the operation of the surveillance system, the Superintendent or designee shall ensure that signs are posted at conspicuous and targeted locations around school buildings and grounds. These signs shall state that the facility uses video surveillance equipment for security purposes and that the equipment may or may not be actively monitored at any time. The Superintendent or designee shall also provide prior written notice to students and parents/guardians about the district's surveillance system, including the locations where surveillance may occur and that the recordings may be used in disciplinary proceedings and/or referred to local law enforcement, as appropriate.

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(cf. 5125 - Student Records)
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Policy ALAMEDA UNIFIED SCHOOL DISTRICT

adopted: August 25, 2009 Alameda, California

revised: July 21, 2018

revised:

CAMPUS SECURITY

The Superintendent or designee shall ~~ensure that the district's~~ develop a campus security plan which contributes to a positive school climate, fosters social and emotional learning and student well-being, and includes strategies to:

1.- Secure the campus perimeter and school facilities in order to prevent criminal activity

These strategies include a risk management analysis of each campus' security system, lighting system, and fencing. Procedures to ensure unobstructed views and eliminate blind spots caused by doorways and landscaping shall also be considered. In addition, parking lot design may be studied, including methods to discourage through traffic.

2.- Secure buildings and interior spaces from outsiders and discourage trespassing

These strategies may include installing locks, requiring visitor registration, providing staff and student identification tags, and patrolling ~~of~~ places used for congregating and loitering.

(cf. 1250 - Visitors/Outsiders)

(cf. 3515.2 - Disruptions)

(cf. 5112.5 - Open/Closed Campus)

3.- Discourage vandalism and graffiti

These strategies may include plans to immediately cover graffiti ~~as well as~~ and implement campus beautification ~~projects and shall also include students and the community in these projects.~~

(cf. 3515.4 - Recovery for Property Loss or Damage)

(cf. 5131.5 - Vandalism and Graffiti)

(cf. 5137 - Positive School Climate)

(cf. 6142.4 - Service Learning/Community Service Classes)

4. Control access to keys and other school inventory

(cf. 3440 - Inventories)

5.- Detect and intervene with school crime

These strategies may include ~~the creation of~~ creating a school watch program, increasing adult presence and supervision, establishing an anonymous crime reporting system, analysis of ~~analyzing~~ school crime incidents, and ~~collaboration~~ collaborating with local law enforcement agencies, including providing for law enforcement presence.

CAMPUS SECURITY (continued)

(cf. 3515.3 - District Police/Security Department)
(cf. 3515.7 - Firearms on School Grounds)
(cf. 3516.2 - Bomb Threats)
(cf. 5116.2 - Involuntary Student Transfers)
(cf. 5131.2 - Bullying)
(cf. 5131.7 - Weapons and Dangerous Instruments)
(cf. 5141.52 - Suicide Prevention)
(cf. 5138 - Conflict Resolution/Peer Mediation)
(cf. 5145.9 - Hate-Motivated Behavior)
(cf. 6164.2 - Guidance/Counseling Services)

All staff shall receive training in building and grounds security procedures: and emergency response.

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

Locks

All state-funded new construction and modernization projects shall include locks that allow doors to classrooms and any room with an occupancy of five or more persons to be locked from the inside. Student restrooms and doors that lock from the outside at all times are not required to have locks that can be locked from the inside. (Education Code 17075.50, 17583; 24 CCR 1010.1.9, 1010.1.11)

Keys

All keys used in a school shall be the responsibility of the principal or designee. Keys shall be issued only to ~~those~~authorized employees who regularly need a key in order to carry out ~~normal activities of their position~~job responsibilities.

The principal or designee shall create a key control system with a record of each key assigned and room(s) or building(s) which the key opens.

Keys shall ~~be used only by authorized employees and shall~~ never be loaned to students. ~~The, parents/guardians, or volunteers, nor shall the~~ master key ~~shall not ever~~ be loaned.
~~The~~

Any person issued a key shall be responsible for its safekeeping. The duplication of school keys is prohibited. If a key is lost, the person responsible shall immediately report the loss to the principal or designee and shall pay for a replacement key.

Regulation ~~ALAMEDA UNIFIED SCHOOL DISTRICT~~ CSBA MANUAL MAINTENANCE
SERVICE

approved: ~~August 25, 2009 Alameda,~~ October 2019

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2. Secure buildings and interior spaces from outsiders and discourage trespassing

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These strategies may include plans to immediately cover graffiti and implement campus beautification.

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(cf. 3515.7 - Firearms on School Grounds)

(cf. 3516.2 - Bomb Threats)

(cf. 5116.2 - Involuntary Student Transfers)
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Keys shall never be loaned to students, parents/guardians, or volunteers, nor shall the master key ever be loaned.

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Regulation ALAMEDA UNIFIED SCHOOL DISTRICT

approved: August 25, 2009 Alameda

revised:

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CONSULTANTS

The Governing Board of Education authorizes the use of consultants and other independent contractors to provide expert professional advice or specialized technical or training services which are not needed on a continuing basis and which cannot be provided by district staff because of limitations of time, experience, or knowledge. Individuals, firms, or organizations employed as consultants independent contractors may assist management with decisions and/or project development related to financial, economic, accounting, engineering, legal, administrative, instructional, or other matters.

(cf. 3551 - Food Service Operations/Cafeteria Fund)

As part of the contract process, the Superintendent or designee shall determine, ~~in accordance with Internal Revenue Service guidelines,~~ that the consultant individual, firm, or organization is properly classified as an independent contractor. ~~District employees who perform extra-duty consultant services shall not be retained as independent contractors. They~~ A person, firm, or organization shall be considered ~~employees for all purposes, even if the additional services are not related to their regular duties.~~

~~The an employee rather than an independent contractor unless the district shall not contract for consulting services is able to demonstrate that can be performed without charge by a public agency or official unless these services are unavailable from the public source for reasons beyond the district's control.~~ all of the following conditions have been met: (Labor Code 2750.3)

1. The person or entity is free from the control and direction of the district in connection with the performance of the work.
2. The person or entity is performing work that is outside the usual course of the district providing educational services.
3. The person or entity is customarily engaged in an independently established trade, occupation, or business of the same nature as the work to be performed.

Specific statutory exceptions to this analysis for the determination of whether a person, firm, or organization is an independent contractor may apply. (Labor Code 2750.3)

All consultant contracts shall be brought to the Board for approval.

(cf. 3311 - Bids)

(cf. 3312 - Contracts)

(cf. 4132/4232/4332 - Publication or Creation of Materials)

All qualified ~~firms or resource persons~~independent contractors shall be accorded equal opportunity for ~~consultant~~ contracts regardless of actual or perceived race, ~~creed~~, color, gender, national ~~or ethnic~~ origin, ancestry, age ~~or~~, religious creed, marital status, pregnancy, physical or mental disability, medical condition, genetic information, military and veteran status, sex, sexual orientation, gender, gender identity, gender expression, immigration status, or association with a person or group with one or more of these actual or perceived characteristics. (Education Code 220; Government Code 12940)

(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 0415 - Equity)

(cf. 4030 - Nondiscrimination in Employment)

BP 3600(b)

CONSULTANTS (continued)

Independent contractors ~~applying for a consultant contract~~ shall submit a written conflict of interest statement disclosing financial interests as determined necessary by the Superintendent or designee, depending on the range of duties to be performed by the consultant. The Superintendent or designee shall consider this statement when deciding whether to recommend approval of the consultant's employment contract.

Any consultant hired by the district who is subject to the filing requirements in the district's conflict of interest code shall file a Statement of Economic Interests within the time period required by law. (Government Code 87302)

(cf. 9270 - Conflict of Interest)

When employees of a public university, county office of education, or other public agency serve as ~~consultant~~consultants or ~~resource persons~~independent contractors in other capacities for the district, they shall certify as part of the ~~consultant~~ agreement that they will not receive salary or remuneration other than vacation pay from any other public agency for the specific days when they work for ~~this~~the district.

The Board prohibits the harassment of an independent contractor by any district employee or by any other person with whom the independent contractor comes in contact during the course of employment with the district. Additionally, the Board prohibits the harassment of a district employee by an independent contractor. Any complaint of harassment shall be investigated and resolved in accordance with applicable district complaint procedures. (Government Code 12940)

(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

Legal Reference: (see next page)

CONSULTANTS (continued)

Legal Reference:

EDUCATION CODE

~~10400-10407~~ 220 *Prohibition of discrimination*

~~10400-10407~~ *Cooperative improvement programs*

~~17596-17596~~ *Limit on continuing contracts*

~~35010-35010~~ *Control of districts; prescription and enforcement of rules*

~~35172(a)~~ 35172 *Promotional activities*

~~35204-35204~~ *Contract with attorney*

~~44925-44925~~ *Part-time readers employed as independent contractors*

~~45103-45103~~ *Classified service in districts not incorporating the merit system*

~~45103.5-45103.5~~ *Contracts for food service consulting services*

~~45134-45135~~ 45134-45135 *Employment of retired classified employee*

~~45256-45256~~ *Merit system districts; classified service; positions established for professional experts on a temporary basis*

GOVERNMENT CODE

~~53060-12940~~ *Unlawful employment practices*

~~53060~~ *Contract for special services and advice*

~~82019~~ *Designated employee*

~~87302~~ *Conflict of interest code*

LABOR CODE

~~2750.3~~ *ABC three-part test: employees and independent contractors*

UNEMPLOYMENT INSURANCE CODE

~~606.5~~ *Determination of employment status*

~~621~~ *Employer and employee defined*

CODE OF REGULATIONS, TITLE 2

~~18700.3~~ *Consultant*

COURT DECISIONS

Dynamex Operations West, Inc. v. Superior Court of Los Angeles (2018) 4 Cal. 5th 903

S.G. Borello & Sons, Inc. v. Department of Industrial Relations (1989) 48 Cal. 3d 341

Policy ~~Management Resources:~~

~~INTERNAL REVENUE~~ CSBA MANUAL MAINTENANCE ~~SERVICE PUBLICATIONS~~
~~15-A Employer's Supplemental Tax Guide~~

Policy ~~ALAMEDA UNIFIED SCHOOL DISTRICT~~

adopted: ~~August 25, 2009 Alameda, California~~ December 2019

CONSULTANTS

The Governing Board authorizes the use of consultants and other independent contractors to provide expert professional advice or specialized technical or training services which are not needed on a continuing basis and which cannot be provided by district staff because of limitations of time, experience, or knowledge. Individuals, firms, or organizations employed as independent contractors may assist management with decisions and/or project development related to financial, economic, accounting, engineering, legal, administrative, instructional, or other matters.

(cf. 3551 - Food Service Operations/Cafeteria Fund)

As part of the contract process, the Superintendent or designee shall determine that the individual, firm, or organization is properly classified as an independent contractor. A person, firm, or organization shall be considered an employee rather than an independent contractor unless the district is able to demonstrate that all of the following conditions have been met: (Labor Code 2750.3)

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(cf. 4030 - Nondiscrimination in Employment)

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Any consultant hired by the district who is subject to the filing requirements in the district's conflict of interest code shall file a Statement of Economic Interests within the time period required by law. (Government Code 87302)

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(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

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35172 Promotional activities

35204 Contract with attorney

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45103.5 Contracts for food service consulting services

45134-45135 Employment of retired classified employee

45256 Merit system districts; classified service; positions established for professional experts on a temporary basis

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12940 Unlawful employment practices

53060 Contract for special services and advice

82019 Designated employee

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Policy ALAMEDA UNIFIED SCHOOL DISTRICT

adopted: August 25, 2009 Alameda, California

revised:

LACTATION ACCOMMODATION

~~Lactation Accommodation~~

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The Governing Board recognizes the immediate and long-term health ~~advantages~~benefits of breastfeeding ~~for infants and mothers~~ and desires to provide a supportive environment for any district employee to express milk for ~~her~~an infant child upon ~~her return~~returning to work following the birth of the child. The Board prohibits discrimination, harassment, and/or retaliation against any district employee ~~who chooses~~for seeking an accommodation to express breast milk for ~~her~~an infant child while at work.

(cf. ~~4030~~ 4030 - *Nondiscrimination in Employment*)

An employee shall notify the employee's supervisor or other appropriate personnel~~(cf. in~~ advance of the intent to request an accommodation. The supervisor shall respond to the request and shall work with the employee to make arrangements. If needed, the supervisor shall address scheduling in order to ensure that the employee's essential job duties are covered during the break time.

Lactation accommodations shall be granted unless limited circumstances exist as specified in law. (Labor Code 1031, 1032; 29 USC 207)

~~Before 4031 - Complaints Concerning Discrimination in Employment)~~

a determination is made to deny lactation accommodations to an employee, the employee's supervisor shall consult with the Superintendent or designee. When lactation accommodations are denied, the Superintendent or designee shall document the options that were considered and the reasons for denying the accommodations.

The Superintendent or designee shall provide a written response to any employee who was denied the accommodation(s). (Labor Code 1034)

The district shall include this policy in its employee handbook or in any set of policies that the district makes available to employees. In addition, the Superintendent or designee shall distribute the policy to new employees upon hire and when an employee makes an inquiry about or requests parental leave. (Labor Code 1034)

(cf. 4112.9/4212.9/4312.9 - *Employee Notifications*)

Break Time and Location Requirements

The district shall provide a reasonable amount of break time to accommodate an employee each time ~~she~~the employee has a need to express breast milk for ~~her~~an infant child. ~~(Labor~~

Code 1030)(Labor Code 1030)

To the extent possible, ~~such any~~ break time granted for lactation accommodation shall run concurrently with the break time already provided to the employee. Any additional break time used by a non-exempt employee for this purpose shall be unpaid. ~~(Labor Code 1030; 29 USC 207)~~ (Labor Code 1030; 29 USC 207)

BP 4033(b)

LACTATION ACCOMMODATION (continued)

The employee shall be provided the use of a private room or location, other than a ~~restroom bathroom~~, which may be the employee's work area or another location that is in close proximity to ~~her work area and meets the the employee's work area~~. The room or location provided shall meet the following requirements of: ~~(Labor Code 1031- 1031; 29 USC 207)~~

1. Is shielded from view and free from intrusion while the employee is expressing milk
2. Is safe, clean, and 29 USC 207, free of hazardous materials, as applicable defined in Labor Code 6382

~~Employees are encouraged to notify their supervisor or other appropriate personnel in advance of their intent to make use of the accommodations offered for employees who are nursing mothers. As needed, the supervisor shall work with the employee to address arrangements and scheduling in order to ensure that the employees' essential job duties are covered during the break time.~~

~~Lactation accommodations may be denied only in limited circumstances in accordance with law. (Labor Code 1032; 29 USC 207)~~

3. Contains a place to sit and a surface to place a breast pump and personal items
4. Has access to electricity or alternative devices, including, but not limited to, extension cords or charging stations, needed to operate an electric or battery-powered breast pump
5. Has access to a sink with running water and a refrigerator or, if a refrigerator cannot be provided, another cooling device suitable for storing milk in close proximity to the employee's workspace

If a multipurpose room is used for lactation, among other uses, the use of the room for lactation shall take precedence over other uses for the time it is in use for lactation purposes. (Labor Code 1031)

Dispute Resolution

An employee may file a complaint with the Labor Commissioner at the California Department of Industrial Relations for any alleged violation of Labor Code 1030-1034. (Labor Code 1034)

(cf. 4144/4244/4344 - Complaints)

Legal Reference: (see next page)

BP 4033(c)

LACTATION ACCOMMODATION (continued)

~~Before an employee's supervisor makes a determination to deny lactation accommodations, he/she shall consult the Superintendent or designee. In any case in which lactation accommodations are denied, the Superintendent or designee shall document the options that were considered and the reasons for denying the accommodations.~~

Legal Reference:

EDUCATION CODE

200-262.4 ~~Prohibition~~ Educational equity; prohibition of discrimination on the basis of sex

CIVIL CODE

43.3 Right of mothers to breastfeed in any public or private location

GOVERNMENT CODE

12926 Definition of sex; breastfeeding

12940 ~~Discriminatory~~ Unlawful discriminatory employment practices

12945 ~~Discrimination~~ Unlawful discrimination based on pregnancy, childbirth, or related medical conditions

LABOR CODE

1030-~~1033~~1034 Lactation accommodation

6382 Procedure for listing hazardous substances

CODE OF REGULATIONS, TITLE 2

7291.2 7291.16 ~~Sex~~11035-11051 Unlawful sex discrimination; pregnancy and related medical conditions

UNITED STATES CODE, TITLE 29

207 Fair Labor Standards Act; lactation accommodation

~~FAIR EMPLOYMENT AND HOUSING COMMISSION DECISIONS~~

~~Department of Fair Employment and Housing v. Acosta-Tacos (Chavez), FEHC Precedential Decision 09-03P, 2009~~

Management Resources:

CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS PUBLICATIONS

Rest Periods/Lactation Accommodation, Frequently Asked Questions
CALIFORNIA DEPARTMENT OF PUBLIC HEALTH PUBLICATIONS
~~Minimum Requirements of the California~~ *Lactation Accommodation Law for Employers*
CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS
Lactation Support Program Toolkit
FEDERAL REGISTER
Reasonable Break Time for Nursing Mothers, December 21, 2010, Vol. 75, No. 244, pages 80073-80079
OFFICE OF THE SURGEON GENERAL PUBLICATIONS
The Surgeon General's Call to Action to Support Breastfeeding, 2011
HEALTH RESOURCES AND SERVICES ADMINISTRATION PUBLICATIONS
The Business Case for Breastfeeding: Steps for Creating a Breastfeeding Friendly Worksite, Toolkit, 2008
U.S. DEPARTMENT OF LABOR, WAGE AND HOUR DIVISION, PUBLICATIONS
Frequently Asked Questions- Break Time for Nursing Mothers
Fact Sheet #373: Break Time for Nursing Mothers under the FLSA, rev. December 2010
WEB SITES
 California Department of Industrial Relations, Division of Labor and Standards Enforcement: <http://www.dir.ca.gov/dlse> <http://www.dir.ca.gov/dlse> California Department of Public Health: <http://www.cdph.ca.gov>

California Department of Public Health: <http://www.cdph.ca.gov>

California Women, Infants and Children: <http://www.wicworks.ca.gov> Program: <http://www.wicworks.ca.gov>
 Centers for Disease Control and Prevention: <http://www.cdc.gov> <http://www.cdc.gov>
 Health Resources and Services Administration: <http://www.hrsa.gov> <http://www.hrsa.gov>
 Office of the Surgeon General: <http://www.surgeongeneral.gov> <http://www.surgeongeneral.gov>
 U.S. Department of Labor, Wage and Hour Division, Break Time for Nursing Mothers: <http://www.dol.gov/whd/nursingmothers> <http://www.dol.gov/whd/nursingmothers>

Policy ~~ALAMEDA UNIFIED SCHOOL DISTRICT~~ CSBA MANUAL MAINTENANCE
SERVICE

adopted: May 13, 2012 Alameda, California

December 2019

LACTATION ACCOMMODATION

The Governing Board recognizes the immediate and long-term health benefits of breastfeeding and desires to provide a supportive environment for any district employee to express milk for an infant child upon returning to work following the birth of the child. The Board prohibits discrimination, harassment, and/or retaliation against any district employee for seeking an accommodation to express breast milk for an infant child while at work.

(cf. 4030 - Nondiscrimination in Employment)

An employee shall notify the employee's supervisor or other appropriate personnel in advance of the intent to request an accommodation. The supervisor shall respond to the request and shall work with the employee to make arrangements. If needed, the supervisor shall address scheduling in order to ensure that the employee's essential job duties are covered during the break time.

Lactation accommodations shall be granted unless limited circumstances exist as specified in law. (Labor Code 1031, 1032; 29 USC 207)

Before a determination is made to deny lactation accommodations to an employee, the employee's supervisor shall consult with the Superintendent or designee. When lactation accommodations are denied, the Superintendent or designee shall document the options that were considered and the reasons for denying the accommodations.

The Superintendent or designee shall provide a written response to any employee who was denied the accommodation(s). (Labor Code 1034)

The district shall include this policy in its employee handbook or in any set of policies that the district makes available to employees. In addition, the Superintendent or designee shall distribute the policy to new employees upon hire and when an employee makes an inquiry about or requests parental leave. (Labor Code 1034)

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

Break Time and Location Requirements

The district shall provide a reasonable amount of break time to accommodate an employee each time the employee has a need to express breast milk for an infant child. (Labor Code 1030)

To the extent possible, any break time granted for lactation accommodation shall run concurrently with the break time already provided to the employee. Any additional break time used by a non-exempt employee for this purpose shall be unpaid. (Labor Code 1030; 29 USC 207)

The employee shall be provided the use of a private room or location, other than a bathroom,

which may be the employee's work area or another location that is in close proximity to the employee's work area. The room or location provided shall meet the following requirements: (Labor Code 1031; 29 USC 207)

1. Is shielded from view and free from intrusion while the employee is expressing milk
2. Is safe, clean, and free of hazardous materials, as defined in Labor Code 6382
3. Contains a place to sit and a surface to place a breast pump and personal items
4. Has access to electricity or alternative devices, including, but not limited to, extension cords or charging stations, needed to operate an electric or battery-powered breast pump
5. Has access to a sink with running water and a refrigerator or, if a refrigerator cannot be provided, another cooling device suitable for storing milk in close proximity to the employee's workspace

If a multipurpose room is used for lactation, among other uses, the use of the room for lactation shall take precedence over other uses for the time it is in use for lactation purposes. (Labor Code 1031)

Dispute Resolution

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(cf. 4144/4244/4344 - Complaints)

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12940 Unlawful discriminatory employment practices

12945 Unlawful discrimination based on pregnancy, childbirth, or related medical conditions

LABOR CODE

1030-1034 Lactation accommodation

6382 Procedure for listing hazardous substances

CODE OF REGULATIONS, TITLE 2

11035-11051 Unlawful sex discrimination; pregnancy and related medical conditions

UNITED STATES CODE, TITLE 29

207 Fair Labor Standards Act; lactation accommodation

Management Resources:

CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS PUBLICATIONS

Rest Periods/Lactation Accommodation, Frequently Asked Questions

CALIFORNIA DEPARTMENT OF PUBLIC HEALTH PUBLICATIONS

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CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS

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The Surgeon General's Call to Action to Support Breastfeeding, 2011

HEALTH RESOURCES AND SERVICES ADMINISTRATION PUBLICATIONS

The Business Case for Breastfeeding: Steps for Creating a Breastfeeding Friendly Worksite, Toolkit, 2008

U.S. DEPARTMENT OF LABOR, WAGE AND HOUR DIVISION, PUBLICATIONS

Frequently Asked Questions- Break Time for Nursing Mothers

Fact Sheet #73: Break Time for Nursing Mothers under the FLSA, rev. April 2018

WEB SITES

California Department of Industrial Relations, Division of Labor and Standards Enforcement:

<http://www.dir.ca.gov/dlse> California Department of Public Health: <http://www.cdph.ca.gov>

California Women, Infants and Children Program: <http://www.wicworks.ca.gov>

Centers for Disease Control and Prevention: <http://www.cdc.gov>

Health Resources and Services Administration: <http://www.hrsa.gov>

Office of the Surgeon General: <http://www.surgeongeneral.gov>

U.S. Department of Labor, Wage and Hour Division, Break Time for Nursing Mothers:
<http://www.dol.gov/whd/nursingmothers>

Policy ALAMEDA UNIFIED SCHOOL DISTRICT

adopted: May 13, 2012 Alameda, California

revised:

Employee Compensation

◀ [Previous](#) | [Next](#) ▶

In order to recruit and retain employees committed to the district's goals for student learning, the Board of Education recognizes the importance of offering a competitive compensation package which includes salaries and health and welfare benefits.

This policy shall only apply to Administrative and Supervisory Employees, Confidential Employees and Licensed Personnel.

For purposes of this Employee Compensation policy, the following definitions shall apply:

1. Administrative and Supervisory Employee shall mean the following:
 - a. A certificated or classified employee in a position with responsibilities as defined in Government Code [3540.1](#)(m) and who is not subject to the district's collective bargaining agreements
 - b. A certificated or classified employee in a management position with responsibilities pursuant to Government Code [3540.1](#)(g)
2. Confidential Employee shall mean an employee in a position with responsibilities as defined in Section 3540.1(c) of the California Government Code.
3. Licensed Personnel shall mean an employee in the positions of psychologist, behavioral therapist or occupational therapist and who is not subject to the district's collective bargaining agreements.
4. Full Time Employee shall mean an employee who is regularly assigned to work five (5) days per week, seven (7) to eight (8) hours a day, 35 (thirty-five) to 40 (forty) hours per week, and who is employed for either the fiscal or academic year.

The Board shall adopt separate salary schedules for Administrative and Supervisory Employees, Confidential and Licensed Personnel. These schedules shall comply with law and be determined by the Board at the recommendation of the Superintendent or designee. (Education Code [45023](#), [45028](#))

Employees shall be placed on the appropriate salary schedule in accordance with the following: the number of verified years of management experience, ~~and the employee's salary for the immediate past school year. Initial placement on the salary schedule for promoted employees shall result in the employee receiving a higher per diem rate than the immediate past school year.~~

(cf. [4121](#) - Temporary/Substitute Personnel)

(cf. [4141/4241](#) - Collective Bargaining Agreement)

(cf. [4143/4243](#) - Negotiations/Consultation)

(cf. [4312.1](#) - Contacts)

If any bargaining unit in the district receives a compensation increase, the salary schedules of Administrative and Supervisory Employees, Confidential and Licensed Personnel shall receive the same increase.

The Superintendent or designee shall ensure that the district's payroll system complies with all applicable laws including, but not limited to, timelines regarding payment of compensation.

Work Year

The length of the work year and the required number of workdays for each position is identified on the applicable salary schedule.

Administrative and Supervisory, Confidential and Licensed Personnel shall submit their annual work calendar for the following school year to their immediate supervisor no later than June 15 or within 10 days of the date of hire.

Requests to modify the work calendar shall be submitted in writing to the employee's immediate supervisor as soon as the employee has reason to know that a modification is necessary.

On Duty Schedule

Site administrators shall be on duty when school is in session, at least one week prior to the commencement of school, and one week after the end of the school year. Work days shall be Monday through Friday.

Subject to approval by the Superintendent, site administrators may designate as work days up to 5 weekend days where a site administrator is required to be present for an official school function. Other exceptions to the on-duty schedule may be approved by the Superintendent in extraordinary circumstances.

Certificated Administrative and Supervisory Employees and certificated Licensed Personnel are expected to designate district holidays as non-work days in accordance with Board Policy 4361 - Leaves. In the event a certificated employee believes it is necessary to schedule a district holiday as a workday, the employee shall obtain approval from his/her immediate supervisor in advance.

Employees are entitled to personal holidays each fiscal year in accordance with Board Policy 4361. Personal holidays may only be observed during the Thanksgiving, winter, ~~and~~ spring, and/or Presidents week school recesses and shall be designated by the employee on their annual work calendar.

Additional Work Days

The Superintendent may approve additional work days where an employee is expected to perform work beyond the agreed-upon work year.

Overtime Compensation

District employees shall be paid an overtime rate of not less than one and one-half times their regular rate of pay for any hours worked in excess of eight hours in one day or 40 hours in one work week, or twice their regular rate of pay for any hours worked in excess of 12 hours in one day or eight hours on the seventh consecutive day of work. However, employees shall be exempt from overtime rules if they are employed as teachers or school administrators or if they qualify as being employed in an executive, administrative, or professional capacity and are

paid a monthly salary that is at least twice the state minimum wage for full-time employment. (Labor Code 510, 515; 29 USC 213; 29 CFR 541.0-541.710, 553.27, 553.32)

When authorized in a collective bargaining agreement or other agreement between the district and employees, an employee may take compensatory time off in lieu of overtime compensation, provided the employee has not accrued compensatory time in excess of the limits specified in 29 USC 207. An employee who has requested the use of compensatory time shall be allowed to use such time within a reasonable period after making the request if the use of the compensatory time does not unduly disrupt district operations. (29 USC 207; 29 CFR 553.20-553.25)

For each nonexempt employee, the Superintendent or designee shall maintain records on the employee's wages, hours, and other information specified in 29 CFR 516.5-516.6.

(cf. 3580 - District Records)

(cf. 4112.6/4212.6/4312.6 - Personnel Files)

Legal Reference:

EDUCATION CODE

[45022-45061.5](#) Salaries, especially:

[45023](#) Availability of salary schedule

[45028](#) Salary schedule for certificated employees

[45160-45169](#) Salaries for classified employees

[45268](#) Salary schedule for classified service in merit system districts

GOVERNMENT CODE

[3540-3549](#) Meeting and negotiating, especially:

[3543.2](#) Scope of representation

[3543.7](#) Duty to meet and negotiate in good faith

LABOR CODE

[226](#) Employee access to payroll records

232 Disclosure of wages

UNITED STATES CODE, TITLE 26

409A Deferred compensation plans

CODE OF FEDERAL REGULATIONS, TITLE 26

1.409A-1 Definitions and covered plans

Management Resources:

NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS

NEA and NSBA Joint Guidance on the Tax Consequences of Deferred Compensation - Section 409A of the Internal Revenue Code, January 2008

WEB SITES

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

Internal Revenue Service: <http://www.irs.gov>

National School Boards Association: <http://www.nsba.org>

Policy ALAMEDA UNIFIED SCHOOL DISTRICT

adopted: August 25, 3009 Alameda, California

revised: March 2011

revised: February 11, 2014

Employee Compensation

In order to recruit and retain employees committed to the district's goals for student learning, the Board of Education recognizes the importance of offering a competitive compensation package which includes salaries and health and welfare benefits.

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Employees shall be placed on the appropriate salary schedule in accordance with the following: the number of verified years of management experience.

(cf. [4121](#) - Temporary/Substitute Personnel)

(cf. [4141/4241](#) - Collective Bargaining Agreement)

(cf. [4143/4243](#) - Negotiations/Consultation)

(cf. [4312.1](#) - Contacts)

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The Superintendent or designee shall ensure that the district's payroll system complies with all applicable laws including, but not limited to, timelines regarding payment of compensation.

Work Year

The length of the work year and the required number of workdays for each position is identified on the applicable salary schedule.

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Employees are entitled to personal holidays each fiscal year in accordance with Board Policy 4361. Personal holidays may only be observed during the Thanksgiving, winter, spring, and/or Presidents week school recesses and shall be designated by the employee on their annual work calendar.

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(cf. 4112.6/4212.6/4312.6 - Personnel Files)

Legal Reference:

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[45022-45061.5](#) Salaries, especially:

[45023](#) Availability of salary schedule

[45028](#) Salary schedule for certificated employees

[45160-45169](#) Salaries for classified employees

[45268](#) Salary schedule for classified service in merit system districts

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NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS

NEA and NSBA Joint Guidance on the Tax Consequences of Deferred Compensation - Section 409A of the Internal Revenue Code, January 2008

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Policy ALAMEDA UNIFIED SCHOOL DISTRICT

adopted: August 25, 3009 Alameda, California

revised: March 2011

revised: February 11, 2014

revised:

Employee Compensation

◀ [Previous](#) | [Next](#) ▶

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LABOR CODE

[226](#) Employee access to payroll records

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UNITED STATES CODE, TITLE 26

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CODE OF FEDERAL REGULATIONS, TITLE 26

1.409A-1 Definitions and covered plans

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adopted: August 25, 3009 Alameda, California

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Work Year

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Administrative and Supervisory, Confidential and Licensed Personnel shall submit their annual work calendar for the following school year to their immediate supervisor no later than June 15 or within 10 days of the date of hire.

Requests to modify the work calendar shall be submitted in writing to the employee's immediate supervisor as soon as the employee has reason to know that a modification is necessary.

On Duty Schedule

Site administrators shall be on duty when school is in session, at least one week prior to the commencement of school, and one week after the end of the school year. Work days shall be Monday through Friday.

Subject to approval by the Superintendent, site administrators may designate as work days up to 5 weekend days where a site administrator is required to be present for an official school function. Other exceptions to the on-duty schedule may be approved by the Superintendent in extraordinary circumstances.

Certificated Administrative and Supervisory Employees and certificated Licensed Personnel are expected to designate district holidays as non-work days in accordance with Board Policy 4361 - Leaves. In the event a certificated employee believes it is necessary to schedule a district holiday as a workday, the employee shall obtain approval from his/her immediate supervisor in advance.

Employees are entitled to personal holidays each fiscal year in accordance with Board Policy 4361. Personal holidays may only be observed during the Thanksgiving, winter, spring, and/or Presidents week school recesses and shall be designated by the employee on their annual work calendar.

Additional Work Days

The Superintendent may approve additional work days where an employee is expected to perform work beyond the agreed-upon work year.

Overtime Compensation

District employees shall be paid an overtime rate of not less than one and one-half times their regular rate of pay for any hours worked in excess of eight hours in one day or 40 hours in one work week, or twice their regular rate of pay for any hours worked in excess of 12 hours in one day or eight hours on the seventh consecutive day of work. However, employees shall be exempt from overtime rules if they are employed as teachers or school administrators or if they qualify as being employed in an executive, administrative, or professional capacity and are paid a monthly salary that is at least twice the state minimum wage for full-time employment. (Labor Code 510, 515; 29 USC 213; 29 CFR 541.0-541.710, 553.27, 553.32)

When authorized in a collective bargaining agreement or other agreement between the district and employees, an employee may take compensatory time off in lieu of overtime compensation, provided the employee has not accrued compensatory time in excess of the limits specified in 29 USC 207. An employee who has requested the use of compensatory time shall be allowed to use such time within a

reasonable period after making the request if the use of the compensatory time does not unduly disrupt district operations. (29 USC 207; 29 CFR 553.20-553.25)

For each nonexempt employee, the Superintendent or designee shall maintain records on the employee's wages, hours, and other information specified in 29 CFR 516.5-516.6.

(cf. 3580 - District Records)

(cf. 4112.6/4212.6/4312.6 - Personnel Files)

Legal Reference:

EDUCATION CODE

[45022-45061.5](#) Salaries, especially:

[45023](#) Availability of salary schedule

[45028](#) Salary schedule for certificated employees

[45160-45169](#) Salaries for classified employees

[45268](#) Salary schedule for classified service in merit system districts

GOVERNMENT CODE

[3540-3549](#) Meeting and negotiating, especially:

[3543.2](#) Scope of representation

[3543.7](#) Duty to meet and negotiate in good faith

LABOR CODE

[226](#) Employee access to payroll records

232 Disclosure of wages

UNITED STATES CODE, TITLE 26

409A Deferred compensation plans

CODE OF FEDERAL REGULATIONS, TITLE 26

1.409A-1 Definitions and covered plans

Management Resources:

NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS

NEA and NSBA Joint Guidance on the Tax Consequences of Deferred Compensation - Section 409A of the Internal Revenue Code, January 2008

WEB SITES

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

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Policy ALAMEDA UNIFIED SCHOOL DISTRICT

adopted: August 25, 3009 Alameda, California

revised: March 2011

revised: February 11, 2014

revised:

Employee Compensation

◀ [Previous](#) | [Next](#) ▶

In order to recruit and retain employees committed to the district's goals for student learning, the Board of Education recognizes the importance of offering a competitive compensation package which includes salaries and health and welfare benefits.

This policy shall only apply to Administrative and Supervisory Employees, Confidential Employees and Licensed Personnel.

For purposes of this Employee Compensation policy, the following definitions shall apply:

1. Administrative and Supervisory Employee shall mean the following:
 - a. A certificated or classified employee in a position with responsibilities as defined in Government Code [3540.1](#)(m) and who is not subject to the district's collective bargaining agreements
 - b. A certificated or classified employee in a management position with responsibilities pursuant to Government Code [3540.1](#)(g)
2. Confidential Employee shall mean an employee in a position with responsibilities as defined in Section 3540.1(c) of the California Government Code.
3. Licensed Personnel shall mean an employee in the positions of psychologist, behavioral therapist or occupational therapist and who is not subject to the district's collective bargaining agreements.
4. Full Time Employee shall mean an employee who is regularly assigned to work five (5) days per week, seven (7) to eight (8) hours a day, 35 (thirty-five) to 40 (forty) hours per week, and who is employed for either the fiscal or academic year.

The Board shall adopt separate salary schedules for Administrative and Supervisory Employees, Confidential and Licensed Personnel. These schedules shall comply with law and be determined by the Board at the recommendation of the Superintendent or designee. (Education Code [45023](#), [45028](#))

Employees shall be placed on the appropriate salary schedule in accordance with the following: the number of verified years of management experience, ~~and the employee's salary for the immediate past school year. Initial placement on the salary schedule for promoted employees shall result in the employee receiving a higher per diem rate than the immediate past school year.~~

(cf. [4121](#) - Temporary/Substitute Personnel)

(cf. [4141/4241](#) - Collective Bargaining Agreement)

(cf. [4143/4243](#) - Negotiations/Consultation)

(cf. [4312.1](#) - Contacts)

If any bargaining unit in the district receives a compensation increase, the salary schedules of Administrative and Supervisory Employees, Confidential and Licensed Personnel shall receive the same increase.

The Superintendent or designee shall ensure that the district's payroll system complies with all applicable laws including, but not limited to, timelines regarding payment of compensation.

Work Year

The length of the work year and the required number of workdays for each position is identified on the applicable salary schedule.

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Legal Reference:

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[45023](#) Availability of salary schedule

[45028](#) Salary schedule for certificated employees

[45160-45169](#) Salaries for classified employees

[45268](#) Salary schedule for classified service in merit system districts

GOVERNMENT CODE

[3540-3549](#) Meeting and negotiating, especially:

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[3543.7](#) Duty to meet and negotiate in good faith

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Policy ALAMEDA UNIFIED SCHOOL DISTRICT

adopted: August 25, 3009 Alameda, California

revised: March 2011

revised: February 11, 2014

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(cf. 3580 - District Records)

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Legal Reference:

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[45022-45061.5](#) Salaries, especially:

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[45028](#) Salary schedule for certificated employees

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[3540-3549](#) Meeting and negotiating, especially:

[3543.2](#) Scope of representation

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Policy ALAMEDA UNIFIED SCHOOL DISTRICT

adopted: August 25, 3009 Alameda, California

revised: March 2011

revised: February 11, 2014

Interdistrict Attendance

[← Previous](#) | [Next →](#)

Students

BP 5117(a)

INTERDISTRICT ATTENDANCE

The Governing Board recognizes that parents/guardians of students who reside within the geographic boundaries of one district may, for a variety of reasons, desire to enroll their children in a school in another district.

(cf. ~~5111.1~~ 5111.1 - District Residency)

(cf. ~~5116.1~~ 5116.1 - Intradistrict Open Enrollment)

OPTION 1: Interdistrict Attendance Agreements and Permits

The Board may enter into an agreement with any other school district, for a term not to exceed five school years, for the interdistrict attendance of students who are residents of the districts. (Education Code ~~46600~~ 46600)

The agreement shall specify the terms and conditions under which interdistrict attendance shall be permitted or denied. It also may contain standards agreed ~~to~~ upon by both districts for reapplication and/or revocation of the student's permit. (Education Code ~~46600~~ 46600)

Upon receiving a permit for transfer into the district that has been approved by the student's district of residence, or upon receiving a written request from the parent/guardian of a district student who wishes to enroll in another district, the Superintendent or designee shall review the request and may approve or deny the permit subject to the terms and conditions of the interdistrict attendance agreement.

OPTION 2: School District of Choice Program

The Board has designated the district as a "school district of choice" and shall accept students who reside within other California school districts who wish to attend a district school.

The Board shall, by resolution, annually establish the number of students who will be accepted into the district through this program based on recommendations by the Superintendent or designee as to the number of transfer students the district will be able to accept and the schools, grades, and programs that will be able to accept the students. Once established, the district shall accept all students who apply to transfer into the district until the district is at maximum capacity, as required pursuant to Education Code 48301.

Students shall be admitted to district schools through an unbiased process that prohibits an inquiry into or evaluation or consideration of whether or not a student should be enrolled based upon the student's academic or athletic performance, physical condition, proficiency in English, any of the individual characteristics set forth in Education Code 200, or family income. (Education Code 48301)

If the number of transfer applications exceeds the number of transfers the Board has elected to accept, approval for transfer shall be determined by a random drawing held in public at a regularly scheduled Board meeting. (Education Code 48301)

BP 5117(b)

INTERDISTRICT ATTENDANCE (continued)

Because the district admits students in accordance with the school district of choice program, the Superintendent or designee shall not admit students based on individual interdistrict attendance permits pursuant to Education Code 46600-46610 except under extraordinary circumstances.

The Superintendent or designee shall keep an accounting of all requests for admittance through the school district of choice program and a record of their disposition, including, but not limited to, all of the following: (Education Code 48313)

1. The number of requests granted, denied, or withdrawn and, for denied requests, the reason for the denial
2. The number of students transferred into and out of the district pursuant to this program
3. The race, ethnicity, gender, self-reported socioeconomic status, eligibility for free or reduced-price meals, and the district of residence for each student transferred into or out of the district pursuant to this program
4. The number of students transferred into or out of the district pursuant to this program who are classified as English learners or students with disabilities
5. As applicable, the number of students described in items #3 and 4 above who are provided transportation assistance to a district school or program, and the total number of students provided transportation assistance, pursuant to the school district of choice program

The Superintendent or designee shall report to the Board, at a regularly scheduled meeting, the information specified in items #1-5 above. No later than October 15 of each year, the Superintendent or designee shall provide the same information for the current school year, as well as information regarding the district's status as a school district of choice in the upcoming school year, to each geographically adjacent school district, the county office of education, and the Superintendent of Public Instruction. (Education Code 48313)

The district's compliance with specified program requirements shall be reviewed as part of the annual district audit conducted pursuant to Education Code 41020. (Education Code 48301)

(cf. 3460 - Financial Reports and Accountability)

Transportation
The

Upon parent/guardian request, the district shall ~~not~~ provide transportation beyond any school attendance area. Upon assistance to a student receiving an interdistrict transfer who is eligible for free and reduced-price meals and is the

BP 5117(c)

INTERDISTRICT ATTENDANCE (continued)

child of an active duty military parent/guardian or a victim of bullying, as defined in Education Code 46600. (Education Code 46600)

(cf. 3553 - Free and Reduced Price Meals)

In addition, upon request of a student's parent/guardian, the Superintendent or designee may authorize transportation for ~~any~~ interdistrict transfer student to and from designated bus stops within the attendance area of the school that the student attends if space is available.

Legal Reference:

EDUCATION CODE

8151 Apprentices, exemption from interdistrict attendance agreement

41020 Annual district audits

46600-46610 Interdistrict attendance agreements

48204 Residency requirements for school attendance

48300-48317 Student attendance alternatives, school district of choice program

48900 Grounds for suspension or expulsion; definition of bullying

48915 Expulsion; particular circumstances

48915.1 Expelled individuals; enrollment in another district

48918 Rules governing expulsion procedures

48980 Notice at beginning of term

48985 Notices to parents in language other than English

52317 Regional occupational center/program, enrollment of students, interdistrict attendance

CALIFORNIA CONSTITUTION

Article I, Section 31 Nondiscrimination on the basis of race, sex, color, ethnicity, or national origin

COURT DECISIONS

Walnut Valley Unified School District v. the Superior Court of Los Angeles County (2011) 192 Cal.App.4th 234

Crawford v. Huntington Beach Union High School District (2002) 98 Cal.App.4th 1275

ATTORNEY GENERAL OPINIONS

87 Ops.Cal.Atty.Gen. 132 (2004)

84 Ops.Cal.Atty.Gen. 198 (2001)

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Management Resources:

WEB SITES

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

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~~Policy~~ ~~ALAMEDA UNIFIED SCHOOL DISTRICT~~ ~~CSBA~~ ~~MANUAL~~ ~~MAINTENANCE~~
~~SERVICE~~

~~adopted: August 25, 2009 Alameda, California~~

~~revised: January 25, 2011~~

~~revised: November 27, 2012~~

~~revised: May 14,~~ December 2019

INTERDISTRICT ATTENDANCE

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Transportation

Upon parent/guardian request, the district shall provide transportation assistance to a student receiving an interdistrict transfer who is eligible for free and reduced-price meals and is the child of an active duty military parent/guardian or a victim of bullying, as defined in Education Code 46600. (Education Code 46600)

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adopted: August 25, 2009 Alameda, California

revised: January 25, 2011

revised: November 27, 2012

revised: May 14, 2019

revised:

Courses Of Study

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Instruction

BP 6143(a)

COURSES OF STUDY

The Governing Board of Education recognizes that a well-aligned sequence of courses fosters academic progress and provides for the best possible use of instructional time. The district's course of study shall provide students with opportunities to attain the skills, knowledge, and abilities they need to be successful in school, college academically, professionally, and the workplace personally.

(cf. ~~6011~~ 6011 - Academic Standards)

(cf. ~~6141~~ 6141 - Curriculum Development and Evaluation)

(cf. ~~6161.1~~ 6161.1 - Selection and Evaluation of Instructional Materials)

The Superintendent or designee shall establish processes for ensuring the articulation of courses across grade levels within the district. As necessary, he/she also the Superintendent or designee shall work with representatives of appropriate area districts and postsecondary institutions to ensure articulation of courses with other institutions to which district students may matriculate. The sequence of courses shall be designed to ensure that each course provides adequate preparation for the next course in the sequence, only utilizes prerequisites that are essential to success in a given program or course, avoids significant duplication of content, and allows for reinforcement and progression in the subject matter.

The district shall not provide any course separately on the basis of sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability or require or refuse participation by any of its students on any such basis. (5 CCR 4940)

(cf. 0415 - Equity)

(cf. 5145.3 - Nondiscrimination/Harassment)

Elementary Grades

The Board shall adopt a course of study for elementary grades that sufficiently prepares students for the secondary course of study.

(cf. ~~6146.5~~ 6146.5 - Elementary/Middle School Graduation Requirements)

Secondary Grades

The district shall offer all otherwise qualified students in grades 7-12 a course of study that prepares them, upon graduation from high school, to meet the requirements and prerequisites

for admission to California public colleges and universities and to attain entry-level employment skills in business or industry. (Education Code ~~51228~~ 51228)

(cf. ~~5121~~ 5121 - Grades/Evaluation of Student Achievement)

(cf. ~~6141.5~~ 6141.5 - Advanced Placement)

(cf. ~~6146.1~~ 6146.1 - High School Graduation Requirements)

(cf. ~~6162.52~~ High School Exit Examination 6178)

(cf. ~~6178~~ - Career Technical Education)

BP 6143(b)

COURSES OF STUDY (continued)

In addition, the course of study for students in grades 9-12 shall include instruction in skills and knowledge for adult life, career technical training, and a timely opportunity for all otherwise qualified students to enroll, within four years ~~before graduation~~, in each course necessary to fulfill the requirements and prerequisites for admission to California public colleges and universities. ~~(Education Code 51224, 51228)~~ prior to graduation. (Education Code 51224, 51228)

The Superintendent or designee shall develop a process by which courses that meet California college admission criteria (referred to as "a-g" course requirements) are submitted to the University of California for review and certification. ~~He/she~~ The Superintendent or designee shall maintain an accurate list of all current high school courses that have been so certified, shall ensure that the list is provided annually to ~~each student~~ all students in grades 9-12 and their parents/guardians, and shall make updated lists readily available. __(Education Code ~~51229, 66204~~ 51229, 66204)

Legal Reference:

EDUCATION CODE

~~33319.3~~ 33319.3 *Driver education; CDE materials on road rage*

~~33540~~ 33540 *Government and civics instruction in interaction with government agencies*

~~48980~~ 48980 *Parental notifications*

~~51202~~ 51202 *Instruction in personal and public health and safety*

~~51203~~ 51203 *Instruction on alcohol, narcotics and restricted dangerous drugs*

~~51204~~ 51204 *Course of study designed for student's needs*

~~51204.5~~ 51204.5 *Social science instruction; history of California; contributions of various groups*

~~51210~~ 51212 51210-51212 *Course of study for grades 1-6*

~~51220~~ 51229 51220-51229 *Course of study for grades 7-12*

~~51241~~ 51241 *Exemption from physical education*

~~51911~~ 51921 Comprehensive health education

~~51930~~ 51939 51911-51921 *Comprehensive health education*

~~51930~~ 51939 *Comprehensive sexual health and HIV/AIDS prevention instruction*

~~51940~~ 51940 *Curriculum for brain and spinal cord injury prevention*

53278-53280 Supplemental School Counseling Program

~~60040-60052~~ ~~60040-60052~~ Requirements for instructional materials

~~66204-66204~~ Certification of high school courses as meeting university admission criteria

HEALTH AND SAFETY CODE

~~11032-Definition~~ ~~11032~~ Definitions of dangerous drugs

CODE OF REGULATIONS, TITLE 5

~~10020-10049~~ ~~4940~~ Nondiscrimination; course access

10020-10043 Automobile driver education and training

~~10060-10060~~ Physical education program

UNITED STATES CODE, TITLE 20

~~6101-6251~~ ~~6111-6251~~ School-to-Work Opportunities Act of 1994

Management Resources: (see next page)

BP 6143(c)

COURSES OF STUDY (continued)

Management Resources:

WEB SITES

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

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

American Health Association: <https://www.heart.org>

American Red Cross, Hands-Only CPR: <https://www.redcross.org/take-a-class>

California Career Resource Network: <http://www.californiacareers.info>
<http://www.californiacareers.info>

California Colleges.edu: <http://www.californiacolleges.edu> <http://www.californiacolleges.edu>

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

California State University, Admission

Requirements: http://www.csumentor.edu/planning/high_school

http://www.csumentor.edu/planning/high_school

University of California, a-g Course Submissions: <http://www.ucop.edu/a-gGuide/ag/> <https://hs-articulation.ucop.edu/guide/update-your-a-g-list/submitting-courses>

course_submissions

University of California, List of Approved a-g
Courses: <http://www.universityofcalifornia.edu/admissions/freshman/requirements>
<https://hs-articulation.ucop.edu/agcourselist>

Policy ~~ALAMEDA UNIFIED SCHOOL DISTRICT~~ CSBA MANUAL MAINTENANCE
SERVICE

adopted: ~~August 25, 2009 Alameda, California~~ December 2019

~~revised: May 8, 2012~~

COURSES OF STUDY

The Governing Board recognizes that a well-aligned sequence of courses fosters academic growth and provides for the best possible use of instructional time. The district's course of study shall provide students with opportunities to attain the skills, knowledge, and abilities they need to be successful academically, professionally, and personally.

(cf. 6011 - Academic Standards)

(cf. 6141 - Curriculum Development and Evaluation)

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

The Superintendent or designee shall establish processes for ensuring the articulation of courses across grade levels within the district. As necessary, the Superintendent or designee shall work with representatives of appropriate area districts and postsecondary institutions to ensure articulation of courses with other institutions to which district students may matriculate. The sequence of courses shall be designed to ensure that each course provides adequate preparation for the next course in the sequence, only utilizes prerequisites that are essential to success in a given program or course, avoids significant duplication of content, and allows for reinforcement and progression in the subject matter.

The district shall not provide any course separately on the basis of sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability or require or refuse participation by any of its students on any such basis. (5 CCR 4940)

(cf. 0415 - Equity)

(cf. 5145.3 - Nondiscrimination/Harassment)

Elementary Grades

The Board shall adopt a course of study for elementary grades that sufficiently prepares students for the secondary course of study.

(cf. 6146.5 - Elementary/Middle School Graduation Requirements)

Secondary Grades

The district shall offer all otherwise qualified students in grades 7-12 a course of study that prepares them, upon graduation from high school, to meet the requirements and prerequisites for admission to California public colleges and universities and to attain entry-level employment skills in business or industry. (Education Code 51228)

(cf. 5121 - Grades/Evaluation of Student Achievement)

(cf. 6141.5 - Advanced Placement)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6178 - Career Technical Education)

In addition, the course of study for students in grades 9-12 shall include instruction in skills and knowledge for adult life, career technical training, and a timely opportunity for all otherwise qualified students to enroll, within four years, in each course necessary to fulfill the requirements and prerequisites for admission to California public colleges and universities prior to graduation. (Education Code 51224, 51228)

The Superintendent or designee shall develop a process by which courses that meet California college admission criteria (referred to as "a-g" course requirements) are submitted to the University of California for review and certification. The Superintendent or designee shall maintain an accurate list of all current high school courses that have been so certified, shall ensure that the list is provided annually to all students in grades 9-12 and their parents/guardians, and shall make updated lists readily available. (Education Code 51229, 66204)

Legal Reference:

EDUCATION CODE

33319.3 Driver education; CDE materials on road rage

33540 Government and civics instruction in interaction with government agencies

48980 Parental notifications

51202 Instruction in personal and public health and safety

51203 Instruction on alcohol, narcotics and restricted dangerous drugs

51204 Course of study designed for student's needs

51204.5 Social science instruction; history of California; contributions of various groups

51210-51212 Course of study for grades 1-6

51220-51229 Course of study for grades 7-12

51241 Exemption from physical education

51911-51921 Comprehensive health education

51930-51939 Comprehensive sexual health and HIV/AIDS prevention instruction

51940 Curriculum for brain and spinal cord injury prevention

60040-60052 Requirements for instructional materials

66204 Certification of high school courses as meeting university admission criteria

HEALTH AND SAFETY CODE

11032 Definitions of dangerous drugs

CODE OF REGULATIONS, TITLE 5

4940 Nondiscrimination; course access

10020-10043 Automobile driver education and training

10060 Physical education program

UNITED STATES CODE, TITLE 20

6111-6251 School-to-Work Opportunities Act of 1994

Management Resources:

WEB SITES

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

American Health Association: <https://www.heart.org>

American Red Cross, Hands-Only CPR: <https://www.redcross.org/take-a-class>

California Career Resource Network: <http://www.californiacareers.info>

California Colleges.edu: <http://www.californiacolleges.edu>

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

California State University, Admission Requirements: http://www.csumentor.edu/planning/high_school

University of California, a-g Course Submissions: <https://hs-articulation.ucop.edu/guide/update-your-a-g-list/submitting-courses>

University of California, List of Approved a-g Courses: <https://hs-articulation.ucop.edu/agcourselist>

Policy ALAMEDA UNIFIED SCHOOL DISTRICT

adopted: August 25, 2009 Alameda, California

revised: May 8, 2012

revised:

Instruction**Enrollment**

With the exception of programs specified in Education Code 52570, adult education classes shall be located in a facility which clearly identifies the class as being open to the general public. (Education Code 52517, 52570)

Adults shall have first priority for enrollment in any adult education class, provided they enroll during the regular enrollment period. (Education Code 52523)

For purposes of the Adult Education Block Grant pursuant to Education Code 84900-84920, adults include persons 18 years of age or older. For other adult education programs, adults include persons age 18 or older and other persons not concurrently enrolled in a regular high school program. However, high school students may be concurrently enrolled in adult education under the conditions specified in the section "Concurrent Enrollment of High School Students" below. (Education Code 52610, 84901)

Concurrent Enrollment of High School Students

High school students shall be permitted to enroll in an adult education program, course, or class for sound educational purposes, including, but not limited to, the following: (Education Code 52523)

1. The adult education program, course, or class is not offered in the regular high school curriculum.
2. The student needs the adult education program, course, or class in order to make up deficient credits for graduation from high school.

(cf. 6146.1 - High School Graduation Requirements)

3. The adult education program, course, or class allows the student to gain vocational and technical skills beyond that provided by the regular high school's career technical education program.

(cf. 6178 - Career Technical Education)

4. The adult education program, course, or class supplements and enriches the high school student's educational experience.

High school students are expected to enroll in regular high school classes before seeking admission to any similar classes offered in the adult education program. A failed course, however, may be

repeated through adult education.

Before enrolling in an adult education class, the high school student shall complete a counseling session that includes his/her parent/guardian and a certificated representative of the high school. The certificated high school representative shall ensure that the student's school record includes written documentation of the counseling session and both of the following statements: (Education Code 52500.1, 52523)

1. That the student is enrolling voluntarily in the adult education course or class
2. That this enrollment will enhance the student's progress toward meeting educational requirements for high school graduation

The above statement shall be signed by the student, the parent/guardian, and the certificated high school representative.

(cf. 6164.2 - Guidance/Counseling Services)

Classes offered in the district's adult education program shall supplement and not supplant the regular high school curriculum. No course required by the district for high school graduation or necessary for students to maintain satisfactory academic progress shall be offered exclusively through the adult education program. (Education Code 52523)

Programs and Courses

Adult education classes or courses shall offer instruction in one or more of the following: (Education Code 41976, 84913)

1. Programs in elementary and secondary basic skills, including programs leading to a high school diploma or high school equivalency certificate

(cf. 6146.2 - Certificate of Proficiency/High School Equivalency)

2. Programs for immigrants eligible for educational services in citizenship, English as a second language, and workforce preparation
3. Programs for adults, including, but not limited to, older adults, that are primarily related to entry or reentry into the workforce
4. Programs for adults, including, but not limited to, older adults, that are primarily designed to develop knowledge and skills to assist elementary and secondary students to succeed academically in school
5. Programs for adults with disabilities
6. Short-term career technical education programs with high employment potential

7. Programs offering pre-apprenticeship training activities in coordination with one or more approved apprenticeship programs
8. Programs in parenting, including parent cooperative preschools, and classes in child growth and development, parent-child relationships, and parenting
9. English as a second language
10. Programs for older adults
11. Home economics
12. Health and safety education

The Superintendent or designee shall annually submit to the California Department of Education for approval the titles of classes that have been approved by the Governing Board to be offered in any of the program areas listed above.

Adults also may be enrolled in community service classes offered by the district. (Education Code 51811)

(cf. 6146.4 - Service Learning/Community Service Classes)

All adult education programs, courses, and classes and their enrollment period shall be published in the district's catalog of adult education classes provided to the public. (Education Code 52523)

Independent Study

The Superintendent or designee may make independent study available as an instructional strategy for students enrolled in adult education as appropriate to meet their individual needs.

(cf. 6158 - Independent Study)

Participation in independent study shall be voluntary. (Education Code 51747)

Any course taken through independent study shall be a course listed in Education Code 51225.3 or otherwise required by the Board for high school graduation. (Education Code 46300.4)

An adult who has been continuously enrolled in K-12 education since his/her 18th birthday may remain engaged in K-12 independent study until his/her 21st birthday. (Education Code 46300.1)

Fees

No fee shall be charged for the following adult education programs or classes: (Education Code 52612, 52613)

1. A class for which high school credit is granted, if the class is taken by an individual who does not hold a high school diploma.

2. A class in an elementary subject or a class in English as a second language or citizenship, ~~unless the student is a nonimmigrant alien with an F-1 visa status. Any nonimmigrant enrolled in these classes shall be charged a fee to cover the full cost of the instruction, not to exceed actual costs. The fee shall be adopted by the Board at a regular meeting at least 90 days before the beginning of the class for which the fee is charged.~~

Except for those fees required by law, the payment of fees may be waived in cases of hardship at the recommendation of the Superintendent or designee.

The Board may fix a charge, not to exceed cost, for books furnished to adult education students. In some cases books may be obtained from the district at cost or may be obtained on loan with the payment of a refundable deposit. In addition, materials purchased from the incidental expense account may be sold to adult school students for use in their classes. (Education Code 52615, 60410)

(cf. 3260 - Fees and Charges)

Regulation ALAMEDA UNIFIED SCHOOL DISTRICT

approved: September 28, 1999 Alameda, California

revised: August 25, 2009

revised:

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(cf. 3260 - Fees and Charges)

Regulation ALAMEDA UNIFIED SCHOOL DISTRICT

approved: September 28, 1999 Alameda, California

revised: August 25, 2009

revised:

Adult Education

◀ [Previous](#) | [Next](#) ▶

ALAMEDA ADULT SCHOOL

Beginning June 2004, all graduates will be required to pass 10 units of Algebra.

The Alameda Unified School District Adult School high school diploma may be granted to students who successfully complete the requirements in either of the following:

PLAN I

~~40~~ 30 Units English

20 Units Mathematics

20 Units Physical/Biological Science

10 Units United States History

10 Units World History and Geography

5 Units American Government

5 Units Economics

20 Units Foreign Language/Vocational Education/Fine Arts/Languages

10 Units Elective

Alameda Adult Postsecondary School Portfolio

A minimum of 10 units must be completed at Alameda Adult School. (Five units for former AUSD students)

Pass the AUSD Competency Tests

PLAN II

10 Units English

10 Units United States History

5 Units American Government

5 Units Economics

Alameda Adult Postsecondary School Portfolio

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Pass a high school equivalency test approved by the California Department of Education.

Pass the AUSD Competency Tests

Exhibit ALAMEDA UNIFIED SCHOOL DISTRICT

version: August 25, 2009 Alameda, California

revised: November 14, 2017

Adult Education

◀ [Previous](#) | [Next](#) ▶

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Exhibit ALAMEDA UNIFIED SCHOOL DISTRICT

version: August 25, 2009 Alameda, California

revised: November 14, 2017

Architectural And Engineering Services

~~In order~~ **Facilities**

BP 7140(a)

ARCHITECTURAL AND ENGINEERING SERVICES

~~The Governing Board desires to ensure safe construction and protect~~ provide school facilities that support the investment of public funds educational program and meet all applicable safety and design standards. When required by law, the Board of Education requires that shall employ or contract with a licensed and certified architect and/or structural engineer ~~be employed~~ to design and supervise the construction of district schools and other facilities.

(cf. 7110 - Facilities Master Plan)

The architect and/or structural engineer shall be responsible for preparing all construction plans, specifications, and estimates and for the observation of the work of construction. (Education Code 17302)

To ensure compliance with state design and safety standards, preliminary and final plans for any state-funded school facility project, including Board-approved educational specifications for school design when necessary, shall be submitted to the California Department of Education and the Department of General Services, Division of the State Architect. (Education Code 17267; 5 CCR 14030-14032)

The Superintendent or designee shall devise a competitive process for the selection of architects ~~and~~ structural engineers, and other design professionals that is based on demonstrated competence and on the professional qualifications necessary for the satisfactory performance of the services required. For each project, ~~he/she~~ the Superintendent or designee shall recommend ~~specific~~ architectural and engineering firms to the Board for approval. The Board shall pay fair and reasonable amounts warranted by the provider's qualifications and competence. The Board need not select the lowest responsible bidder.

(cf. 3311 - Bids)

(cf. 3311.3 - Design-Build Contracts)

Legal Reference: (see next page)

ARCHITECTURAL AND ENGINEERING SERVICES (continued)

Legal Reference:

EDUCATION CODE

~~17070.50~~ 17070.10-17079.30 *Leroy F. Greene School Facilities Act, especially:*
17070.50 *Conditions for apportionment*

~~17280-17316~~ Approvals, especially:

~~17302~~ 17250.10-17250.55 *Design-build contracts*

17251 *School construction; duties of the California Department of Education*

17262-17268 *School construction plans*

17280-17316 *Approvals, especially:*

17302 *Persons qualified to prepare plans, specifications and estimates and supervise construction*

~~17316~~ 17316 *Contract provision ~~re~~regarding school district property*

~~17371~~ 17371 *Limitation on liability of governing board*

BUSINESS AND PROFESSIONS CODE

5500-5502 *Architecture*

5550-5558 *Architects, licensure*

6700-6706.3 *Engineers*

6750-6766 *Engineers, licensure*

GOVERNMENT CODE

~~4525~~ ~~4529.5~~ ~~4525-4529.5~~ *Contracts with private architects, engineering, land surveying, and construction project management firms*

~~14837~~ 14837 *Definition of small business*

~~87100~~ 87100 *Public officials; financial interest*

PUBLIC CONTRACT CODE

~~20111~~ 20111 *School district contracts*

~~Policy~~ ALAMEDA UNIFIED CODE OF REGULATIONS, TITLE 5

14001 *Minimum standards for school facilities*

14030-14036 *Standards, planning, and approval of school facilities*

CODE OF REGULATIONS, TITLE 24

101 et seq. *California Building Standards Code*

CALIFORNIA CONSTITUTION

Article 22 *Architectural and engineering services*

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Plan Submission Requirements for Modernization Projects, Form SFPD 4.08

Plan Submission Requirements for New Construction, Form SFPD 4.07

OFFICE OF PUBLIC SCHOOL DISTRICT CONSTRUCTION PUBLICATIONS

School Facility Program Handbook, January 2019

WEB SITES

American Institute of Architects California Council: <https://aiacalifornia.org>

California Department of Education, Facilities: <http://www.cde.ca.gov/lr/fa>

Department of General Services, Division of the State Architect: <https://www.dgs.ca.gov/DSA>
Department of General Services, Office of Public School Construction: <https://www.dgs.ca.gov/OPSC>

Policy CSBA MANUAL MAINTENANCE SERVICE
adopted: ~~August 25, 2009 Alameda, California~~ October 2019

ARCHITECTURAL AND ENGINEERING SERVICES

The Governing Board desires to provide school facilities that support the educational program and meet all applicable safety and design standards. When required by law, the Board shall employ or contract with a licensed and certified architect and/or structural engineer to design and supervise the construction of district schools and other facilities.

(cf. 7110 - Facilities Master Plan)

The architect and/or structural engineer shall be responsible for preparing all construction plans, specifications, and estimates and for the observation of the work of construction. (Education Code 17302)

To ensure compliance with state design and safety standards, preliminary and final plans for any state-funded school facility project, including Board-approved educational specifications for school design when necessary, shall be submitted to the California Department of Education and the Department of General Services, Division of the State Architect. (Education Code 17267; 5 CCR 14030-14032)

The Superintendent or designee shall devise a competitive process for the selection of architects, structural engineers, and other design professionals that is based on demonstrated competence and on the professional qualifications necessary for the satisfactory performance of the services required. For each project, the Superintendent or designee shall recommend architectural and engineering firms to the Board for approval. The Board shall pay fair and reasonable amounts warranted by the provider's qualifications and competence. The Board need not select the lowest responsible bidder.

(cf. 3311 - Bids)

(cf. 3311.3 - Design-Build Contracts)

Legal Reference:

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17070.10-17079.30 *Leroy F. Greene School Facilities Act, especially:*

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17250.10-17250.55 *Design-build contracts*

17251 *School construction; duties of the California Department of Education*

17262-17268 *School construction plans*

17280-17316 *Approvals, especially:*

17302 *Persons qualified to prepare plans, specifications and estimates and supervise construction*

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CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Plan Submission Requirements for Modernization Projects, Form SFPD 4.08
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OFFICE OF PUBLIC SCHOOL CONSTRUCTION PUBLICATIONS
School Facility Program Handbook, January 2019
WEB SITES
American Institute of Architects California Council: <https://aiacalifornia.org>
California Department of Education, Facilities: <http://www.cde.ca.gov/ls/fa>
Department of General Services, Division of the State Architect: <https://www.dgs.ca.gov/DSA>
Department of General Services, Office of Public School Construction: <https://www.dgs.ca.gov/OPSC>

adopted: August 25, 2009 Alameda, California

revised: