

**Policy 0410: Nondiscrimination In District Programs And Activities**

**Status: ADOPTED**

**Original Adopted Date:** 08/25/2009 | **Last Revised Date:** 03/22/2022 | **Last Reviewed Date:** 03/22/2022

This policy shall apply to all acts related to a school activity or school attendance and to all acts of the Governing Board and the Superintendent in enacting policies and procedures that govern the district.

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

All individuals shall be treated equitably in the receipt of district and school services. Personally identifiable information collected in the implementation of any district program, including, but not limited to, student and family information for the free and reduced-price lunch program, transportation, or any other educational program, shall be used only for the purposes of the program, except when the Superintendent or designee authorizes its use for another purpose in accordance with law. Resources and data collected by the district shall not be used, directly or by others, to compile a list, registry, or database of individuals based on race, gender, sexual orientation, religion, ethnicity, national origin, or immigration status or any other category identified above.

District programs and activities shall be free of any discriminatory use, selection, or rejection of textbooks, instructional materials, library books, or similar educational resources.

The use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or other resource in a school library shall not be rejected or prohibited by the Board or district on the basis that it includes a study of the role and contributions of any individual or group consistent with the requirements of Education Code 51204.5 and 60040, unless such study would violate Education Code 51501 or 60044. (Education Code 243)

District programs and activities shall be free of any racially derogatory or discriminatory school or athletic team names, mascots, or nicknames.

The Superintendent or designee shall annually review district programs and activities to ensure the removal of any derogatory or discriminatory name, image, practice, or other barrier that may unlawfully prevent an individual or group in any of the protected categories stated above from accessing district programs and activities. He/she shall take prompt, reasonable actions to remove any identified barrier. The Superintendent or designee shall report his/her findings and recommendations to the Board after each review.

All allegations of unlawful discrimination in district programs and activities shall be investigated and resolved in accordance with the procedures specified in AR 1312.3 - Uniform Complaint Procedures.

Pursuant to 34 CFR 104.8 and 34 CFR 106.9, the Superintendent or designee shall notify students, parents/guardians, employees, employee organizations, applicants for admission and employment, and sources of referral for applicants about the district's policy on nondiscrimination and related complaint procedures. Such notification shall be included in the annual parental notification distributed pursuant to Education Code 48980 and, as applicable, in announcements, bulletins, catalogs, handbooks, application forms, or other materials distributed by the district. The notification shall also be posted on the district's web site and social media and in district schools and offices, including staff lounges, student government meeting rooms, and other prominent locations as appropriate.

In addition, the annual parental notification shall inform parents/guardians of their children's right to a free public education regardless of immigration status or religious beliefs, including information on educational rights issued by the California Attorney General. Alternatively, such information may be provided through any other cost-effective means determined by the Superintendent or designee. (Education Code 234.7)

The district's nondiscrimination policy and related informational materials shall be published in a format that parents/guardians can understand. In addition, when 15 percent or more of a school's students speak a single primary language other than English, those materials shall be translated into that other language.

### **Access for Individuals with Disabilities**

District programs and facilities, viewed in their entirety, shall be in compliance with the Americans with Disabilities Act (ADA) and any implementing standards and/or regulations. When structural changes to existing district facilities are needed to provide individuals with disabilities access to programs, services, activities, or facilities, the Superintendent or designee shall develop a transition plan that sets forth the steps for completing the changes.

The Superintendent or designee shall ensure that the district provides appropriate auxiliary aids and services when necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program, or activity. These aids and services may include, but are not limited to, qualified interpreters or readers, **Communication Accessed Realtime Translation services**, assistive listening devices, assistive technologies or other modifications to increase accessibility to district and school web sites, note takers, written materials, taped text, and Braille or large-print materials. Individuals with disabilities shall notify the Superintendent or principal if they have a disability that requires special assistance or services. Reasonable notification should be given prior to a school-sponsored function, program, or meeting.

The individual identified in Administrative Regulation 1312.3 - Uniform Complaint Procedures as the employee responsible for coordinating the district's response to complaints and for complying with state federal civil rights laws is hereby designated as the district's ADA coordinator. The compliance officer shall receive and address requests for accommodation submitted by individuals with disabilities, and shall investigate and resolve complaints regarding their access to district programs, services, activities, or facilities.

**(title or position)**

(address)

(telephone number)

(email)

~~Persons requesting auxiliary aids and services shall make all reasonable efforts to give the District at least ten (10) business days' notice of the need for auxiliary aids and services by submitting a written request for such services to the ADA Coordinator.~~

~~The failure to provide the District with the (10) business days' notice of the needs for an auxiliary aid or service shall not, on its own, be just cause to deny such a request. In the event a request for auxiliary aids and services is submitted within less than (10) business days' notice, the District shall still make all reasonable efforts to furnish the appropriate auxiliary aids and services.~~

~~When the District receives a request for auxiliary aids and/or services for an individual with a disability at least ten (10) business days prior to needing the aid or services, the District shall respond in writing, unless the timing of the request precludes or renders a written response unnecessary, impractical, or unfeasible.~~

~~The district's ADA coordinator shall receive and address requests for accommodation submitted by individuals with disabilities, and shall investigate and resolve complaints regarding their access to district programs, services, activities, or facilities.~~

~~ADA Coordinator  
2060 Challenger Dr.  
Alameda, CA 94501  
(510) 337.7101  
klonergan@alamedaunified.org~~

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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	Description
5 CCR 4600-4670	Uniform complaint procedures
5 CCR 4900-4965	Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance
Ed. Code 200-262.4	<a href="#">Prohibition of discrimination</a>
Ed. Code 48980	<a href="#">Parent/Guardian notifications</a>
Ed. Code 48985	<a href="#">Notices to parents in language other than English</a>
Ed. Code 51007	<a href="#">Legislative intent: state policy</a>
Ed. Code 51204.5	<a href="#">Social sciences instruction; contributions of specified groups</a>
Ed. Code 51501	<a href="#">Nondiscriminatory subject matter</a>
Ed. Code 60010	<a href="#">Instructional materials; definition</a>

Ed. Code 60040-60052	<a href="#">Requirements for instructional materials</a>
Gov. Code 11000	<a href="#">Definitions</a>
Gov. Code 11135	<a href="#">Prohibition of discrimination</a>
Gov. Code 12900-12996	<a href="#">Fair Employment and Housing Act</a>
Gov. Code 54953	Meetings; Americans with Disabilities Act accessibility
Gov. Code 54953.2	<a href="#">Brown Act compliance with Americans with Disabilities Act</a>
Gov. Code 8310.3	<a href="#">California Religious Freedom Act</a>
Pen. Code 422.55	<a href="#">Definition of hate crime</a>
Pen. Code 422.6	<a href="#">Crimes; harassment</a>
<b>Federal</b>	<b>Description</b>
20 USC 1400-1482	Individuals with Disabilities Education Act
20 USC 1681-1688	Title IX of the Education Amendments of 1972; discrimination based on sex
20 USC 2301-2414	<a href="#">Strengthening Career and Technical Education for the 21st Century Act</a>
20 USC 6311	State plan
20 USC 6312	Local educational agency plan
28 CFR 35.101-35.190	Americans with Disabilities Act
28 CFR 36.303	Nondiscrimination on the basis of disability, public accommodations, auxiliary aids, and services
29 USC 794	Rehabilitation Act of 1973; Section 504
34 CFR 100.1-100.13	Nondiscrimination in federal programs; effectuating Title VI
34 CFR 104.1-104.39	Section 504 of the Rehabilitation Act of 1973
34 CFR 106.1-106.82	Discrimination on the basis of sex; effectuating Title IX
42 USC 12101-12213	Americans with Disabilities Act
42 USC 2000d-2000d-7	Title VI, Civil Rights Act of 1964
42 USC 2000e-2000e-17	Title VII, Civil Rights Act of 1964, as amended
<b>Management Resources</b>	<b>Description</b>
CA Civil Rights Department Publication	<a href="#">California Law Prohibits Workplace Discrimination and Harassment</a>
CA Department of Health Care Services Publication	Policy and Procedures Letter No. 21-017R, December 2021
CA Department of Health Care Services Publication	Policy and Procedures Letter No. 23-004, February 2023
CA Office of the Attorney General Publication	<a href="#">Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues, April 2018</a>

CSBA Publication	Parental and Student Rights in Relation to Transgender and Gender Nonconforming Students, Recently Asked Questions, August 2023
CSBA Publication	<a href="#">Legal Guidance on Rights of Transgender and Gender Nonconforming Students in Schools, October 2022</a>
U.S. DOE & U.S. DOJ Civil Rights Divisions Pub	<a href="#">Dear Colleague Letter: Resource on Confronting Racial Discrimination in Student Discipline, May 2023</a>
U.S. DOE, Office for Civil Rights Publication	<a href="#">Supporting Transgender Youth in School, June 2021</a>
U.S. DOE, Office for Civil Rights Publication	<a href="#">Dear Colleague Letter: Frequently Asked Questions About the June 29, 2010, Dear Colleague Letter, May 26, 2011</a>
U.S. DOE, Office for Civil Rights Publication	<a href="#">Nondiscrimination in Employment Practices in Education, August 1991</a>
U.S. DOE, Office for Civil Rights Publication	<a href="#">Dear Colleague Letter: Race and School Programming, August 2023</a>
U.S. DOE, Office for Civil Rights Publication	<a href="#">Dear Colleague Letter: Electronic Book Readers, June 29, 2010</a>
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Harassment and Bullying, October 2010
U.S. DOJ, Civil Rights Division Publication	Guidance on Web Accessibility and the ADA, March 2022
U.S. DOJ, Civil Rights Division Publication	<a href="#">Accessibility of State and Local Government Websites to People with Disabilities, February 2020</a>
U.S. DOJ, Civil Rights Division Publication	<a href="#">2010 ADA Standards for Accessible Design, September 2010</a>
Website	<a href="#">CSBA District and County Office of Education Legal Services</a>
Website	<a href="#">California Office of the Attorney General</a>
Website	<a href="#">World Wide Web Consortium, Web Accessibility Initiative</a>
Website	<a href="#">Pacific ADA Center</a>
Website	<a href="#">U.S. Department of Justice, Civil Rights Division, Disability Rights Section</a>
Website	<a href="#">California Safe Schools Coalition</a>
Website	<a href="#">CSBA</a>
Website	<a href="#">California Department of Education</a>
Website	<a href="#">California Civil Rights Department</a>
Website	<a href="#">U.S. Equal Employment Opportunity Commission</a>
Website	<a href="#">U.S. Department of Education, Office for Civil Rights</a>
Website	<a href="#">California Department of Health Care Services</a>
World Wide Web Consortium Publication	Web Content Accessibility Guidelines, December 2008

## Cross References

Code	Description
0100	<a href="#">Philosophy</a>
0415	<a href="#">Equity</a>
0415	<a href="#">Equity</a>
0450	<a href="#">Comprehensive Safety Plan</a>
0450	<a href="#">Comprehensive Safety Plan</a>
1100	<a href="#">Communication With The Public</a>
1100	<a href="#">Communication With The Public</a>
1113	<a href="#">District And School Websites</a>
1113	<a href="#">District And School Websites</a>
1113-E PDF(1)	<a href="#">District And School Websites</a>
1114	<a href="#">District-Sponsored Social Media</a>
1230	<a href="#">School-Connected Organizations</a>
1230	<a href="#">School-Connected Organizations</a>
1240	<a href="#">Volunteer Assistance</a>
1240	<a href="#">Volunteer Assistance</a>
1260	<a href="#">Educational Foundation</a>
1312.2	<a href="#">Complaints Concerning Instructional Materials</a>
1312.2	<a href="#">Complaints Concerning Instructional Materials</a>
1312.2-E PDF(1)	<a href="#">Complaints Concerning Instructional Materials</a>
1312.3	<a href="#">Uniform Complaint Procedures</a>
1312.3	<a href="#">Uniform Complaint Procedures</a>
1312.3-E PDF(1)	<a href="#">Uniform Complaint Procedures</a>
1312.4	<a href="#">Williams Uniform Complaint Procedures</a>
1312.4-E PDF(1)	<a href="#">Williams Uniform Complaint Procedures</a>
1325	<a href="#">Advertising And Promotion</a>
1330	<a href="#">Use Of School Facilities</a>
1330	<a href="#">Use Of School Facilities</a>
1330-E PDF(1)	<a href="#">Use Of School Facilities</a>
3260	<a href="#">Fees And Charges</a>
3260	<a href="#">Fees And Charges</a>
3270	<a href="#">Sale And Disposal Of Books, Equipment And Supplies</a>

3270	<a href="#">Sale And Disposal Of Books, Equipment And Supplies</a>
3311	<a href="#">Bids</a>
3311	<a href="#">Bids</a>
3530	<a href="#">Risk Management/Insurance</a>
3530	<a href="#">Risk Management/Insurance</a>
3540	<a href="#">Transportation</a>
3540	<a href="#">Transportation</a>
3541.2	<a href="#">Transportation For Students With Disabilities</a>
3541.2	<a href="#">Transportation For Students With Disabilities</a>
3551	<a href="#">Food Service Operations/Cafeteria Fund</a>
3551	<a href="#">Food Service Operations/Cafeteria Fund</a>
3552	<a href="#">Summer Meal Program</a>
3553	<a href="#">Free And Reduced Price Meals</a>
3553	<a href="#">Free And Reduced Price Meals</a>
3555	<a href="#">Nutrition Program Compliance</a>
3555-E PDF(1)	<a href="#">Nutrition Program Compliance</a>
3600	<a href="#">Consultants</a>
4030	<a href="#">Nondiscrimination In Employment</a>
4030	<a href="#">Nondiscrimination In Employment</a>
4032	<a href="#">Reasonable Accommodation</a>
4033	<a href="#">Lactation Accommodation</a>
4040	<a href="#">Employee Use Of Technology</a>
4040	<a href="#">Employee Use Of Technology</a>
4111	<a href="#">Recruitment And Selection</a>
4111.2	<a href="#">Legal Status Requirement</a>
4111.2	<a href="#">Legal Status Requirement</a>
4119.11	<a href="#">Sexual Harassment</a>
4119.11	<a href="#">Sexual Harassment</a>
4119.21	<a href="#">Professional Standards</a>
4119.21-E PDF(1)	<a href="#">Professional Standards</a>
4119.22	<a href="#">Dress And Grooming</a>
4131	<a href="#">Staff Development</a>
4131	<a href="#">Staff Development</a>

4144	<a href="#">Complaints</a>
4144	<a href="#">Complaints</a>
4161.8	<a href="#">Family Care And Medical Leave</a>
4211	<a href="#">Recruitment And Selection</a>
4211.2	<a href="#">Legal Status Requirement</a>
4211.2	<a href="#">Legal Status Requirement</a>
4212.9	<a href="#">Employee Notifications</a>
4212.9	<a href="#">Employee Notifications</a>
4212.9-E PDF(1)	<a href="#">Employee Notifications</a>
4219.11	<a href="#">Sexual Harassment</a>
4219.11	<a href="#">Sexual Harassment</a>
4219.21	<a href="#">Professional Standards</a>
4219.21-E PDF(1)	<a href="#">Professional Standards - Code Of Ethics Classified Employees</a>
4219.22	<a href="#">Dress And Grooming</a>
4244	<a href="#">Complaints</a>
4244	<a href="#">Complaints</a>
4261.8	<a href="#">Family Care And Medical Leave</a>
4311	<a href="#">Recruitment And Selection</a>
4311	<a href="#">Recruitment And Selection</a>
4311.2	<a href="#">Legal Status Requirement</a>
4311.2	<a href="#">Legal Status Requirement</a>
4312.9	<a href="#">Employee Notifications</a>
4312.9	<a href="#">Employee Notifications</a>
4312.9-E PDF(1)	<a href="#">Employee Notifications</a>
4319.11	<a href="#">Sexual Harassment</a>
4319.11	<a href="#">Sexual Harassment</a>
4319.21	<a href="#">Professional Standards</a>
4319.21-E PDF(1)	<a href="#">Professional Standards</a>
4319.22	<a href="#">Dress And Grooming</a>
4331	<a href="#">Staff Development</a>
4331	<a href="#">Staff Development</a>
4344	<a href="#">Complaints</a>
4344	<a href="#">Complaints</a>



4361.8	<a href="#">Family Care And Medical Leave</a>
5113.1	<a href="#">Chronic Absence And Truancy</a>
5113.1	<a href="#">Chronic Absence And Truancy</a>
5126	<a href="#">Awards For Achievement</a>
5126	<a href="#">Awards For Achievement</a>
5131.2	<a href="#">Bullying</a>
5131.2	<a href="#">Bullying</a>
5141.22	<a href="#">Infectious Diseases</a>
5141.22	<a href="#">Infectious Diseases</a>
5141.6	<a href="#">School Health Services</a>
5141.6	<a href="#">School Health Services</a>
5145.12	<a href="#">Search And Seizure</a>
5145.12	<a href="#">Search And Seizure</a>
5145.13	<a href="#">Response To Immigration Enforcement</a>
5145.13	<a href="#">Response To Immigration Enforcement</a>
5145.3	<a href="#">Nondiscrimination/Harassment</a>
5145.3	<a href="#">Nondiscrimination/Harassment</a>
5145.6	<a href="#">Parent/Guardian Notifications</a>
5145.6-E PDF(1)	<a href="#">Parent/Guardian Notifications</a>
5145.7	<a href="#">Sexual Harassment</a>
5145.7	<a href="#">Sexual Harassment</a>
5145.71	<a href="#">Title IX Sexual Harassment Complaint Procedures</a>
5145.71-E PDF(1)	<a href="#">Title IX Sexual Harassment Complaint Procedures</a>
5145.9	<a href="#">Hate-Motivated Behavior</a>
5146	<a href="#">Married/Pregnant/Parenting Students</a>
5146	<a href="#">Married/Pregnant/Parenting Students</a>
5148	<a href="#">Child Care And Development</a>
5148	<a href="#">Child Care And Development</a>
5148.2	<a href="#">Before/After School Programs</a>
5148.2	<a href="#">Before/After School Programs</a>
6000	<a href="#">Concepts And Roles</a>
6020	<a href="#">Parent Involvement</a>
6020	<a href="#">Parent Involvement</a>

6141	<a href="#"><u>Curriculum Development And Evaluation</u></a>
6141	<a href="#"><u>Curriculum Development And Evaluation</u></a>
6141.2	<a href="#"><u>Recognition Of Religious Beliefs And Customs</u></a>
6141.2	<a href="#"><u>Recognition Of Religious Beliefs And Customs</u></a>
6141.5	<a href="#"><u>Advanced Placement</u></a>
6141.5	<a href="#"><u>Advanced Placement</u></a>
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6142.1	<a href="#"><u>Sexual Health And HIV/AIDS Prevention Instruction</u></a>
6142.3	<a href="#"><u>Civic Education</u></a>
6142.5	<a href="#"><u>Environmental Education</u></a>
6142.7	<a href="#"><u>Physical Education And Activity</u></a>
6142.7	<a href="#"><u>Physical Education And Activity</u></a>
6143	<a href="#"><u>Courses Of Study</u></a>
6143	<a href="#"><u>Courses Of Study</u></a>
6144	<a href="#"><u>Controversial Issues</u></a>
6144	<a href="#"><u>Controversial Issues</u></a>
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6145	<a href="#"><u>Extracurricular And Cocurricular Activities</u></a>
6145.2	<a href="#"><u>Athletic Competition</u></a>
6145.2	<a href="#"><u>Athletic Competition</u></a>
6152.1	<a href="#"><u>Placement In Mathematics Courses</u></a>
6152.1	<a href="#"><u>Placement In Mathematics Courses</u></a>
6158	<a href="#"><u>Independent Study</u></a>
6158	<a href="#"><u>Independent Study</u></a>
6161.1	<a href="#"><u>Selection And Evaluation Of Instructional Materials</u></a>
6161.1	<a href="#"><u>Selection And Evaluation Of Instructional Materials</u></a>
6161.1-E PDF(1)	<a href="#"><u>Selection And Evaluation Of Instructional Materials</u></a>
6161.11	<a href="#"><u>Supplementary Instructional Materials</u></a>
6162.5	<a href="#"><u>Student Assessment</u></a>
6163.1	<a href="#"><u>Library Media Centers</u></a>
6163.2	<a href="#"><u>Animals At School</u></a>
6163.2	<a href="#"><u>Animals At School</u></a>
6164.2	<a href="#"><u>Guidance/Counseling Services</u></a>

6164.2	<a href="#"><u>Guidance/Counseling Services</u></a>
6164.4	<a href="#"><u>Identification And Evaluation Of Individuals For Special Education</u></a>
6164.4	<a href="#"><u>Identification And Evaluation Of Individuals For Special Education</u></a>
6164.6	<a href="#"><u>Identification And Education Under Section 504</u></a>
6164.6	<a href="#"><u>Identification And Education Under Section 504</u></a>
6173	<a href="#"><u>Education For Homeless Children</u></a>
6173	<a href="#"><u>Education For Homeless Children</u></a>
6173-E PDF(1)	<a href="#"><u>Education For Homeless Children</u></a>
6173.1	<a href="#"><u>Education For Foster Youth</u></a>
6173.1	<a href="#"><u>Education For Foster Youth</u></a>
6175	<a href="#"><u>Migrant Education Program</u></a>
6175	<a href="#"><u>Migrant Education Program</u></a>
6178	<a href="#"><u>Career Technical Education</u></a>
6178	<a href="#"><u>Career Technical Education</u></a>
6181	<a href="#"><u>Alternative Schools/Programs Of Choice</u></a>
6181	<a href="#"><u>Alternative Schools/Programs Of Choice</u></a>
6184	<a href="#"><u>Continuation Education</u></a>
6184	<a href="#"><u>Continuation Education</u></a>
6200	<a href="#"><u>Adult Education</u></a>
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6200-E PDF(1)	<a href="#"><u>Adult Education</u></a>
7110	<a href="#"><u>Facilities Master Plan</u></a>
7111	<a href="#"><u>Evaluating Existing Buildings</u></a>
7310	<a href="#"><u>Naming Of Facility</u></a>
7310	<a href="#"><u>Naming Of Facility</u></a>
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9150-E PDF(1)	<a href="#"><u>Student Board Members</u></a>
9220	<a href="#"><u>Governing Board Elections</u></a>
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**Status: ADOPTED**

**Original Adopted Date:** 08/25/2009 | **Last Revised Date:**     | **Last Reviewed Date:**

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### **Access for Individuals with Disabilities**

District programs and facilities, viewed in their entirety, shall be in compliance with the Americans with Disabilities Act (ADA) and any implementing standards and/or regulations. When structural changes to existing district facilities are needed to provide individuals with disabilities access to programs, services, activities, or facilities, the Superintendent or designee shall develop a transition plan that sets forth the steps for completing the changes.

The Superintendent or designee shall ensure that the district provides appropriate auxiliary aids and services when necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program, or activity. These aids and services may include, but are not limited to, qualified interpreters or readers, Communication Accessed Realtime Translation services, assistive listening devices, assistive technologies or other modifications to increase accessibility to district and school web sites, note takers, written materials, taped text, and Braille or large-print materials. Individuals with disabilities shall notify the Superintendent or principal if they have a disability that requires special assistance or services.

Persons requesting auxiliary aids and services shall make all reasonable efforts to give the District at least ten (10) business days' notice of the need for auxiliary aids and services by submitting a written request for such services to the ADA Coordinator.

The failure to provide the District with the (10) business days' notice of the needs for an auxiliary aid or service shall not, on its own, be just cause to deny such a request. In the event a request for auxiliary aids and services is submitted within less than (10) business days' notice, the District shall still make all reasonable efforts to furnish the appropriate auxiliary aids and services.

When the District receives a request for auxiliary aids and/or services for an individual with a disability at least ten (10) business days prior to needing the aid or services, the District shall respond in writing, unless the timing of the request precludes or renders a written response unnecessary, impractical, or unfeasible.

The district's ADA Coordinator shall receive and address requests for accommodation submitted by individuals with disabilities, and shall investigate and resolve complaints regarding their access to district programs, services, activities, or facilities.

ADA Coordinator  
2060 Challenger Dr.  
Alameda, CA 94501  
(510) 337.7101  
klonergan@alamedaunified.org

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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.

<b>State</b>	<b>Description</b>
5 CCR 4600-4670	Uniform complaint procedures
5 CCR 4900-4965	Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance
Ed. Code 200-262.4	<a href="#">Prohibition of discrimination</a>
Ed. Code 48980	<a href="#">Parent/Guardian notifications</a>
Ed. Code 48985	<a href="#">Notices to parents in language other than English</a>
Ed. Code 51007	<a href="#">Legislative intent: state policy</a>
Ed. Code 51204.5	<a href="#">Social sciences instruction; contributions of specified groups</a>
Ed. Code 51501	<a href="#">Nondiscriminatory subject matter</a>
Ed. Code 60010	<a href="#">Instructional materials; definition</a>
Ed. Code 60040-60052	<a href="#">Requirements for instructional materials</a>
Gov. Code 11000	<a href="#">Definitions</a>
Gov. Code 11135	<a href="#">Prohibition of discrimination</a>
Gov. Code 12900-12996	<a href="#">Fair Employment and Housing Act</a>
Gov. Code 54953	Meetings; Americans with Disabilities Act accessibility
Gov. Code 54953.2	<a href="#">Brown Act compliance with Americans with Disabilities Act</a>
Gov. Code 8310.3	<a href="#">California Religious Freedom Act</a>
Pen. Code 422.55	<a href="#">Definition of hate crime</a>
Pen. Code 422.6	<a href="#">Crimes; harassment</a>
<b>Federal</b>	<b>Description</b>
20 USC 1400-1482	Individuals with Disabilities Education Act
20 USC 1681-1688	Title IX of the Education Amendments of 1972; discrimination based on sex
20 USC 2301-2414	<a href="#">Strengthening Career and Technical Education for the 21st Century Act</a>
20 USC 6311	State plan

20 USC 6312	Local educational agency plan
28 CFR 35.101-35.190	Americans with Disabilities Act
28 CFR 36.303	Nondiscrimination on the basis of disability, public accommodations, auxiliary aids, and services
29 USC 794	Rehabilitation Act of 1973; Section 504
34 CFR 100.1-100.13	Nondiscrimination in federal programs; effectuating Title VI
34 CFR 104.1-104.39	Section 504 of the Rehabilitation Act of 1973
34 CFR 106.1-106.82	Discrimination on the basis of sex; effectuating Title IX
42 USC 12101-12213	Americans with Disabilities Act
42 USC 2000d-2000d-7	Title VI, Civil Rights Act of 1964
42 USC 2000e-2000e-17	Title VII, Civil Rights Act of 1964, as amended
<b>Management Resources</b>	<b>Description</b>
CA Civil Rights Department Publication	<a href="#">California Law Prohibits Workplace Discrimination and Harassment</a>
CA Department of Health Care Services Publication	Policy and Procedures Letter No. 21-017R, December 2021
CA Department of Health Care Services Publication	Policy and Procedures Letter No. 23-004, February 2023
CA Office of the Attorney General Publication	<a href="#">Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues, April 2018</a>
CSBA Publication	Parental and Student Rights in Relation to Transgender and Gender Nonconforming Students, Recently Asked Questions, August 2023
CSBA Publication	<a href="#">Legal Guidance on Rights of Transgender and Gender Nonconforming Students in Schools, October 2022</a>
U.S. DOE & U.S. DOJ Civil Rights Divisions Pub	<a href="#">Dear Colleague Letter: Resource on Confronting Racial Discrimination in Student Discipline, May 2023</a>
U.S. DOE, Office for Civil Rights Publication	<a href="#">Supporting Transgender Youth in School, June 2021</a>
U.S. DOE, Office for Civil Rights Publication	<a href="#">Dear Colleague Letter: Frequently Asked Questions About the June 29, 2010, Dear Colleague Letter, May 26, 2011</a>
U.S. DOE, Office for Civil Rights Publication	<a href="#">Nondiscrimination in Employment Practices in Education, August 1991</a>
U.S. DOE, Office for Civil Rights Publication	<a href="#">Dear Colleague Letter: Race and School Programming, August 2023</a>
U.S. DOE, Office for Civil Rights Publication	<a href="#">Dear Colleague Letter: Electronic Book Readers, June 29, 2010</a>
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Harassment and Bullying, October 2010

U.S. DOJ, Civil Rights Division  
Publication  
U.S. DOJ, Civil Rights Division  
Publication

U.S. DOJ, Civil Rights Division  
Publication  
Website

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Website

Guidance on Web Accessibility and the ADA, March 2022

[Accessibility of State and Local Government Websites to  
People with Disabilities, February 2020](#)

[2010 ADA Standards for Accessible Design, September 2010](#)

[CSBA District and County Office of Education Legal Services](#)

[California Office of the Attorney General](#)

[World Wide Web Consortium, Web Accessibility Initiative](#)

[Pacific ADA Center](#)

[U.S. Department of Justice, Civil Rights Division, Disability  
Rights Section](#)

[California Safe Schools Coalition](#)

[CSBA](#)

[California Department of Education](#)

[California Civil Rights Department](#)

[U.S. Equal Employment Opportunity Commission](#)

[U.S. Department of Education, Office for Civil Rights](#)

[California Department of Health Care Services](#)

World Wide Web Consortium Publication Web Content Accessibility Guidelines, December 2008

## Cross References

Code	Description
0100	<a href="#">Philosophy</a>
0415	<a href="#">Equity</a>
0415	<a href="#">Equity</a>
0450	<a href="#">Comprehensive Safety Plan</a>
0450	<a href="#">Comprehensive Safety Plan</a>
1100	<a href="#">Communication With The Public</a>
1100	<a href="#">Communication With The Public</a>
1113	<a href="#">District And School Websites</a>
1113	<a href="#">District And School Websites</a>
1113-E PDF(1)	<a href="#">District And School Websites</a>
1114	<a href="#">District-Sponsored Social Media</a>
1230	<a href="#">School-Connected Organizations</a>



1230	<a href="#">School-Connected Organizations</a>
1240	<a href="#">Volunteer Assistance</a>
1240	<a href="#">Volunteer Assistance</a>
1260	<a href="#">Educational Foundation</a>
1312.2	<a href="#">Complaints Concerning Instructional Materials</a>
1312.2	<a href="#">Complaints Concerning Instructional Materials</a>
1312.2-E PDF(1)	<a href="#">Complaints Concerning Instructional Materials</a>
1312.3	<a href="#">Uniform Complaint Procedures</a>
1312.3	<a href="#">Uniform Complaint Procedures</a>
1312.3-E PDF(1)	<a href="#">Uniform Complaint Procedures</a>
1312.4	<a href="#">Williams Uniform Complaint Procedures</a>
1312.4-E PDF(1)	<a href="#">Williams Uniform Complaint Procedures</a>
1325	<a href="#">Advertising And Promotion</a>
1330	<a href="#">Use Of School Facilities</a>
1330	<a href="#">Use Of School Facilities</a>
1330-E PDF(1)	<a href="#">Use Of School Facilities</a>
3260	<a href="#">Fees And Charges</a>
3260	<a href="#">Fees And Charges</a>
3270	<a href="#">Sale And Disposal Of Books, Equipment And Supplies</a>
3270	<a href="#">Sale And Disposal Of Books, Equipment And Supplies</a>
3311	<a href="#">Bids</a>
3311	<a href="#">Bids</a>
3530	<a href="#">Risk Management/Insurance</a>
3530	<a href="#">Risk Management/Insurance</a>
3540	<a href="#">Transportation</a>
3540	<a href="#">Transportation</a>
3541.2	<a href="#">Transportation For Students With Disabilities</a>
3541.2	<a href="#">Transportation For Students With Disabilities</a>
3551	<a href="#">Food Service Operations/Cafeteria Fund</a>
3551	<a href="#">Food Service Operations/Cafeteria Fund</a>
3552	<a href="#">Summer Meal Program</a>
3553	<a href="#">Free And Reduced Price Meals</a>
3553	<a href="#">Free And Reduced Price Meals</a>

3555	<a href="#">Nutrition Program Compliance</a>
3555-E PDF(1)	<a href="#">Nutrition Program Compliance</a>
3600	<a href="#">Consultants</a>
4030	<a href="#">Nondiscrimination In Employment</a>
4030	<a href="#">Nondiscrimination In Employment</a>
4032	<a href="#">Reasonable Accommodation</a>
4033	<a href="#">Lactation Accommodation</a>
4040	<a href="#">Employee Use Of Technology</a>
4040	<a href="#">Employee Use Of Technology</a>
4111	<a href="#">Recruitment And Selection</a>
4111.2	<a href="#">Legal Status Requirement</a>
4111.2	<a href="#">Legal Status Requirement</a>
4119.11	<a href="#">Sexual Harassment</a>
4119.11	<a href="#">Sexual Harassment</a>
4119.21	<a href="#">Professional Standards</a>
4119.21-E PDF(1)	<a href="#">Professional Standards</a>
4119.22	<a href="#">Dress And Grooming</a>
4131	<a href="#">Staff Development</a>
4131	<a href="#">Staff Development</a>
4144	<a href="#">Complaints</a>
4144	<a href="#">Complaints</a>
4161.8	<a href="#">Family Care And Medical Leave</a>
4211	<a href="#">Recruitment And Selection</a>
4211.2	<a href="#">Legal Status Requirement</a>
4211.2	<a href="#">Legal Status Requirement</a>
4212.9	<a href="#">Employee Notifications</a>
4212.9	<a href="#">Employee Notifications</a>
4212.9-E PDF(1)	<a href="#">Employee Notifications</a>
4219.11	<a href="#">Sexual Harassment</a>
4219.11	<a href="#">Sexual Harassment</a>
4219.21	<a href="#">Professional Standards</a>
4219.21-E PDF(1)	<a href="#">Professional Standards - Code Of Ethics Classified Employees</a>
4219.22	<a href="#">Dress And Grooming</a>

4244	<a href="#">Complaints</a>
4244	<a href="#">Complaints</a>
4261.8	<a href="#">Family Care And Medical Leave</a>
4311	<a href="#">Recruitment And Selection</a>
4311	<a href="#">Recruitment And Selection</a>
4311.2	<a href="#">Legal Status Requirement</a>
4311.2	<a href="#">Legal Status Requirement</a>
4312.9	<a href="#">Employee Notifications</a>
4312.9	<a href="#">Employee Notifications</a>
4312.9-E PDF(1)	<a href="#">Employee Notifications</a>
4319.11	<a href="#">Sexual Harassment</a>
4319.11	<a href="#">Sexual Harassment</a>
4319.21	<a href="#">Professional Standards</a>
4319.21-E PDF(1)	<a href="#">Professional Standards</a>
4319.22	<a href="#">Dress And Grooming</a>
4331	<a href="#">Staff Development</a>
4331	<a href="#">Staff Development</a>
4344	<a href="#">Complaints</a>
4344	<a href="#">Complaints</a>
4361.8	<a href="#">Family Care And Medical Leave</a>
5113.1	<a href="#">Chronic Absence And Truancy</a>
5113.1	<a href="#">Chronic Absence And Truancy</a>
5126	<a href="#">Awards For Achievement</a>
5126	<a href="#">Awards For Achievement</a>
5131.2	<a href="#">Bullying</a>
5131.2	<a href="#">Bullying</a>
5141.22	<a href="#">Infectious Diseases</a>
5141.22	<a href="#">Infectious Diseases</a>
5141.6	<a href="#">School Health Services</a>
5141.6	<a href="#">School Health Services</a>
5145.12	<a href="#">Search And Seizure</a>
5145.12	<a href="#">Search And Seizure</a>
5145.13	<a href="#">Response To Immigration Enforcement</a>

5145.13	<a href="#">Response To Immigration Enforcement</a>
5145.3	<a href="#">Nondiscrimination/Harassment</a>
5145.3	<a href="#">Nondiscrimination/Harassment</a>
5145.6	<a href="#">Parent/Guardian Notifications</a>
5145.6-E PDF(1)	<a href="#">Parent/Guardian Notifications</a>
5145.7	<a href="#">Sexual Harassment</a>
5145.7	<a href="#">Sexual Harassment</a>
5145.71	<a href="#">Title IX Sexual Harassment Complaint Procedures</a>
5145.71-E PDF(1)	<a href="#">Title IX Sexual Harassment Complaint Procedures</a>
5145.9	<a href="#">Hate-Motivated Behavior</a>
5146	<a href="#">Married/Pregnant/Parenting Students</a>
5146	<a href="#">Married/Pregnant/Parenting Students</a>
5148	<a href="#">Child Care And Development</a>
5148	<a href="#">Child Care And Development</a>
5148.2	<a href="#">Before/After School Programs</a>
5148.2	<a href="#">Before/After School Programs</a>
6000	<a href="#">Concepts And Roles</a>
6020	<a href="#">Parent Involvement</a>
6020	<a href="#">Parent Involvement</a>
6141	<a href="#">Curriculum Development And Evaluation</a>
6141	<a href="#">Curriculum Development And Evaluation</a>
6141.2	<a href="#">Recognition Of Religious Beliefs And Customs</a>
6141.2	<a href="#">Recognition Of Religious Beliefs And Customs</a>
6141.5	<a href="#">Advanced Placement</a>
6141.5	<a href="#">Advanced Placement</a>
6142.1	<a href="#">Sexual Health And HIV/AIDS Prevention Instruction</a>
6142.1	<a href="#">Sexual Health And HIV/AIDS Prevention Instruction</a>
6142.3	<a href="#">Civic Education</a>
6142.5	<a href="#">Environmental Education</a>
6142.7	<a href="#">Physical Education And Activity</a>
6142.7	<a href="#">Physical Education And Activity</a>
6143	<a href="#">Courses Of Study</a>
6143	<a href="#">Courses Of Study</a>

6144	<a href="#"><u>Controversial Issues</u></a>
6144	<a href="#"><u>Controversial Issues</u></a>
6145	<a href="#"><u>Extracurricular And Cocurricular Activities</u></a>
6145	<a href="#"><u>Extracurricular And Cocurricular Activities</u></a>
6145.2	<a href="#"><u>Athletic Competition</u></a>
6145.2	<a href="#"><u>Athletic Competition</u></a>
6152.1	<a href="#"><u>Placement In Mathematics Courses</u></a>
6152.1	<a href="#"><u>Placement In Mathematics Courses</u></a>
6158	<a href="#"><u>Independent Study</u></a>
6158	<a href="#"><u>Independent Study</u></a>
6161.1	<a href="#"><u>Selection And Evaluation Of Instructional Materials</u></a>
6161.1	<a href="#"><u>Selection And Evaluation Of Instructional Materials</u></a>
6161.1-E PDF(1)	<a href="#"><u>Selection And Evaluation Of Instructional Materials</u></a>
6161.11	<a href="#"><u>Supplementary Instructional Materials</u></a>
6162.5	<a href="#"><u>Student Assessment</u></a>
6163.1	<a href="#"><u>Library Media Centers</u></a>
6163.2	<a href="#"><u>Animals At School</u></a>
6163.2	<a href="#"><u>Animals At School</u></a>
6164.2	<a href="#"><u>Guidance/Counseling Services</u></a>
6164.2	<a href="#"><u>Guidance/Counseling Services</u></a>
6164.4	<a href="#"><u>Identification And Evaluation Of Individuals For Special Education</u></a>
6164.4	<a href="#"><u>Identification And Evaluation Of Individuals For Special Education</u></a>
6164.6	<a href="#"><u>Identification And Education Under Section 504</u></a>
6164.6	<a href="#"><u>Identification And Education Under Section 504</u></a>
6173	<a href="#"><u>Education For Homeless Children</u></a>
6173	<a href="#"><u>Education For Homeless Children</u></a>
6173-E PDF(1)	<a href="#"><u>Education For Homeless Children</u></a>
6173.1	<a href="#"><u>Education For Foster Youth</u></a>
6173.1	<a href="#"><u>Education For Foster Youth</u></a>
6175	<a href="#"><u>Migrant Education Program</u></a>
6175	<a href="#"><u>Migrant Education Program</u></a>
6178	<a href="#"><u>Career Technical Education</u></a>

6178	<a href="#"><u>Career Technical Education</u></a>
6181	<a href="#"><u>Alternative Schools/Programs Of Choice</u></a>
6181	<a href="#"><u>Alternative Schools/Programs Of Choice</u></a>
6184	<a href="#"><u>Continuation Education</u></a>
6184	<a href="#"><u>Continuation Education</u></a>
6200	<a href="#"><u>Adult Education</u></a>
6200	<a href="#"><u>Adult Education</u></a>
6200-E PDF(1)	<a href="#"><u>Adult Education</u></a>
7110	<a href="#"><u>Facilities Master Plan</u></a>
7111	<a href="#"><u>Evaluating Existing Buildings</u></a>
7310	<a href="#"><u>Naming Of Facility</u></a>
7310	<a href="#"><u>Naming Of Facility</u></a>
9150	<a href="#"><u>Student Board Members</u></a>
9150-E PDF(1)	<a href="#"><u>Student Board Members</u></a>
9220	<a href="#"><u>Governing Board Elections</u></a>
9320	<a href="#"><u>Meetings And Notices</u></a>
9322	<a href="#"><u>Agenda/Meeting Materials</u></a>

**Policy 1312.2: Complaints Concerning Instructional Materials**

**Status:** ADOPTED

**Original Adopted Date:** ~~08/25/2009~~09/01/1988 | **Last Revised Date:** 10/01/2023 | **Last Reviewed Date:** ~~08/25/2009~~10/01/2023

The **Governing** ~~Board of Education~~ 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 district staff, parents/guardians, and community members, and, as appropriate, students. 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 accompanying administrative regulation.

and exhibit.

The district shall accept complaints concerning instructional materials only from staff, district residents, or the parents/guardians of children enrolled in a district school. (Education Code 35160)

However, a complaint related to the use or prohibited use of any existing textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or other resource in a school library that alleges unlawful discrimination based on a violation of Education Code 243 shall be filed, investigated, and resolved in accordance with Board Policy 1312.3 - Uniform Complaint Procedures.

When deliberating upon challenged materials, the Superintendent, or any designee or committee established by the Superintendent to review the materials, shall consider the degree to which the materials aligned with the criteria for instructional materials as specified in law, Board policy, and administrative regulation. In addition, such deliberations may consider the educational philosophy and vision of the district; the educational suitability of the materials including the manner in which the materials support the curriculum and appropriateness for the student's age; the professional opinions of teachers of the subject and of other competent authorities and/or experts; reviews of the materials by reputable bodies; the stated objectives in using the materials; community standards; the allegations in the complaint, including the extent to which the objections are based on the dislike of ideas contained in the materials; and the impact that keeping or removing the materials would have on student well-being.

The Superintendent, or any designee or committee established by the Superintendent to review the materials, shall not prohibit the continued use of an appropriately adopted textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or other resource in a school library on the basis that it contains inclusive and/or diverse perspectives, as specified in Education Code 243.

If the complainant finds the Superintendent's or review committee's decision unsatisfactory, the complainant may appeal the decision to the Board.

Any challenged instructional material that is reviewed by the district shall not be subject to further reconsideration for 12 months, unless required by law.

Complaints related to the sufficiency of textbooks or instructional materials shall be resolved as specified in Administrative Regulation 1312.4 - Williams Uniform Complaint Procedures.

~~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.~~

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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**

5 CCR 4600-4670

Ed. Code 1240

Ed. Code 18111

Ed. Code 220

**Description**

Uniform complaint procedures

[County superintendent of schools; duties](#)

[Exclusion of books by Governing board that are sectarian, partisan, or denominational character](#)

[Prohibition of discrimination](#)



Ed. Code 242	<a href="#">Access to information about educational laws and policies regarding right to accurate and inclusive curriculum</a>
Ed. Code 243	<a href="#">Unlawful discrimination related to the use or prohibited use of textbooks and instructional materials</a>
Ed. Code 35010	<a href="#">Control of district; prescription and enforcement of rules</a>
Ed. Code 35160	<a href="#">Powers and duties of school boards</a>
Ed. Code 35186	<a href="#">Williams uniform complaint procedures</a>
Ed. Code 44805	<a href="#">Teacher enforcement of course of studies; use of textbooks, rules and regulations</a>
Ed. Code 48907	<a href="#">Exercise of free expression; time, place and manner rules and regulations</a>
Ed. Code 48950	<a href="#">Speech and other communication</a>
Ed. Code 51204.5	<a href="#">Social sciences instruction; contributions of specified groups</a>
Ed. Code 51501	<a href="#">Nondiscriminatory subject matter</a>
Ed. Code 51511	<a href="#">Religious matters properly included in courses of study</a>
Ed. Code 51933	<a href="#">Sexual health education and HIV prevention materials</a>
Ed. Code 60000-60005	<a href="#">Instructional materials; legislative intent</a>
Ed. Code 60040-60052	<a href="#">Requirements for instructional materials</a>
Ed. Code 60119	<a href="#">Public hearing on sufficiency of textbooks and instructional materials</a>
Ed. Code 60200-60213	<a href="#">Elementary school materials</a>
Ed. Code 60226	<a href="#">Requirements for publishers and manufacturers</a>
Ed. Code 60400-60411	<a href="#">High school textbooks and instructional materials</a>
Ed. Code 60510-60511	<a href="#">Donation or sale of obsolete instructional materials</a>
<b>Management Resources</b>	<b>Description</b>
California Department of Education Publication	<a href="#">Instructional Materials, FAQ</a>
California Department of Education Publication	<a href="#">Standards for Evaluating Instructional Materials for Social Content, 2013</a>
Website	<a href="#">CSBA District and County Office of Education Legal Services</a>
Website	<a href="#">Department of Justice</a>
Website	<a href="#">California Department of Education, Curriculum and Instruction Resources</a>
Website	<a href="#">CSBA</a>
Website	<a href="#">U.S. Department of Education, Office for Civil Rights</a>

## Cross References

Code	Description
0410	<u>Nondiscrimination In District Programs And Activities</u> <u>Nondiscrimination In District Programs And Activities</u>
1100	<u>Communication With The Public</u> <u>Communication With The Public</u>
<u>1250</u> <del>1100</del>	<u>Communication With The Public</u> <u>Visitors/Outsiders</u>
1250	<u>Visitors/Outsiders</u> <u>Visitors/Outsiders</u>
<u>1312.1</u> <del>1250</del>	<u>Visitors/Outsiders</u> <u>Complaints Concerning District Employees</u>
1312.1	<u>Complaints Concerning District Employees</u> <u>Complaints Concerning District Employees</u>
1312. <del>13</del>	<u>Complaints Concerning District Employees</u> <u>Uniform Complaint Procedures</u>
1312.3	<u>Uniform Complaint Procedures</u> <u>Uniform Complaint Procedures</u>
1312.3	<u>Uniform Complaint Procedures</u> <u>Uniform Complaint Procedures</u>
1312.3-E PDF(1)	<u>Uniform Complaint Procedures</u> <u>Uniform Complaint Procedures</u>
1312.4	<u>Williams Uniform Complaint Procedures</u> <u>Williams Uniform Complaint Procedures</u>
1312.4-E PDF(1)	<u>Williams Uniform Complaint Procedures</u> <u>Williams Uniform Complaint Procedures</u>
<u>1312.4</u> <del>5145.3</del>	<u>Nondiscrimination/Harassment</u> <u>Williams Uniform Complaint Procedures</u>
5145.3	<u>Nondiscrimination/Harassment</u> <u>Nondiscrimination/Harassment</u>
<u>5145.3</u> <del>6000</del>	<u>Concepts And Roles</u> <u>Nondiscrimination/Harassment</u>
<u>6000</u> <del>6141</del>	<u>Curriculum Development And Evaluation</u> <u>Concepts And Roles</u>
6141	<u>Curriculum Development And Evaluation</u> <u>Curriculum Development And Evaluation</u>
<u>6141</u> <del>6142.6</del>	<u>Visual And Performing Arts Education</u> <u>Curriculum Development And Evaluation</u>
6142. <del>926</del>	<u>Mathematics Instruction</u> <u>Visual And Performing Arts Education</u>
6142. <del>9492</del>	<u>History-Social Science Instruction</u> <u>Mathematics Instruction</u>
<u>6142.94</u> <del>6143</del>	<u>Courses Of Study</u> <u>History-Social Science Instruction</u>
6143	<u>Courses Of Study</u> <u>Courses Of Study</u>
<u>6143</u> <del>6144</del>	<u>Controversial Issues</u> <u>Courses Of Study</u>
6144	<u>Controversial Issues</u> <u>Controversial Issues</u>
6161.1	<u>Selection And Evaluation Of Instructional Materials</u> <u>Selection And Evaluation Of Instructional Materials</u>

6161.1	<del>Selection And Evaluation Of Instructional Materials</del> <del>Selection And Evaluation Of Instructional Materials</del>
6161.1-E PDF(1)	<del>Selection And Evaluation Of Instructional Materials</del> <del>Selection And Evaluation Of Instructional Materials</del>
6161.11	<del>Supplementary Instructional Materials</del> <del>Supplementary Instructional Materials</del>
6161.2	<del>Damaged Or Lost Instructional Materials</del> <del>Damaged Or Lost Instructional Materials</del>
6163.1	<del>Library Media Centers</del> <del>Library Media Centers</del>
9000	<del>Role Of The Board</del> <del>Role Of The Board</del>
9005	<del>Governance Standards</del> <del>Governance Standards</del>
9012	<del>Board Member Electronic Communications</del> <del>Board Member Electronic Communications</del>
9200	<del>Limits Of Board Member Authority</del> <del>Limits Of Board Member Authority</del>
9322	<del>Agenda/Meeting Materials</del> <del>Agenda/Meeting Materials</del>

**Policy 1312.2: Complaints Concerning Instructional Materials**

**Status:** ADOPTED

**Original Adopted Date:** 08/25/2009 | **Last Reviewed Date:** | **Last Revised Date**

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 district staff, parents/guardians, and community members, and, as appropriate, students. 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 accompanying administrative regulation and exhibit.

The district shall accept complaints concerning instructional materials only from staff, district residents, or the parents/guardians of children enrolled in a district school. (Education Code 35160)

However, a complaint related to the use or prohibited use of any existing textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or other resource in a school library that alleges unlawful discrimination based on a violation of Education Code 243 shall be filed, investigated, and resolved in accordance with Board Policy 1312.3 - Uniform Complaint Procedures.

When deliberating upon challenged materials, the Superintendent, or any designee or committee established by the Superintendent to review the materials, shall consider the degree to which the materials aligned with the criteria for instructional materials as specified in law, Board policy, and administrative regulation. In addition, such deliberations may consider the educational philosophy and vision of the district; the educational suitability of the materials including the manner in which the materials support the curriculum and appropriateness for the student's age; the professional opinions of teachers of the subject and of other competent authorities and/or experts; reviews of the materials by reputable bodies; the stated objectives in using the materials; community standards; the allegations in the complaint, including the extent to which the objections are based on the dislike of ideas contained in the materials; and the impact that keeping or removing the materials would have on student well-being.

The Superintendent, or any designee or committee established by the Superintendent to review the materials, shall not prohibit the continued use of an appropriately adopted textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or other resource in a school library on the basis that it contains inclusive and/or diverse perspectives, as specified in Education Code 243.

If the complainant finds the Superintendent's or review committee's decision unsatisfactory, the complainant may appeal the decision to the Board.

Any challenged instructional material that is reviewed by the district shall not be subject to further reconsideration for 12 months, unless required by law.

Complaints related to the sufficiency of textbooks or instructional materials shall be resolved as specified in Administrative Regulation 1312.4 - Williams Uniform Complaint Procedures.

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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.

<b>State</b>	<b>Description</b>
5 CCR 4600-4670	Uniform complaint procedures
Ed. Code 1240	<a href="#"><u>County superintendent of schools; duties</u></a>
Ed. Code 18111	<a href="#"><u>Exclusion of books by Governing board that are sectarian, partisan, or denominational character</u></a>
Ed. Code 220	<a href="#"><u>Prohibition of discrimination</u></a>
Ed. Code 242	<a href="#"><u>Access to information about educational laws and policies regarding right to accurate and inclusive curriculum</u></a>
Ed. Code 243	<a href="#"><u>Unlawful discrimination related to the use or prohibited use of textbooks and instructional materials</u></a>
Ed. Code 35010	<a href="#"><u>Control of district; prescription and enforcement of rules</u></a>
Ed. Code 35160	<a href="#"><u>Powers and duties of school boards</u></a>
Ed. Code 35186	<a href="#"><u>Williams uniform complaint procedures</u></a>
Ed. Code 44805	<a href="#"><u>Teacher enforcement of course of studies; use of textbooks, rules and regulations</u></a>
Ed. Code 48907	<a href="#"><u>Exercise of free expression; time, place and manner rules and regulations</u></a>
Ed. Code 48950	<a href="#"><u>Speech and other communication</u></a>
Ed. Code 51204.5	<a href="#"><u>Social sciences instruction; contributions of specified groups</u></a>
Ed. Code 51501	<a href="#"><u>Nondiscriminatory subject matter</u></a>
Ed. Code 51511	<a href="#"><u>Religious matters properly included in courses of study</u></a>
Ed. Code 51933	<a href="#"><u>Sexual health education and HIV prevention materials</u></a>
Ed. Code 60000-60005	<a href="#"><u>Instructional materials; legislative intent</u></a>
Ed. Code 60040-60052	<a href="#"><u>Requirements for instructional materials</u></a>
Ed. Code 60119	<a href="#"><u>Public hearing on sufficiency of textbooks and instructional materials</u></a>
Ed. Code 60200-60213	<a href="#"><u>Elementary school materials</u></a>
Ed. Code 60226	<a href="#"><u>Requirements for publishers and manufacturers</u></a>
Ed. Code 60400-60411	<a href="#"><u>High school textbooks and instructional materials</u></a>

Ed. Code 60510-60511

### Management Resources

California Department of Education  
Publication  
California Department of Education  
Publication

Website

Website

Website

Website

Website

[Donation or sale of obsolete instructional materials](#)

### Description

[Instructional Materials, FAQ](#)

[Standards for Evaluating Instructional Materials for Social Content, 2013](#)

[CSBA District and County Office of Education Legal Services](#)

[Department of Justice](#)

[California Department of Education, Curriculum and Instruction Resources](#)

[CSBA](#)

[U.S. Department of Education, Office for Civil Rights](#)

### Cross References

#### Code

0410

1100

1250

1250

1312.1

1312.1

1312.3

1312.3

1312.3

1312.3

1312.4

1312.4

1312.4

5145.3

5145.3

6000

6141

6141

6142.6

6142.92

#### Description

Nondiscrimination In District Programs And Activities

Communication With The Public

Visitors/Outsiders

Visitors/Outsiders

Complaints Concerning District Employees

Complaints Concerning District Employees

Uniform Complaint Procedures

Uniform Complaint Procedures

Uniform Complaint Procedures

Uniform Complaint Procedures

Williams Uniform Complaint Procedures

Williams Uniform Complaint Procedures

Williams Uniform Complaint Procedures

Nondiscrimination/Harassment

Nondiscrimination/Harassment

Concepts And Roles

Curriculum Development And Evaluation

Curriculum Development And Evaluation

Visual And Performing Arts Education

Mathematics Instruction

6142.94	History-Social Science Instruction
6143	Courses Of Study
6143	Courses Of Study
6144	Controversial Issues
6161.1	Selection And Evaluation Of Instructional Materials
6161.1	Selection And Evaluation Of Instructional Materials
6161.1	Selection And Evaluation Of Instructional Materials
6161.11	Supplementary Instructional Materials
6161.2	Damaged Or Lost Instructional Materials
6163.1	Library Media Centers
9000	Role Of The Board
9005	Governance Standards
9012	Board Member Electronic Communications
9200	Limits Of Board Member Authority
9322	Agenda/Meeting Materials

**Regulation 1312.2: Complaints Concerning Instructional Materials**

**Status:** ADOPTED

Original Adopted Date: 08/25/2009 12/01/1990 | Last Revised Date: 10/01/2023 | Last  
Reviewed Date: 08/25/2009 10/01/2023

**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/such individual shall informally discuss the material in question with the principal.

(Education Code 35160)

**Step 2: Formal Complaint**

If the complainant is not satisfied with the principal's initial response, he/she/the complainant 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 and location of such material shall be given. Complainants In order for the district to reply appropriately, 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 provide the complainant with a written acknowledgement of its receipt and answer respond to any procedural questions regarding procedure the complainant may have. The principal ~~then~~ shall then notify the Superintendent or designee ~~and, the teacher(s) involved of the complaint.~~

), and other staff as appropriate.

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**



## Review Committee

The Superintendent or designee shall determine whether to convene 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 parents/guardians, students, and community members, as appropriate, to serve on the committee.

The ~~Superintendent or designee may provide training to the~~ review committee ~~shall to ensure that the review committee is informed regarding its responsibilities, the criteria specified into follow when reviewing instructional materials, and applicable laws, 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.~~

~~(ies), and administrative regulation(s).~~

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 in writing of the committee's decision within 15 days of receiving the committee's report.

### Step 4: Superintendent Determination

If the Superintendent or designee determines that a review committee is not necessary, the Superintendent or designee shall, in a timely manner, issue a decision regarding the complaint.

### Step 5: Appeal to the Governing Board

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

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### Step 5: Appeal to the Board of Education

~~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.~~

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.

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5 CCR 4600-4670	Uniform complaint procedures
Ed. Code 1240	<a href="#">County superintendent of schools; duties</a>
Ed. Code 18111	<a href="#">Exclusion of books by Governing board that are sectarian, partisan, or denominational character</a>
Ed. Code 220	<a href="#">Prohibition of discrimination</a>
Ed. Code 242	<a href="#">Access to information about educational laws and policies regarding right to accurate and inclusive curriculum</a>
Ed. Code 243	<a href="#">Unlawful discrimination related to the use or prohibited use of textbooks and instructional materials</a>
Ed. Code 35010	<a href="#">Control of district; prescription and enforcement of rules</a>
Ed. Code 35160	<a href="#">Powers and duties of school boards</a>
Ed. Code 35186	<a href="#">Williams uniform complaint procedures</a>
Ed. Code 44805	<a href="#">Teacher enforcement of course of studies; use of textbooks, rules and regulations</a>
Ed. Code 48907	<a href="#">Exercise of free expression; time, place and manner rules and regulations</a>
Ed. Code 48950	<a href="#">Speech and other communication</a>
Ed. Code 51204.5	<a href="#">Social sciences instruction; contributions of specified groups</a>
Ed. Code 51501	<a href="#">Nondiscriminatory subject matter</a>
Ed. Code 51511	<a href="#">Religious matters properly included in courses of study</a>
Ed. Code 51933	<a href="#">Sexual health education and HIV prevention materials</a>
Ed. Code 60000-60005	<a href="#">Instructional materials; legislative intent</a>
Ed. Code 60040-60052	<a href="#">Requirements for instructional materials</a>
Ed. Code 60119	<a href="#">Public hearing on sufficiency of textbooks and instructional materials</a>
Ed. Code 60200-60213	<a href="#">Elementary school materials</a>
Ed. Code 60226	<a href="#">Requirements for publishers and manufacturers</a>
Ed. Code 60400-60411	<a href="#">High school textbooks and instructional materials</a>
Ed. Code 60510-60511	<a href="#">Donation or sale of obsolete instructional materials</a>
<b>Management Resources</b>	<b>Description</b>
California Department of Education Publication	<a href="#">Instructional Materials, FAQ</a>
California Department of Education Publication	<a href="#">Standards for Evaluating Instructional Materials for Social Content, 2013</a>

Website	<a href="#">CSBA District and County Office of Education Legal Services</a>
Website	<a href="#">Department of Justice</a>
Website	<a href="#">California Department of Education, Curriculum and Instruction Resources</a>
Website	<a href="#">CSBA</a>
Website	<a href="#">U.S. Department of Education, Office for Civil Rights</a>

## Cross References

Code	Description
0410	<del>Nondiscrimination In District Programs And Activities</del> <a href="#">Nondiscrimination In District Programs And Activities</a>
1100	<del>Communication With The Public</del> <a href="#">Communication With The Public</a>
<del>1250</del> 1100	<del>Communication With The Public</del> <a href="#">Visitors/Outsiders</a>
1250	<del>Visitors/Outsiders</del> <a href="#">Visitors/Outsiders</a>
<del>1312.1</del> 1250	<del>Visitors/Outsiders</del> <a href="#">Complaints Concerning District Employees</a>
1312.1	<del>Complaints Concerning District Employees</del> <a href="#">Complaints Concerning District Employees</a>
1312. <del>13</del>	<del>Complaints Concerning District Employees</del> <a href="#">Uniform Complaint Procedures</a>
1312.3	<del>Uniform Complaint Procedures</del> <a href="#">Uniform Complaint Procedures</a>
1312.3	<del>Uniform Complaint Procedures</del> <a href="#">Uniform Complaint Procedures</a>
1312.3- <del>E PDF(1)</del>	<del>Uniform Complaint Procedures</del> <a href="#">Uniform Complaint Procedures</a>
1312.4	<del>Williams Uniform Complaint Procedures</del> <a href="#">Williams Uniform Complaint Procedures</a>
1312.4- <del>E PDF(1)</del>	<del>Williams Uniform Complaint Procedures</del> <a href="#">Williams Uniform Complaint Procedures</a>
<del>1312.45</del> 145.3	<del>Nondiscrimination/Harassment</del> <a href="#">Williams Uniform Complaint Procedures</a>
5145.3	<del>Nondiscrimination/Harassment</del> <a href="#">Nondiscrimination/Harassment</a>
<del>5145.36</del> 000	<del>Concepts And Roles</del> <a href="#">Nondiscrimination/Harassment</a>
<del>60006</del> 141	<del>Curriculum Development And Evaluation</del> <a href="#">Concepts And Roles</a>
6141	<del>Curriculum Development And Evaluation</del> <a href="#">Curriculum Development And Evaluation</a>
<del>6141</del> 6142.6	<del>Visual And Performing Arts Education</del> <a href="#">Curriculum Development And Evaluation</a>
6142. <del>926</del>	<del>Mathematics Instruction</del> <a href="#">Visual And Performing Arts Education</a>

6142.9492	<del>History-Social Science Instruction</del> Mathematics Instruction
<del>6142.946143</del>	<del>Courses Of Study</del> History-Social Science Instruction
6143	<del>Courses Of Study</del> Courses Of Study
<del>61436144</del>	<del>Controversial Issues</del> Courses Of Study
6144	<del>Controversial Issues</del> Controversial Issues
6161.1	<del>Selection And Evaluation Of Instructional Materials</del> Selection And Evaluation Of Instructional Materials
6161.1	<del>Selection And Evaluation Of Instructional Materials</del> Selection And Evaluation Of Instructional Materials
6161.1-E PDF(1)	<del>Selection And Evaluation Of Instructional Materials</del> Selection And Evaluation Of Instructional Materials
6161.11	<del>Supplementary Instructional Materials</del> Supplementary Instructional Materials
6161.2	<del>Damaged Or Lost Instructional Materials</del> Damaged Or Lost Instructional Materials
6163.1	<del>Library Media Centers</del> Library Media Centers
9000	<del>Role Of The Board</del> Role Of The Board
9005	<del>Governance Standards</del> Governance Standards
9012	<del>Board Member Electronic Communications</del> Board Member Electronic Communications
9200	<del>Limits Of Board Member Authority</del> Limits Of Board Member Authority
9322	<del>Agenda/Meeting Materials</del> Agenda/Meeting Materials

**Regulation 1312.2: Complaints Concerning Instructional Materials**

**Status:** ADOPTED

**Original Adopted Date:** 08/25/2009 | **Last Reviewed Date:** | **Last Revised Date:**

**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, such individual shall informally discuss the material in question with the principal. (Education Code 35160)

**Step 2: Formal Complaint**

If the complainant is not satisfied with the principal's initial response, the complainant 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 and location of such material shall be given. In order for the district to reply appropriately, complainants shall sign all complaints and provide identifying information. Anonymous complaints will not be accepted.

Upon receiving a complaint, the principal shall provide the complainant with a written acknowledgement of its receipt and respond to any procedural questions the complainant may have. The principal shall then notify the Superintendent or designee, the teacher(s), and other staff as appropriate.

During the investigation of the complaint, the challenged material may remain in use until a final decision has been reached.

**Step 3: Review Committee**

The Superintendent or designee shall determine whether to convene a review committee to review the complaint.

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

The Superintendent or designee may provide training to the review committee to ensure that the review committee is informed regarding its responsibilities, the criteria to follow when reviewing instructional materials, and applicable laws, Board policy(ies), and administrative regulation(s).

Within 30 days of being convened, the review committee shall summarize its findings in a written<sup>37</sup>

report. The Superintendent or designee shall notify the complainant in writing of the committee's decision within 15 days of receiving the committee's report.

#### **Step 4: Superintendent Determination**

If the Superintendent or designee determines that a review committee is not necessary, the Superintendent or designee shall, in a timely manner, issue a decision regarding the complaint.

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

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

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Ed. Code 35160	<a href="#">Powers and duties of school boards</a>
Ed. Code 35186	<a href="#">Williams uniform complaint procedures</a>
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Ed. Code 48907	<a href="#">Exercise of free expression; time, place and manner rules and regulations</a>
Ed. Code 48950	<a href="#">Speech and other communication</a>
Ed. Code 51204.5	<a href="#">Social sciences instruction; contributions of specified groups</a>
Ed. Code 51501	<a href="#">Nondiscriminatory subject matter</a>
Ed. Code 51511	<a href="#">Religious matters properly included in courses of study</a>
Ed. Code 51933	<a href="#">Sexual health education and HIV prevention materials</a>
Ed. Code 60000-60005	<a href="#">Instructional materials; legislative intent</a>

Ed. Code 60040-60052	<a href="#">Requirements for instructional materials</a>
Ed. Code 60119	<a href="#">Public hearing on sufficiency of textbooks and instructional materials</a>
Ed. Code 60200-60213	<a href="#">Elementary school materials</a>
Ed. Code 60226	<a href="#">Requirements for publishers and manufacturers</a>
Ed. Code 60400-60411	<a href="#">High school textbooks and instructional materials</a>
Ed. Code 60510-60511	<a href="#">Donation or sale of obsolete instructional materials</a>
<b>Management Resources</b>	<b>Description</b>
California Department of Education Publication	<a href="#">Instructional Materials, FAQ</a>
California Department of Education Publication	<a href="#">Standards for Evaluating Instructional Materials for Social Content, 2013</a>
Website	<a href="#">CSBA District and County Office of Education Legal Services</a>
Website	<a href="#">Department of Justice</a>
Website	<a href="#">California Department of Education, Curriculum and Instruction Resources</a>
Website	<a href="#">CSBA</a>
Website	<a href="#">U.S. Department of Education, Office for Civil Rights</a>

## Cross References

Code	Description
0410	Nondiscrimination In District Programs And Activities
1100	Communication With The Public
1250	Visitors/Outsiders
1250	Visitors/Outsiders
1312.1	Complaints Concerning District Employees
1312.1	Complaints Concerning District Employees
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.4	Williams Uniform Complaint Procedures
1312.4	Williams Uniform Complaint Procedures
1312.4	Williams Uniform Complaint Procedures
5145.3	Nondiscrimination/Harassment

5145.3	Nondiscrimination/Harassment
6000	Concepts And Roles
6141	Curriculum Development And Evaluation
6141	Curriculum Development And Evaluation
6142.6	Visual And Performing Arts Education
6142.92	Mathematics Instruction
6142.94	History-Social Science Instruction
6143	Courses Of Study
6143	Courses Of Study
6144	Controversial Issues
6161.1	Selection And Evaluation Of Instructional Materials
6161.1	Selection And Evaluation Of Instructional Materials
6161.1	Selection And Evaluation Of Instructional Materials
6161.11	Supplementary Instructional Materials
6161.2	Damaged Or Lost Instructional Materials
6163.1	Library Media Centers
9000	Role Of The Board
9005	Governance Standards
9012	Board Member Electronic Communications
9200	Limits Of Board Member Authority
9322	Agenda/Meeting Materials



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

**Status: ADOPTED**

Original Adopted Date: 12/01/1990 | Last Revised Date: 10/01/2023 | Last Reviewed Date: 10/01/2023

**REQUEST FOR ~~RECONSIDERATION~~ RECONSIDERATION OF ~~STRUCTIO~~ AL EXISTING  
INSTRUCTIONAL MATERIALS**

This form is only 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 ~~any existing textbook, instructional material. For complaints regarding sufficiency of, supplemental instructional materials, please use the Williams Uniform Complaint Procedure complaint form.~~ any existing textbook, instructional material.

~~Date:~~

~~any material, or other curriculum for classroom instruction, or any book or other resource in a school library.~~

~~Date:~~

~~Name~~ of person filing complaint:

~~:~~

**Anonymous complaints will not be accepted.**

Group represented (if any):

~~:~~

Phone:

~~:~~

E-mail address, ~~if any:~~

~~:~~

Address:

~~:~~

**Instructional Material Being Challenged:**

Title:

:

Author:

:

Publisher:

:

Date of Edition:

ame:

:

Name of school/classroom instructional material was used:

:

1. Please specifically state the nature of your concern or objection and identify your objection by page, ~~tape~~ website, webpage and/or link, recording or digital sequence, video frame, or words, as appropriate. You may use additional pages if necessary.

Did you

:

2. ~~Was the instructional material of concern~~ read/~~view~~ heard/viewed in isolation or was the entire selection?

3. ~~For~~ read/heard/viewed? If the entire selection was not read/heard/viewed, ~~what age group would you recommend this material?~~

4. ~~2. If not, what is your estimate regarding the percentage~~ did you of the amount read/~~view, or what~~ is heard/viewed?

:

5.3. What ~~do you feel might be the result~~ is your concern regarding the consequence if a student reads/~~hears~~/views ~~this~~the instructional material? In your assessment, is the instructional material appropriate for the age of the students being taught?


6.4. What would you like the school to do about ~~this~~the instructional material?

~~Do not assign it to my child~~

~~Withdraw it from all students~~

~~Reconsider it~~


\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Signature of complainant

For District Use:

 Open in DocHub

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

Date:

:\_\_\_\_\_

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

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

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

---

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<a href="#"><u>Ed. Code 220</u></a>	<a href="#"><u>Prohibition of discrimination</u></a>
<a href="#"><u>Ed. Code 242</u></a>	<a href="#"><u>Access to information about educational laws and policies regarding right to accurate and inclusive curriculum</u></a>
<a href="#"><u>Ed. Code 243</u></a>	<a href="#"><u>Unlawful discrimination related to the use or prohibited use of textbooks and instructional materials</u></a>
<a href="#"><u>Ed. Code 35010</u></a>	<a href="#"><u>Control of district; prescription and enforcement of rules</u></a>
<a href="#"><u>Ed. Code 35160</u></a>	<a href="#"><u>Powers and duties of school boards</u></a>
<a href="#"><u>Ed. Code 35186</u></a>	<a href="#"><u>Williams uniform complaint procedures</u></a>
<a href="#"><u>Ed. Code 44805</u></a>	<a href="#"><u>Teacher enforcement of course of studies; use of textbooks, rules and regulations</u></a>
<a href="#"><u>Ed. Code 48907</u></a>	<a href="#"><u>Exercise of free expression; time, place and manner rules and regulations</u></a>
<a href="#"><u>Ed. Code 48950</u></a>	<a href="#"><u>Speech and other communication</u></a>
<a href="#"><u>Ed. Code 51204.5</u></a>	<a href="#"><u>Social sciences instruction; contributions of specified groups</u></a>
<a href="#"><u>Ed. Code 51501</u></a>	<a href="#"><u>Nondiscriminatory subject matter</u></a>
<a href="#"><u>Ed. Code 51511</u></a>	<a href="#"><u>Religious matters properly included in courses of study</u></a>
<a href="#"><u>Ed. Code 51933</u></a>	<a href="#"><u>Sexual health education and HIV prevention materials</u></a>
<a href="#"><u>Ed. Code 60000-60005</u></a>	<a href="#"><u>Instructional materials; legislative intent</u></a>
<a href="#"><u>Ed. Code 60040-60052</u></a>	<a href="#"><u>Requirements for instructional materials</u></a>
<a href="#"><u>Ed. Code 60119</u></a>	<a href="#"><u>Public hearing on sufficiency of textbooks and instructional materials</u></a>
<a href="#"><u>Ed. Code 60200-60213</u></a>	<a href="#"><u>Elementary school materials</u></a>
<a href="#"><u>Ed. Code 60226</u></a>	<a href="#"><u>Requirements for publishers and manufacturers</u></a>
<a href="#"><u>Ed. Code 60400-60411</u></a>	<a href="#"><u>High school textbooks and instructional materials</u></a>
<a href="#"><u>Ed. Code 60510-60511</u></a>	<a href="#"><u>Donation or sale of obsolete instructional materials</u></a>
<b>Management Resources</b>	<b>Description</b>
<a href="#"><u>California Department of Education Publication</u></a>	<a href="#"><u>Instructional Materials, FAQ</u></a>

[California Department of Education  
Publication](#)

[Website](#)

[Website](#)

[Website](#)

[Website](#)

[Website](#)

[Standards for Evaluating Instructional Materials for Social  
Content, 2013](#)

[CSBA District and County Office of Education Legal Services](#)

[Department of Justice](#)

[California Department of Education, Curriculum and  
Instruction Resources](#)

[CSBA](#)

[U.S. Department of Education, Office for Civil Rights](#)

## **Cross References**

### **Code**

[0410](#)

[1100](#)

[1250](#)

[1250](#)

[1312.1](#)

[1312.1](#)

[1312.3](#)

[1312.3](#)

[1312.3](#)

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[6141](#)

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[6142.94](#)

[6143](#)

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### **Description**

[Nondiscrimination In District Programs And Activities](#)

[Communication With The Public](#)

[Visitors/Outsiders](#)

[Visitors/Outsiders](#)

[Complaints Concerning District Employees](#)

[Complaints Concerning District Employees](#)

[Uniform Complaint Procedures](#)

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[Uniform Complaint Procedures](#)

[Williams Uniform Complaint Procedures](#)

[Williams Uniform Complaint Procedures](#)

[Williams Uniform Complaint Procedures](#)

[Nondiscrimination/Harassment](#)

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[Concepts And Roles](#)

[Curriculum Development And Evaluation](#)

[Curriculum Development And Evaluation](#)

[Visual And Performing Arts Education](#)

[Mathematics Instruction](#)

[History-Social Science Instruction](#)

[Courses Of Study](#)

[Courses Of Study](#)

<u>6144</u>	<u>Controversial Issues</u>
<u>6161.1</u>	<u>Selection And Evaluation Of Instructional Materials</u>
<u>6161.1</u>	<u>Selection And Evaluation Of Instructional Materials</u>
<u>6161.1</u>	<u>Selection And Evaluation Of Instructional Materials</u>
<u>6161.11</u>	<u>Supplementary Instructional Materials</u>
<u>6161.2</u>	<u>Damaged Or Lost Instructional Materials</u>
<u>6163.1</u>	<u>Library Media Centers</u>
<u>9000</u>	<u>Role Of The Board</u>
<u>9005</u>	<u>Governance Standards</u>
<u>9012</u>	<u>Board Member Electronic Communications</u>
<u>9200</u>	<u>Limits Of Board Member Authority</u>
<u>9322</u>	<u>Agenda/Meeting Materials</u>

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

**Status:** ADOPTED

Original Adopted Date: 08/25/2009 | Last Revised Date: | Last Reviewed Date:

**REQUEST FOR RECONSIDERATION OF EXISTING  
INSTRUCTIONAL MATERIALS**

This form is only for use by district employees, district residents, or parents/guardians of children enrolled in a district school to challenge the content or use of any existing textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or other resource in a school library.

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

Name of person filing complaint:

\_\_\_\_\_

**Anonymous complaints will not be accepted.**

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

Phone: \_\_\_\_\_

E-mail address: \_\_\_\_\_

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

**Instructional Material Being Challenged:**

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

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

Publisher: \_\_\_\_\_

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

Name of school/classroom instructional material was used:

\_\_\_\_\_

1. Please specifically state the nature of your concern or objection and identify your objection by page, website, webpage and/or link, recording or digital sequence, video frame, or words, as appropriate. You may use additional pages if necessary.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



2. Was the instructional material of concern read/heard/viewed in isolation or was the entire selection read/heard/viewed? If the entire selection was not read/heard/viewed, what is your estimate regarding the percentage of the amount read/heard/viewed?

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3. What is your concern regarding the consequence if a student reads/hears/views the instructional material? In your assessment, is the instructional material appropriate for the age of the students being taught?

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4. What would you like the school to do about the instructional material?

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Signature of Complainant

**For District Use:**

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

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

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

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

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**

5 CCR 4600-4670

Ed. Code 1240

Ed. Code 18111

**Description**

Uniform complaint procedures

[County superintendent of schools; duties](#)

[Exclusion of books by Governing board that are sectarian, partisan, or denominational character](#)

Ed. Code 220	<a href="#">Prohibition of discrimination</a>
Ed. Code 242	<a href="#">Access to information about educational laws and policies regarding right to accurate and inclusive curriculum</a>
Ed. Code 243	<a href="#">Unlawful discrimination related to the use or prohibited use of textbooks and instructional materials</a>
Ed. Code 35010	<a href="#">Control of district; prescription and enforcement of rules</a>
Ed. Code 35160	<a href="#">Powers and duties of school boards</a>
Ed. Code 35186	<a href="#">Williams uniform complaint procedures</a>
Ed. Code 44805	<a href="#">Teacher enforcement of course of studies; use of textbooks, rules and regulations</a>
Ed. Code 48907	<a href="#">Exercise of free expression; time, place and manner rules and regulations</a>
Ed. Code 48950	<a href="#">Speech and other communication</a>
Ed. Code 51204.5	<a href="#">Social sciences instruction; contributions of specified groups</a>
Ed. Code 51501	<a href="#">Nondiscriminatory subject matter</a>
Ed. Code 51511	<a href="#">Religious matters properly included in courses of study</a>
Ed. Code 51933	<a href="#">Sexual health education and HIV prevention materials</a>
Ed. Code 60000-60005	<a href="#">Instructional materials; legislative intent</a>
Ed. Code 60040-60052	<a href="#">Requirements for instructional materials</a>
Ed. Code 60119	<a href="#">Public hearing on sufficiency of textbooks and instructional materials</a>
Ed. Code 60200-60213	<a href="#">Elementary school materials</a>
Ed. Code 60226	<a href="#">Requirements for publishers and manufacturers</a>
Ed. Code 60400-60411	<a href="#">High school textbooks and instructional materials</a>
Ed. Code 60510-60511	<a href="#">Donation or sale of obsolete instructional materials</a>
<b>Management Resources</b>	<b>Description</b>
California Department of Education Publication	<a href="#">Instructional Materials, FAQ</a>
California Department of Education Publication	<a href="#">Standards for Evaluating Instructional Materials for Social Content, 2013</a>
Website	<a href="#">CSBA District and County Office of Education Legal Services</a>
Website	<a href="#">Department of Justice</a>
Website	<a href="#">California Department of Education, Curriculum and Instruction Resources</a>
Website	<a href="#">CSBA</a>
Website	<a href="#">U.S. Department of Education, Office for Civil Rights</a>

## Cross References

Code	Description
0410	Nondiscrimination In District Programs And Activities
1100	Communication With The Public
1250	Visitors/Outsiders
1250	Visitors/Outsiders
1312.1	Complaints Concerning District Employees
1312.1	Complaints Concerning District Employees
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.4	Williams Uniform Complaint Procedures
1312.4	Williams Uniform Complaint Procedures
1312.4	Williams Uniform Complaint Procedures
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
6000	Concepts And Roles
6141	Curriculum Development And Evaluation
6141	Curriculum Development And Evaluation
6142.6	Visual And Performing Arts Education
6142.92	Mathematics Instruction
6142.94	History-Social Science Instruction
6143	Courses Of Study
6143	Courses Of Study
6144	Controversial Issues
6161.1	Selection And Evaluation Of Instructional Materials
6161.1	Selection And Evaluation Of Instructional Materials
6161.1	Selection And Evaluation Of Instructional Materials
6161.11	Supplementary Instructional Materials
6161.2	Damaged Or Lost Instructional Materials
6163.1	Library Media Centers
9000	Role Of The Board

9005	Governance Standards
9012	Board Member Electronic Communications
9200	Limits Of Board Member Authority
9322	Agenda/Meeting Materials

**Policy 1312.3: Uniform Complaint Procedures**

**Status:** ADOPTED

**Original Adopted Date:** 11/15/2016 | **Last Revised Date:** 03/22/2022 | **Last Reviewed Date:** 03/22/2022

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)

Discrimination includes, but is not limited to, the Board's refusal to approve the use or prohibit the use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or other resource in a school library, on the basis that it includes a study of the role and contributions of any individual or group consistent with the requirements of Education Code 51204.5 and 60040, unless

such study would violate Education Code 51501 or 60044. A complaint alleging such unlawful discrimination may, in addition to or in lieu of being filed with the district, be directly filed with the Superintendent of Public Instruction (SPI). (Education Code 243)

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 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<sup>55</sup>

**Policy Reference Disclaimer:**

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<b>State</b>	<b>Description</b>
2 CCR 11023	<a href="#">Harassment and discrimination prevention and correction</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	<a href="#">School libraries</a>
Ed. Code 200-262.4	<a href="#">Prohibition of discrimination</a>
Ed. Code 32280-32289.5	<a href="#">School safety plans</a>
Ed. Code 35186	<a href="#">Williams uniform complaint procedures</a>
Ed. Code 46015	<a href="#">Parental leave for students</a>
Ed. Code 48645.7	<a href="#">Juvenile court schools</a>
Ed. Code 48853-48853.5	<a href="#">Foster youth</a>
Ed. Code 48985	<a href="#">Notices to parents in language other than English</a>
Ed. Code 49010-49013	<a href="#">Student fees</a>
Ed. Code 49060-49079	<a href="#">Student records</a>
Ed. Code 49069.5	<a href="#">Records of foster youth</a>
Ed. Code 49490-49590	<a href="#">Child nutrition programs</a>
Ed. Code 49701	<a href="#">Provisions of the Interstate Compact on Educational Opportunities for Military Children</a>
Ed. Code 51204.5	<a href="#">Social sciences instruction; contributions of specified groups</a>
Ed. Code 51210	<a href="#">Course of study for grades 1-6</a>
Ed. Code 51222	<a href="#">Physical education</a>
Ed. Code 51223	<a href="#">Physical education; elementary schools</a>



Ed. Code 51225.1-51225.2	<a href="#">Foster youth, homeless children, former juvenile court school students; course credits; graduation requirements</a>
Ed. Code 51226-51226.1	<a href="#">Career technical education</a>
Ed. Code 51228.1-51228.3	<a href="#">Course periods without educational content</a>
Ed. Code 51501	<a href="#">Nondiscriminatory subject matter</a>
Ed. Code 52059.5	<a href="#">Statewide system of support</a>
Ed. Code 52060-52077	<a href="#">Local control and accountability plan</a>
Ed. Code 52075	<a href="#">Complaint for lack of compliance with local control and accountability plan requirements</a>
Ed. Code 52300-52462	<a href="#">Career technical education</a>
Ed. Code 52500-52617	<a href="#">Adult schools</a>
Ed. Code 54400-54425	<a href="#">Compensatory education programs</a>
Ed. Code 54440-54445	<a href="#">Migrant education</a>
Ed. Code 54460-54529	<a href="#">Compensatory education programs</a>
Ed. Code 59000-59300	<a href="#">Special schools and centers</a>
Ed. Code 60010	<a href="#">Instructional materials; definition</a>
Ed. Code 60040-60052	<a href="#">Requirements for instructional materials</a>
Ed. Code 64000-64001	<a href="#">Consolidated application process; school plan for student achievement</a>
Ed. Code 65000-65001	<a href="#">School site councils</a>
Ed. Code 8200-8488	<a href="#">Child care and development programs</a>
Ed. Code 8500-8538	<a href="#">Adult basic education</a>
Gov. Code 11135	<a href="#">Prohibition of discrimination</a>
Gov. Code 12900-12996	<a href="#">Fair Employment and Housing Act</a>
H&S Code 1596.792	<a href="#">California Child Day Care Act; general provisions and definitions</a>
H&S Code 1596.7925	<a href="#">California Child Day Care Act; health and safety regulations</a>
Pen. Code 422.55	<a href="#">Definition of hate crime</a>
Pen. Code 422.6	<a href="#">Crimes; harassment</a>
<b>Federal</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-2000d-7	Title VI, Civil Rights Act of 1964
42 USC 2000h-2-2000h-6	Title IX of the Civil Rights Act of 1964
42 USC 6101-6107	Age Discrimination Act of 1975
<b>Management Resources</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	<a href="#">CSBA District and County Office of Education Legal Services</a>
Website	<a href="#">Student Privacy Policy Office</a>
Website	<a href="#">U.S. Department of Agriculture</a>
Website	<a href="#">California Department of Social Services</a>
Website	<a href="#">U.S. Department of Justice</a>
Website	<a href="#">California Department of Education</a>
Website	<a href="#">CSBA</a>
Website	<a href="#">U.S. Department of Education, Office for Civil Rights</a>
Website	<a href="#">California Civil Rights Department</a>

## Cross References

Code	Description
0410	<a href="#">Nondiscrimination In District Programs And Activities</a>
0420	<a href="#">School Plans/Site Councils</a>
0420	<a href="#">School Plans/Site Councils</a>
0420.41	<a href="#">Charter School Oversight</a>
0420.41-E PDF(1)	<a href="#">Charter School Oversight</a>
0430	<a href="#">Comprehensive Local Plan For Special Education</a>
0430	<a href="#">Comprehensive Local Plan For Special Education</a>
0450	<a href="#">Comprehensive Safety Plan</a>
0450	<a href="#">Comprehensive Safety Plan</a>
0460	<a href="#">Local Control And Accountability Plan</a>
0460	<a href="#">Local Control And Accountability Plan</a>
1100	<a href="#">Communication With The Public</a>
1100	<a href="#">Communication With The Public</a>
1113	<a href="#">District And School Websites</a>
1113	<a href="#">District And School Websites</a>
1113-E PDF(1)	<a href="#">District And School Websites</a>
1114	<a href="#">District-Sponsored Social Media</a>
1220	<a href="#">Citizen Advisory Committees</a>
1220	<a href="#">Citizen Advisory Committees</a>
1250	<a href="#">Visitors/Outsiders</a>
1250	<a href="#">Visitors/Outsiders</a>

1312.1	<a href="#">Complaints Concerning District Employees</a>
1312.1	<a href="#">Complaints Concerning District Employees</a>
1312.2	<a href="#">Complaints Concerning Instructional Materials</a>
1312.2	<a href="#">Complaints Concerning Instructional Materials</a>
1312.2-E PDF(1)	<a href="#">Complaints Concerning Instructional Materials</a>
1312.4	<a href="#">Williams Uniform Complaint Procedures</a>
1312.4-E PDF(1)	<a href="#">Williams Uniform Complaint Procedures</a>
1340	<a href="#">Access To District Records</a>
1340	<a href="#">Access To District Records</a>
3260	<a href="#">Fees And Charges</a>
3260	<a href="#">Fees And Charges</a>
3555	<a href="#">Nutrition Program Compliance</a>
3555-E PDF(1)	<a href="#">Nutrition Program Compliance</a>
3580	<a href="#">District Records</a>
3580	<a href="#">District Records</a>
4030	<a href="#">Nondiscrimination In Employment</a>
4030	<a href="#">Nondiscrimination In Employment</a>
4112.23	<a href="#">Special Education Staff</a>
4112.9	<a href="#">Employee Notifications</a>
4112.9	<a href="#">Employee Notifications</a>
4112.9-E PDF(1)	<a href="#">Employee Notifications</a>
4118	<a href="#">Dismissal/Suspension/Disciplinary Action</a>
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**Policy 1312.3: Uniform Complaint Procedures**

**Status: ADOPTED**

**Original Adopted Date:** 11/15/2016 | **Last Revised Date:**     | **Last Reviewed Date:**

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)

Discrimination includes, but is not limited to, the Board's refusal to approve the use or prohibit the use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or other resource in a school library, on the basis that it includes a study of the role and contributions of any individual or group consistent with the requirements of Education Code 51204.5 and 60040, unless such study would violate Education Code 51501 or 60044. A complaint alleging such

unlawful discrimination may, in addition to or in lieu of being filed with the district, be directly filed with the Superintendent of Public Instruction (SPI). (Education Code 243)

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)
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 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.

<b>State</b>	<b>Description</b>
2 CCR 11023	<a href="#">Harassment and discrimination prevention and correction</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	<a href="#">School libraries</a>
Ed. Code 200-262.4	<a href="#">Prohibition of discrimination</a>
Ed. Code 32280-32289.5	<a href="#">School safety plans</a>
Ed. Code 35186	<a href="#">Williams uniform complaint procedures</a>
Ed. Code 46015	<a href="#">Parental leave for students</a>
Ed. Code 48645.7	<a href="#">Juvenile court schools</a>
Ed. Code 48853-48853.5	<a href="#">Foster youth</a>
Ed. Code 48985	<a href="#">Notices to parents in language other than English</a>
Ed. Code 49010-49013	<a href="#">Student fees</a>
Ed. Code 49060-49079	<a href="#">Student records</a>
Ed. Code 49069.5	<a href="#">Records of foster youth</a>
Ed. Code 49490-49590	<a href="#">Child nutrition programs</a>
Ed. Code 49701	<a href="#">Provisions of the Interstate Compact on Educational Opportunities for Military Children</a>
Ed. Code 51204.5	<a href="#">Social sciences instruction; contributions of specified groups</a>
Ed. Code 51210	<a href="#">Course of study for grades 1-6</a>
Ed. Code 51222	<a href="#">Physical education</a>
Ed. Code 51223	<a href="#">Physical education; elementary schools</a>
Ed. Code 51225.1-51225.2	<a href="#">Foster youth, homeless children, former juvenile court school students; course credits; graduation requirements</a>
Ed. Code 51226-51226.1	<a href="#">Career technical education</a>

Ed. Code 51228.1-51228.3	<a href="#">Course periods without educational content</a>
Ed. Code 51501	<a href="#">Nondiscriminatory subject matter</a>
Ed. Code 52059.5	<a href="#">Statewide system of support</a>
Ed. Code 52060-52077	<a href="#">Local control and accountability plan</a>
Ed. Code 52075	<a href="#">Complaint for lack of compliance with local control and accountability plan requirements</a>
Ed. Code 52300-52462	<a href="#">Career technical education</a>
Ed. Code 52500-52617	<a href="#">Adult schools</a>
Ed. Code 54400-54425	<a href="#">Compensatory education programs</a>
Ed. Code 54440-54445	<a href="#">Migrant education</a>
Ed. Code 54460-54529	<a href="#">Compensatory education programs</a>
Ed. Code 59000-59300	<a href="#">Special schools and centers</a>
Ed. Code 60010	<a href="#">Instructional materials; definition</a>
Ed. Code 60040-60052	<a href="#">Requirements for instructional materials</a>
Ed. Code 64000-64001	<a href="#">Consolidated application process; school plan for student achievement</a>
Ed. Code 65000-65001	<a href="#">School site councils</a>
Ed. Code 8200-8488	<a href="#">Child care and development programs</a>
Ed. Code 8500-8538	<a href="#">Adult basic education</a>
Gov. Code 11135	<a href="#">Prohibition of discrimination</a>
Gov. Code 12900-12996	<a href="#">Fair Employment and Housing Act</a>
H&S Code 1596.792	<a href="#">California Child Day Care Act; general provisions and definitions</a>
H&S Code 1596.7925	<a href="#">California Child Day Care Act; health and safety regulations</a>
Pen. Code 422.55	<a href="#">Definition of hate crime</a>
Pen. Code 422.6	<a href="#">Crimes; harassment</a>
<b>Federal</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-2000d-7	Title VI, Civil Rights Act of 1964
42 USC 2000h-2-2000h-6	Title IX of the Civil Rights Act of 1964
42 USC 6101-6107	Age Discrimination Act of 1975
<b>Management Resources</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	<a href="#">CSBA District and County Office of Education Legal Services</a>
Website	<a href="#">Student Privacy Policy Office</a>
Website	<a href="#">U.S. Department of Agriculture</a>

Website	<a href="#">California Department of Social Services</a>
Website	<a href="#">U.S. Department of Justice</a>
Website	<a href="#">California Department of Education</a>
Website	<a href="#">CSBA</a>
Website	<a href="#">U.S. Department of Education, Office for Civil Rights</a>
Website	<a href="#">California Civil Rights Department</a>

## Cross References

Code	Description
0410	<a href="#">Nondiscrimination In District Programs And Activities</a>
0420	<a href="#">School Plans/Site Councils</a>
0420	<a href="#">School Plans/Site Councils</a>
0420.41	<a href="#">Charter School Oversight</a>
0420.41-E PDF(1)	<a href="#">Charter School Oversight</a>
0430	<a href="#">Comprehensive Local Plan For Special Education</a>
0430	<a href="#">Comprehensive Local Plan For Special Education</a>
0450	<a href="#">Comprehensive Safety Plan</a>
0450	<a href="#">Comprehensive Safety Plan</a>
0460	<a href="#">Local Control And Accountability Plan</a>
0460	<a href="#">Local Control And Accountability Plan</a>
1100	<a href="#">Communication With The Public</a>
1100	<a href="#">Communication With The Public</a>
1113	<a href="#">District And School Websites</a>
1113	<a href="#">District And School Websites</a>
1113-E PDF(1)	<a href="#">District And School Websites</a>
1114	<a href="#">District-Sponsored Social Media</a>
1220	<a href="#">Citizen Advisory Committees</a>
1220	<a href="#">Citizen Advisory Committees</a>
1250	<a href="#">Visitors/Outsiders</a>
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1312.1	<a href="#">Complaints Concerning District Employees</a>
1312.2	<a href="#">Complaints Concerning Instructional Materials</a>

1312.2	<a href="#">Complaints Concerning Instructional Materials</a>
1312.2-E PDF(1)	<a href="#">Complaints Concerning Instructional Materials</a>
1312.4	<a href="#">Williams Uniform Complaint Procedures</a>
1312.4-E PDF(1)	<a href="#">Williams Uniform Complaint Procedures</a>
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1340	<a href="#">Access To District Records</a>
3260	<a href="#">Fees And Charges</a>
3260	<a href="#">Fees And Charges</a>
3555	<a href="#">Nutrition Program Compliance</a>
3555-E PDF(1)	<a href="#">Nutrition Program Compliance</a>
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**Regulation 1312.3: Uniform Complaint Procedures**

**Status:** ADOPTED

**Original Adopted Date:** 11/15/2016 | **Last Revised Date:** 02/28/2022 | **Last Reviewed Date:** 02/28/2022

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**

The compliance officer shall begin an investigation into the complaint within 10 business days of receiving the 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<sup>81</sup>

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<sup>82</sup>

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 <sup>84</sup>

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)

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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	Description
2 CCR 11023	<a href="#">Harassment and discrimination prevention and correction</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	<a href="#">School libraries</a>
Ed. Code 200-262.4	<a href="#">Prohibition of discrimination</a>
Ed. Code 32280-32289.5	<a href="#">School safety plans</a>
Ed. Code 35186	<a href="#">Williams uniform complaint procedures</a>
Ed. Code 46015	<a href="#">Parental leave for students</a>
Ed. Code 48645.7	<a href="#">Juvenile court schools</a>
Ed. Code 48853-48853.5	<a href="#">Foster youth</a>
Ed. Code 48985	<a href="#">Notices to parents in language other than English</a>
Ed. Code 49010-49013	<a href="#">Student fees</a>
Ed. Code 49060-49079	<a href="#">Student records</a>
Ed. Code 49069.5	<a href="#">Records of foster youth</a>
Ed. Code 49490-49590	<a href="#">Child nutrition programs</a>
Ed. Code 49701	<a href="#">Provisions of the Interstate Compact on Educational Opportunities for Military Children</a>
Ed. Code 51204.5	<a href="#">Social sciences instruction; contributions of specified groups</a>
Ed. Code 51210	<a href="#">Course of study for grades 1-6</a>
Ed. Code 51222	<a href="#">Physical education</a>
Ed. Code 51223	<a href="#">Physical education; elementary schools</a>
Ed. Code 51225.1-51225.2	<a href="#">Foster youth, homeless children, former juvenile court school students; course credits; graduation requirements</a>
Ed. Code 51226-51226.1	<a href="#">Career technical education</a>
Ed. Code 51228.1-51228.3	<a href="#">Course periods without educational content</a>
Ed. Code 51501	<a href="#">Nondiscriminatory subject matter</a>
Ed. Code 52059.5	<a href="#">Statewide system of support</a>
Ed. Code 52060-52077	<a href="#">Local control and accountability plan</a>
Ed. Code 52075	<a href="#">Complaint for lack of compliance with local control and accountability plan requirements</a>
Ed. Code 52300-52462	<a href="#">Career technical education</a>
Ed. Code 52500-52617	<a href="#">Adult schools</a>

Ed. Code 54400-54425	<a href="#">Compensatory education programs</a>
Ed. Code 54440-54445	<a href="#">Migrant education</a>
Ed. Code 54460-54529	<a href="#">Compensatory education programs</a>
Ed. Code 59000-59300	<a href="#">Special schools and centers</a>
Ed. Code 60010	<a href="#">Instructional materials; definition</a>
Ed. Code 60040-60052	<a href="#">Requirements for instructional materials</a>
Ed. Code 64000-64001	<a href="#">Consolidated application process; school plan for student achievement</a>
Ed. Code 65000-65001	<a href="#">School site councils</a>
Ed. Code 8200-8488	<a href="#">Child care and development programs</a>
Ed. Code 8500-8538	<a href="#">Adult basic education</a>
Gov. Code 11135	<a href="#">Prohibition of discrimination</a>
Gov. Code 12900-12996	<a href="#">Fair Employment and Housing Act</a>
H&S Code 1596.792	<a href="#">California Child Day Care Act; general provisions and definitions</a>
H&S Code 1596.7925	<a href="#">California Child Day Care Act; health and safety regulations</a>
Pen. Code 422.55	<a href="#">Definition of hate crime</a>
Pen. Code 422.6	<a href="#">Crimes; harassment</a>
<b>Federal</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-2000d-7	Title VI, Civil Rights Act of 1964
42 USC 2000h-2-2000h-6	Title IX of the Civil Rights Act of 1964
42 USC 6101-6107	Age Discrimination Act of 1975
<b>Management Resources</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	<a href="#">CSBA District and County Office of Education Legal Services</a>
Website	<a href="#">Student Privacy Policy Office</a>
Website	<a href="#">U.S. Department of Agriculture</a>
Website	<a href="#">California Department of Social Services</a>
Website	<a href="#">U.S. Department of Justice</a>
Website	<a href="#">California Department of Education</a>
Website	<a href="#">CSBA</a>
Website	<a href="#">U.S. Department of Education, Office for Civil Rights</a>
Website	<a href="#">California Civil Rights Department</a>

## Cross References



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**Regulation 1312.3: Uniform Complaint Procedures**

**Status:** ADOPTED

**Original Adopted Date:** 11/15/2016 | **Last Revised Date:** | **Last Reviewed Date:**

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**

The compliance officer shall begin an investigation into the complaint within 10 business days of receiving 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<sup>98</sup>

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. <sup>162</sup>

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)

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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	Description
2 CCR 11023	<a href="#">Harassment and discrimination prevention and correction</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	<a href="#">School libraries</a>
Ed. Code 200-262.4	<a href="#">Prohibition of discrimination</a>
Ed. Code 32280-32289.5	<a href="#">School safety plans</a>
Ed. Code 35186	<a href="#">Williams uniform complaint procedures</a>
Ed. Code 46015	<a href="#">Parental leave for students</a>
Ed. Code 48645.7	<a href="#">Juvenile court schools</a>
Ed. Code 48853-48853.5	<a href="#">Foster youth</a>
Ed. Code 48985	<a href="#">Notices to parents in language other than English</a>
Ed. Code 49010-49013	<a href="#">Student fees</a>
Ed. Code 49060-49079	<a href="#">Student records</a>
Ed. Code 49069.5	<a href="#">Records of foster youth</a>
Ed. Code 49490-49590	<a href="#">Child nutrition programs</a>
Ed. Code 49701	<a href="#">Provisions of the Interstate Compact on Educational Opportunities for Military Children</a>
Ed. Code 51204.5	<a href="#">Social sciences instruction; contributions of specified groups</a>
Ed. Code 51210	<a href="#">Course of study for grades 1-6</a>
Ed. Code 51222	<a href="#">Physical education</a>
Ed. Code 51223	<a href="#">Physical education; elementary schools</a>
Ed. Code 51225.1-51225.2	<a href="#">Foster youth, homeless children, former juvenile court school students; course credits; graduation requirements</a>
Ed. Code 51226-51226.1	<a href="#">Career technical education</a>
Ed. Code 51228.1-51228.3	<a href="#">Course periods without educational content</a>
Ed. Code 51501	<a href="#">Nondiscriminatory subject matter</a>
Ed. Code 52059.5	<a href="#">Statewide system of support</a>
Ed. Code 52060-52077	<a href="#">Local control and accountability plan</a>
Ed. Code 52075	<a href="#">Complaint for lack of compliance with local control and accountability plan requirements</a>
Ed. Code 52300-52462	<a href="#">Career technical education</a>
Ed. Code 52500-52617	<a href="#">Adult schools</a>
Ed. Code 54400-54425	<a href="#">Compensatory education programs</a>
Ed. Code 54440-54445	<a href="#">Migrant education</a>



Ed. Code 54460-54529	<a href="#">Compensatory education programs</a>
Ed. Code 59000-59300	<a href="#">Special schools and centers</a>
Ed. Code 60010	<a href="#">Instructional materials; definition</a>
Ed. Code 60040-60052	<a href="#">Requirements for instructional materials</a>
Ed. Code 64000-64001	<a href="#">Consolidated application process; school plan for student achievement</a>
Ed. Code 65000-65001	<a href="#">School site councils</a>
Ed. Code 8200-8488	<a href="#">Child care and development programs</a>
Ed. Code 8500-8538	<a href="#">Adult basic education</a>
Gov. Code 11135	<a href="#">Prohibition of discrimination</a>
Gov. Code 12900-12996	<a href="#">Fair Employment and Housing Act</a>
H&S Code 1596.792	<a href="#">California Child Day Care Act; general provisions and definitions</a>
H&S Code 1596.7925	<a href="#">California Child Day Care Act; health and safety regulations</a>
Pen. Code 422.55	<a href="#">Definition of hate crime</a>
Pen. Code 422.6	<a href="#">Crimes; harassment</a>
<b>Federal</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-2000d-7	Title VI, Civil Rights Act of 1964
42 USC 2000h-2-2000h-6	Title IX of the Civil Rights Act of 1964
42 USC 6101-6107	Age Discrimination Act of 1975
<b>Management Resources</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	<a href="#">CSBA District and County Office of Education Legal Services</a>
Website	<a href="#">Student Privacy Policy Office</a>
Website	<a href="#">U.S. Department of Agriculture</a>
Website	<a href="#">California Department of Social Services</a>
Website	<a href="#">U.S. Department of Justice</a>
Website	<a href="#">California Department of Education</a>
Website	<a href="#">CSBA</a>
Website	<a href="#">U.S. Department of Education, Office for Civil Rights</a>
Website	<a href="#">California Civil Rights Department</a>

## Cross References

<b>Code</b>	<b>Description</b>
0410	<a href="#">Nondiscrimination In District Programs And Activities</a>
0420	<a href="#">School Plans/Site Councils</a>

0420	<a href="#">School Plans/Site Councils</a>
0420.41	<a href="#">Charter School Oversight</a>
0420.41-E PDF(1)	<a href="#">Charter School Oversight</a>
0430	<a href="#">Comprehensive Local Plan For Special Education</a>
0430	<a href="#">Comprehensive Local Plan For Special Education</a>
0450	<a href="#">Comprehensive Safety Plan</a>
0450	<a href="#">Comprehensive Safety Plan</a>
0460	<a href="#">Local Control And Accountability Plan</a>
0460	<a href="#">Local Control And Accountability Plan</a>
1100	<a href="#">Communication With The Public</a>
1100	<a href="#">Communication With The Public</a>
1113	<a href="#">District And School Websites</a>
1113	<a href="#">District And School Websites</a>
1113-E PDF(1)	<a href="#">District And School Websites</a>
1114	<a href="#">District-Sponsored Social Media</a>
1220	<a href="#">Citizen Advisory Committees</a>
1220	<a href="#">Citizen Advisory Committees</a>
1250	<a href="#">Visitors/Outsiders</a>
1250	<a href="#">Visitors/Outsiders</a>
1312.1	<a href="#">Complaints Concerning District Employees</a>
1312.1	<a href="#">Complaints Concerning District Employees</a>
1312.2	<a href="#">Complaints Concerning Instructional Materials</a>
1312.2	<a href="#">Complaints Concerning Instructional Materials</a>
1312.2-E PDF(1)	<a href="#">Complaints Concerning Instructional Materials</a>
1312.4	<a href="#">Williams Uniform Complaint Procedures</a>
1312.4-E PDF(1)	<a href="#">Williams Uniform Complaint Procedures</a>
1340	<a href="#">Access To District Records</a>
1340	<a href="#">Access To District Records</a>
3260	<a href="#">Fees And Charges</a>
3260	<a href="#">Fees And Charges</a>
3555	<a href="#">Nutrition Program Compliance</a>
3555-E PDF(1)	<a href="#">Nutrition Program Compliance</a>
3580	<a href="#">District Records</a>

3580	<a href="#">District Records</a>
4030	<a href="#">Nondiscrimination In Employment</a>
4030	<a href="#">Nondiscrimination In Employment</a>
4112.23	<a href="#">Special Education Staff</a>
4112.9	<a href="#">Employee Notifications</a>
4112.9	<a href="#">Employee Notifications</a>
4112.9-E PDF(1)	<a href="#">Employee Notifications</a>
4118	<a href="#">Dismissal/Suspension/Disciplinary Action</a>
4118	<a href="#">Dismissal/Suspension/Disciplinary Action</a>
4119.1	<a href="#">Civil And Legal Rights</a>
4119.11	<a href="#">Sexual Harassment</a>
4119.11	<a href="#">Sexual Harassment</a>
4119.23	<a href="#">Unauthorized Release Of Confidential/Privileged Information</a>
4131	<a href="#">Staff Development</a>
4131	<a href="#">Staff Development</a>
4212.9	<a href="#">Employee Notifications</a>
4212.9	<a href="#">Employee Notifications</a>
4212.9-E PDF(1)	<a href="#">Employee Notifications</a>
4218	<a href="#">Dismissal/Suspension/Disciplinary Action</a>
4218	<a href="#">Dismissal/Suspension/Disciplinary Action</a>
4219.1	<a href="#">Civil And Legal Rights</a>
4219.11	<a href="#">Sexual Harassment</a>
4219.11	<a href="#">Sexual Harassment</a>
4219.23	<a href="#">Unauthorized Release Of Confidential/Privileged Information</a>
4231	<a href="#">Staff Development</a>
4231	<a href="#">Staff Development</a>
4244	<a href="#">Complaints</a>
4244	<a href="#">Complaints</a>
4312.9	<a href="#">Employee Notifications</a>
4312.9	<a href="#">Employee Notifications</a>
4312.9-E PDF(1)	<a href="#">Employee Notifications</a>
4319.1	<a href="#">Civil And Legal Rights</a>
4319.11	<a href="#">Sexual Harassment</a>

4319.11	<a href="#">Sexual Harassment</a>
4319.23	<a href="#">Unauthorized Release Of Confidential/Privileged Information</a>
4331	<a href="#">Staff Development</a>
4331	<a href="#">Staff Development</a>
4344	<a href="#">Complaints</a>
4344	<a href="#">Complaints</a>
5116.1	<a href="#">Intradistrict Open Enrollment</a>
5116.1	<a href="#">Intradistrict Open Enrollment</a>
5117	<a href="#">Interdistrict Attendance</a>
5117	<a href="#">Interdistrict Attendance</a>
5125	<a href="#">Student Records</a>
5125	<a href="#">Student Records</a>
5131.62	<a href="#">Tobacco</a>
5131.62	<a href="#">Tobacco</a>
5137	<a href="#">Positive School Climate</a>
5141.22	<a href="#">Infectious Diseases</a>
5141.22	<a href="#">Infectious Diseases</a>
5141.4	<a href="#">Child Abuse Prevention And Reporting</a>
5141.4	<a href="#">Child Abuse Prevention And Reporting</a>
5144	<a href="#">Discipline</a>
5144	<a href="#">Discipline</a>
5144.1	<a href="#">Suspension And Expulsion/Due Process</a>
5144.1	<a href="#">Suspension And Expulsion/Due Process</a>
5145.3	<a href="#">Nondiscrimination/Harassment</a>
5145.3	<a href="#">Nondiscrimination/Harassment</a>
5145.6	<a href="#">Parent/Guardian Notifications</a>
5145.6-E PDF(1)	<a href="#">Parent/Guardian Notifications</a>
5145.7	<a href="#">Sexual Harassment</a>
5145.7	<a href="#">Sexual Harassment</a>
5145.71	<a href="#">Title IX Sexual Harassment Complaint Procedures</a>
5145.71-E PDF(1)	<a href="#">Title IX Sexual Harassment Complaint Procedures</a>
5145.9	<a href="#">Hate-Motivated Behavior</a>
5146	<a href="#">Married/Pregnant/Parenting Students</a>

5146	<a href="#"><u>Married/Pregnant/Parenting Students</u></a>
5148	<a href="#"><u>Child Care And Development</u></a>
5148	<a href="#"><u>Child Care And Development</u></a>
5148.2	<a href="#"><u>Before/After School Programs</u></a>
5148.2	<a href="#"><u>Before/After School Programs</u></a>
5148.3	<a href="#"><u>Preschool/Early Childhood Education</u></a>
5148.3	<a href="#"><u>Preschool/Early Childhood Education</u></a>
6142.1	<a href="#"><u>Sexual Health And HIV/AIDS Prevention Instruction</u></a>
6142.1	<a href="#"><u>Sexual Health And HIV/AIDS Prevention Instruction</u></a>
6142.7	<a href="#"><u>Physical Education And Activity</u></a>
6142.7	<a href="#"><u>Physical Education And Activity</u></a>
6145	<a href="#"><u>Extracurricular And Cocurricular Activities</u></a>
6145	<a href="#"><u>Extracurricular And Cocurricular Activities</u></a>
6145.2	<a href="#"><u>Athletic Competition</u></a>
6145.2	<a href="#"><u>Athletic Competition</u></a>
6146.1	<a href="#"><u>High School Graduation Requirements</u></a>
6152	<a href="#"><u>Class Assignment</u></a>
6159	<a href="#"><u>Individualized Education Program</u></a>
6159	<a href="#"><u>Individualized Education Program</u></a>
6159.1	<a href="#"><u>Procedural Safeguards And Complaints For Special Education</u></a>
6159.1	<a href="#"><u>Procedural Safeguards And Complaints For Special Education</u></a>
6159.2	<a href="#"><u>Nonpublic, Nonsectarian School And Agency Services For Special Education</u></a>
6159.2	<a href="#"><u>Nonpublic, Nonsectarian School And Agency Services For Special Education</u></a>
6159.3	<a href="#"><u>Appointment Of Surrogate Parent For Special Education Students</u></a>
6159.3	<a href="#"><u>Appointment Of Surrogate Parent For Special Education Students</u></a>
6161.1	<a href="#"><u>Selection And Evaluation Of Instructional Materials</u></a>
6161.1	<a href="#"><u>Selection And Evaluation Of Instructional Materials</u></a>
6161.1-E PDF(1)	<a href="#"><u>Selection And Evaluation Of Instructional Materials</u></a>
6161.11	<a href="#"><u>Supplementary Instructional Materials</u></a>
6163.1	<a href="#"><u>Library Media Centers</u></a>

6164.2	<a href="#">Guidance/Counseling Services</a>
6164.2	<a href="#">Guidance/Counseling Services</a>
6164.4	<a href="#">Identification And Evaluation Of Individuals For Special Education</a>
6164.4	<a href="#">Identification And Evaluation Of Individuals For Special Education</a>
6164.5	<a href="#">Student Success Teams</a>
6164.5	<a href="#">Student Success Teams</a>
6171	<a href="#">Title I Programs</a>
6171	<a href="#">Title I Programs</a>
6173	<a href="#">Education For Homeless Children</a>
6173	<a href="#">Education For Homeless Children</a>
6173-E PDF(1)	<a href="#">Education For Homeless Children</a>
6173.1	<a href="#">Education For Foster Youth</a>
6173.1	<a href="#">Education For Foster Youth</a>
6173.2	<a href="#">Education Of Children Of Military Families</a>
6175	<a href="#">Migrant Education Program</a>
6175	<a href="#">Migrant Education Program</a>
6178	<a href="#">Career Technical Education</a>
6178	<a href="#">Career Technical Education</a>
6178.1	<a href="#">Work-Based Learning</a>
6178.1	<a href="#">Work-Based Learning</a>
6178.2	<a href="#">Regional Occupational Center/Program</a>
6200	<a href="#">Adult Education</a>
6200	<a href="#">Adult Education</a>
6200-E PDF(1)	<a href="#">Adult Education</a>
9000	<a href="#">Role Of The Board</a>
9011	<a href="#">Disclosure Of Confidential/Privileged Information</a>
9012	<a href="#">Board Member Electronic Communications</a>
9124	<a href="#">Attorney</a>
9200	<a href="#">Limits Of Board Member Authority</a>
9321	<a href="#">Closed Session</a>
9321-E PDF(1)	<a href="#">Closed Session</a>
9321-E PDF(2)	<a href="#">Closed Session</a>





**Regulation 1312.4: Williams Uniform Complaint Procedures**

**Status:** ADOPTED

Original Adopted Date: ~~08/25/2009~~11/01/2010 | Last Revised Date: 07/20/202210/01/2023 |  
Last Reviewed Date: 07/20/202210/01/2023

**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)

~~1.~~

- 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 one or 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. (5 CCR 4600)

*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. ~~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~~and 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 a documented student safety concern, an immediate threat to student safety, or to ~~make repairs~~repair the facility. (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~~women's and all-gender restroom, and in at least one ~~men's~~men's restroom. (Education Code 35292.6)-

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)~~Complaints may be filed anonymously. (Education Code 35186; 5 CCR 4680)

A complaint alleging that more than one student does not have sufficient textbooks or instructional materials as the result of an act by the Board, or the Board's failure to remedy the deficiency, may be filed with the Superintendent of Public Instruction (SPI) directly in addition to or in lieu of being filed with the district. Any such complaint shall identify the basis and provide evidence to support its filing directly with the SPI. (Education Code 35186)

If the Superintendent or designee becomes aware that a complaint alleging insufficient textbooks or instructional materials that has been filed directly with the SPI but not with the district, the Superintendent or designee may initiate an investigation in accordance with this administrative regulation, as described below, if there is sufficient evidence to do so.

### **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)

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~~SPI 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)

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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	Description
5 CCR 4600-4670	Uniform complaint procedures
5 CCR 4600-4687	Uniform complaint procedures and Williams complaints
5 CCR 4690-4694	Health and safety complaints in license-exempt preschool programs
Ed. Code 1240	<a href="#">County superintendent of schools; duties</a>
Ed. Code 17592.72	<a href="#">Urgent or emergency repairs; School Facility Emergency Repair Account</a>
Ed. Code 200-262.4	<a href="#">Prohibition of discrimination</a>
Ed. Code 234.1	<a href="#">Student protections relating to discrimination, harassment, intimidation, and bullying</a>
Ed. Code 33126	<a href="#">School accountability report card</a>
Ed. Code 35186	<a href="#">Williams uniform complaint procedures</a>
Ed. Code 35292.5-35292.6	<a href="#">Restrooms; maintenance and cleanliness</a>

Ed. Code 48907	<a href="#">Exercise of free expression; time, place and manner rules and regulations</a>
Ed. Code 48950	<a href="#">Speech and other communication</a>
Ed. Code 48985	<a href="#">Notices to parents in language other than English</a>
Ed. Code 51501	<a href="#">Nondiscriminatory subject matter</a>
Ed. Code 60010	<a href="#">Instructional materials; definition</a>
Ed. Code 60040-60052	<a href="#">Requirements for instructional materials</a>
Ed. Code 60119	<a href="#">Hearing on sufficiency of instructional materials</a>
Ed. Code 60150	<a href="#">Penalty for insufficiency of textbooks and instructional materials</a>

## Federal

20 USC 6314

## Management Resources

Website

Website

Website

Website

Website

Website

Website

## Description

Title I schoolwide program

## Description

[California County Superintendents Educational Services Association](#)

[CSBA District and County Office of Education Legal Services](#)

[State Allocation Board, Office of Public School Construction](#)

[Department of Justice](#)

[U.S. Department of Education, Office for Civil Rights](#)

[CSBA](#)

[California Department of Education](#)

## Cross References

### Code

0410

0460

0460

1100

~~1100~~

1250

1250

1312.2

### Description

~~Nondiscrimination In District Programs And Activities~~  
Nondiscrimination In District Programs And Activities

~~Local Control And Accountability Plan~~  
Local Control And Accountability Plan

~~Local Control And Accountability Plan~~  
Local Control And Accountability Plan

~~Communication With The Public~~  
Communication With The Public

~~Communication With The Public~~

~~Visitors/Outsiders~~  
Visitors/Outsiders

~~Visitors/Outsiders~~  
Visitors/Outsiders

~~Complaints Concerning Instructional Materials~~  
Complaints Concerning Instructional Materials

1312.2	<u>Complaints Concerning Instructional Materials</u> <u>Complaints Concerning Instructional Materials</u>
1312.2-E PDF(1)	<u>Complaints Concerning Instructional Materials</u> <u>Complaints Concerning Instructional Materials</u>
1312.3	<u>Uniform Complaint Procedures</u> <u>Uniform Complaint Procedures</u>
1312.3	<u>Uniform Complaint Procedures</u> <u>Uniform Complaint Procedures</u>
1312.3-E PDF(1)	<u>Uniform Complaint Procedures</u> <u>Uniform Complaint Procedures</u>
<u>1312.3</u>	<u>Uniform Complaint Procedures</u>
1340	<u>Access To District Records</u> <u>Access To District Records</u>
1340	<u>Access To District Records</u> <u>Access To District Records</u>
3270	<u>Sale And Disposal Of Books, Equipment And Supplies</u> <u>Sale And Disposal Of Books, Equipment And Supplies</u>
3270	<u>Sale And Disposal Of Books, Equipment And Supplies</u> <u>Sale And Disposal Of Books, Equipment And Supplies</u>
3514	<u>Environmental Safety</u> <u>Environmental Safety</u>
3514	<u>Environmental Safety</u> <u>Environmental Safety</u>
3514.2	<u>Integrated Pest Management</u> <u>Integrated Pest Management</u>
3517	<u>Facilities Inspection</u> <u>Facilities Inspection</u>
3517	<u>Facilities Inspection</u> <u>Facilities Inspection</u>
<u>3517-E PDF(1)</u>	<u>Facilities Inspection</u>
3550	<u>Food Service/Child Nutrition Program</u> <u>Food Service/Child Nutrition Program</u>
3550	<u>Food Service/Child Nutrition Program</u> <u>Food Service/Child Nutrition Program</u>
4112.2	<u>Certification</u> <u>Certification</u>
4112.2	<u>Certification</u> <u>Certification</u>
4112.22	<u>Staff Teaching English Learners</u> <u>Staff Teaching English Learners</u>
4113	<u>Assignment</u> <u>Assignment</u>
4113	<u>Assignment</u> <u>Assignment</u>
4144	<u>Complaints</u> <u>Complaints</u>
4144	<u>Complaints</u> <u>Complaints</u>
4244	<u>Complaints</u> <u>Complaints</u>
4244	<u>Complaints</u> <u>Complaints</u>
4344	<u>Complaints</u> <u>Complaints</u>
4344	<u>Complaints</u> <u>Complaints</u>

5145.3	<del>Nondiscrimination/Harassment</del> Nondiscrimination/Harassment
5145.3	<del>Nondiscrimination/Harassment</del> Nondiscrimination/Harassment
6142.92	<del>Mathematics Instruction</del> Mathematics Instruction
6143	<del>Courses Of Study</del> Courses Of Study
6143	<del>Courses Of Study</del> Courses Of Study
6161.1	<del>Selection And Evaluation Of Instructional Materials</del> Selection And Evaluation Of Instructional Materials
6161.1	<del>Selection And Evaluation Of Instructional Materials</del> Selection And Evaluation Of Instructional Materials
6161.1-E PDF(1)	<del>Selection And Evaluation Of Instructional Materials</del> Selection And Evaluation Of Instructional Materials
6161.11	<del>Supplementary Instructional Materials</del> Supplementary Instructional Materials
6161.2	<del>Damaged Or Lost Instructional Materials</del> Damaged Or Lost Instructional Materials
6163.1	<del>Library Media Centers</del> Library Media Centers
9000	<del>Role Of The Board</del> Role Of The Board
9012	<del>Board Member Electronic Communications</del> Board Member Electronic Communications
9200	<del>Limits Of Board Member Authority</del> Limits Of Board Member Authority
9322	<del>Agenda/Meeting Materials</del> Agenda/Meeting Materials

**Regulation 1312.4: Williams Uniform Complaint Procedures**

**Status:** ADOPTED

**Original Adopted Date:** 08/25/2009 | **Last Revised Date:**     | **Last Reviewed Date:**

## 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 one or more 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. (5 CCR 4600)

*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, and 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 a documented student safety concern, an immediate threat to student safety, or to repair the facility. (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)

A complaint alleging that more than one student does not have sufficient textbooks or instructional materials as the result of an act by the Board, or the Board's failure to remedy the deficiency, may be filed with the Superintendent of Public Instruction (SPI) directly in addition to or in lieu of being filed with the district. Any such complaint shall identify the basis and provide evidence to support its filing directly with the SPI. (Education Code 35186)

If the Superintendent or designee becomes aware that a complaint alleging insufficient textbooks or instructional materials that has been filed directly with the SPI but not with the district, the Superintendent or designee may initiate an investigation in accordance with this administrative regulation, as described below, if there is sufficient evidence to do so.

### **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 SPI 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)

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<b>State</b>	<b>Description</b>
5 CCR 4600-4670	Uniform complaint procedures
5 CCR 4600-4687	Uniform complaint procedures and Williams complaints
5 CCR 4690-4694	Health and safety complaints in license-exempt preschool programs
Ed. Code 1240	<a href="#">County superintendent of schools; duties</a>
Ed. Code 17592.72	<a href="#">Urgent or emergency repairs; School Facility Emergency Repair Account</a>
Ed. Code 200-262.4	<a href="#">Prohibition of discrimination</a>
Ed. Code 234.1	<a href="#">Student protections relating to discrimination, harassment, intimidation, and bullying</a>
Ed. Code 33126	<a href="#">School accountability report card</a>
Ed. Code 35186	<a href="#">Williams uniform complaint procedures</a>
Ed. Code 35292.5-35292.6	<a href="#">Restrooms; maintenance and cleanliness</a>
Ed. Code 48907	<a href="#">Exercise of free expression; time, place and manner rules and regulations</a>
Ed. Code 48950	<a href="#">Speech and other communication</a>
Ed. Code 48985	<a href="#">Notices to parents in language other than English</a>
Ed. Code 51501	<a href="#">Nondiscriminatory subject matter</a>
Ed. Code 60010	<a href="#">Instructional materials; definition</a>
Ed. Code 60040-60052	<a href="#">Requirements for instructional materials</a>
Ed. Code 60119	<a href="#">Hearing on sufficiency of instructional materials</a>
Ed. Code 60150	<a href="#">Penalty for insufficiency of textbooks and instructional materials</a>
<b>Federal</b>	<b>Description</b>
20 USC 6314	Title I schoolwide program
<b>Management Resources</b>	<b>Description</b>

Website	<a href="#">California County Superintendents Educational Services Association</a>
Website	<a href="#">CSBA District and County Office of Education Legal Services</a>
Website	<a href="#">State Allocation Board, Office of Public School Construction</a>
Website	<a href="#">Department of Justice</a>
Website	<a href="#">U.S. Department of Education, Office for Civil Rights</a>
Website	<a href="#">CSBA</a>
Website	<a href="#">California Department of Education</a>

## Cross References

Code	Description
0410	Nondiscrimination In District Programs And Activities
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
1100	Communication With The Public
1250	Visitors/Outsiders
1250	Visitors/Outsiders
1312.2	Complaints Concerning Instructional Materials
1312.2	Complaints Concerning Instructional Materials
1312.2	Complaints Concerning Instructional Materials
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1340	Access To District Records
1340	Access To District Records
3270	Sale And Disposal Of Books, Equipment And Supplies
3270	Sale And Disposal Of Books, Equipment And Supplies
3514	Environmental Safety
3514	Environmental Safety
3514.2	Integrated Pest Management
3517	Facilities Inspection
3517	Facilities Inspection
3550	Food Service/Child Nutrition Program

3550	Food Service/Child Nutrition Program
4112.2	Certification
4112.2	Certification
4112.22	Staff Teaching English Learners
4113	Assignment
4113	Assignment
4144	Complaints
4144	Complaints
4244	Complaints
4244	Complaints
4344	Complaints
4344	Complaints
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
6142.92	Mathematics Instruction
6143	Courses Of Study
6143	Courses Of Study
6161.1	Selection And Evaluation Of Instructional Materials
6161.1	Selection And Evaluation Of Instructional Materials
6161.1	Selection And Evaluation Of Instructional Materials
6161.11	Supplementary Instructional Materials
6161.2	Damaged Or Lost Instructional Materials
6163.1	Library Media Centers
9000	Role Of The Board
9012	Board Member Electronic Communications
9200	Limits Of Board Member Authority
9322	Agenda/Meeting Materials

~~WILLIAMS UNIFORM COMPLAINT PROCEDURES~~

District Policy Manual  
CSBA Policy Management Console

Exhibit 1312.4-E(1): Williams Uniform Complaint ProceduresStatus: ADOPTED

Original Adopted Date: 11/01/2007 | Last Revised Date: 10/01/2023 | Last Reviewed Date:  
10/01/2023

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.

3.

*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~~website. You may also download a copy of the California Department of Education (CDE) complaint form from ~~the following web site:~~ [http://www.cde.ca.gov/re/cp/uc.CDE's, website when available](http://www.cde.ca.gov/re/cp/uc/CDE's_website_when_available). However, a complaint need not be filed using either the district's complaint form or the complaint form from ~~the California Department of Education.CDE.~~

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~~Exhibit ALAMEDA UNIFIED SCHOOL DISTRICT~~

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

**~~revised: May 14, 2019~~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.~~

<u>State</u>	<u>Description</u>
<u>5 CCR 4600-4670</u>	<u>Uniform complaint procedures</u>
<u>5 CCR 4600-4687</u>	<u>Uniform complaint procedures and Williams complaints</u>
<u>5 CCR 4690-4694</u>	<u>Health and safety complaints in license-exempt preschool programs</u>
<u>Ed. Code 1240</u>	<u>County superintendent of schools; duties</u>
<u>Ed. Code 17592.72</u>	<u>Urgent or emergency repairs; School Facility Emergency Repair Account</u>
<u>Ed. Code 200-262.4</u>	<u>Prohibition of discrimination</u>
<u>Ed. Code 234.1</u>	<u>Student protections relating to discrimination, harassment, intimidation, and bullying</u>
<u>Ed. Code 33126</u>	<u>School accountability report card</u>
<u>Ed. Code 35186</u>	<u>Williams uniform complaint procedures</u>

[Ed. Code 35292.5-35292.6](#)

[Ed. Code 48907](#)

[Ed. Code 48950](#)

[Ed. Code 48985](#)

[Ed. Code 51501](#)

[Ed. Code 60010](#)

[Ed. Code 60040-60052](#)

[Ed. Code 60119](#)

[Ed. Code 60150](#)

### **Federal**

[20 USC 6314](#)

### **Management Resources**

[Website](#)

[Website](#)

[Website](#)

[Website](#)

[Website](#)

[Website](#)

[Website](#)

[Restrooms; maintenance and cleanliness](#)

[Exercise of free expression; time, place and manner rules and regulations](#)

[Speech and other communication](#)

[Notices to parents in language other than English](#)

[Nondiscriminatory subject matter](#)

[Instructional materials; definition](#)

[Requirements for instructional materials](#)

[Hearing on sufficiency of instructional materials](#)

[Penalty for insufficiency of textbooks and instructional materials](#)

### **Description**

[Title I schoolwide program](#)

### **Description**

[California County Superintendents Educational Services Association](#)

[CSBA District and County Office of Education Legal Services](#)

[State Allocation Board, Office of Public School Construction](#)

[Department of Justice](#)

[U.S. Department of Education, Office for Civil Rights](#)

[CSBA](#)

[California Department of Education](#)

## **Cross References**

### **Code**

[0410](#)

[0460](#)

[0460](#)

[1100](#)

[1250](#)

[1250](#)

[1312.2](#)

[1312.2](#)

[1312.2](#)

[1312.3](#)

### **Description**

[Nondiscrimination In District Programs And Activities](#)

[Local Control And Accountability Plan](#)

[Local Control And Accountability Plan](#)

[Communication With The Public](#)

[Visitors/Outsiders](#)

[Visitors/Outsiders](#)

[Complaints Concerning Instructional Materials](#)

[Complaints Concerning Instructional Materials](#)

[Complaints Concerning Instructional Materials](#)

[Uniform Complaint Procedures](#)



<u>1312.3</u>	<u>Uniform Complaint Procedures</u>
<u>1312.3</u>	<u>Uniform Complaint Procedures</u>
<u>1312.3</u>	<u>Uniform Complaint Procedures</u>
<u>1340</u>	<u>Access To District Records</u>
<u>1340</u>	<u>Access To District Records</u>
<u>3270</u>	<u>Sale And Disposal Of Books, Equipment And Supplies</u>
<u>3270</u>	<u>Sale And Disposal Of Books, Equipment And Supplies</u>
<u>3514</u>	<u>Environmental Safety</u>
<u>3514</u>	<u>Environmental Safety</u>
<u>3514.2</u>	<u>Integrated Pest Management</u>
<u>3517</u>	<u>Facilities Inspection</u>
<u>3517</u>	<u>Facilities Inspection</u>
<u>3550</u>	<u>Food Service/Child Nutrition Program</u>
<u>3550</u>	<u>Food Service/Child Nutrition Program</u>
<u>4112.2</u>	<u>Certification</u>
<u>4112.2</u>	<u>Certification</u>
<u>4112.22</u>	<u>Staff Teaching English Learners</u>
<u>4113</u>	<u>Assignment</u>
<u>4113</u>	<u>Assignment</u>
<u>4144</u>	<u>Complaints</u>
<u>4144</u>	<u>Complaints</u>
<u>4244</u>	<u>Complaints</u>
<u>4244</u>	<u>Complaints</u>
<u>4344</u>	<u>Complaints</u>
<u>4344</u>	<u>Complaints</u>
<u>5145.3</u>	<u>Nondiscrimination/Harassment</u>
<u>5145.3</u>	<u>Nondiscrimination/Harassment</u>
<u>6142.92</u>	<u>Mathematics Instruction</u>
<u>6143</u>	<u>Courses Of Study</u>
<u>6143</u>	<u>Courses Of Study</u>
<u>6161.1</u>	<u>Selection And Evaluation Of Instructional Materials</u>
<u>6161.1</u>	<u>Selection And Evaluation Of Instructional Materials</u>
<u>6161.1</u>	<u>Selection And Evaluation Of Instructional Materials</u>

6161.11

Supplementary Instructional Materials

6161.2

Damaged Or Lost Instructional Materials

6163.1

Library Media Centers

9000

Role Of The Board

9012

Board Member Electronic Communications

9200

Limits Of Board Member Authority

9322

Agenda/Meeting Materials

**WILLIAMS UNIFORM COMPLAINT PROCEDURES**

**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 website. You may also download a copy of the California Department of Education (CDE) complaint form from CDE's website when available. However, a complaint need not be filed using either the district's complaint form or the complaint form from CDE.

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Exhibit ALAMEDA UNIFIED SCHOOL DISTRICT

Adopted: August 25, 2009 Alameda, California

revised: May 14, 2019

version:

**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.

<b>State</b>	<b>Description</b>
5 CCR 4600-4670	Uniform complaint procedures
5 CCR 4600-4687	Uniform complaint procedures and Williams complaints
5 CCR 4690-4694	Health and safety complaints in license-exempt preschool programs
Ed. Code 1240	<a href="#">County superintendent of schools; duties</a>
Ed. Code 17592.72	<a href="#">Urgent or emergency repairs; School Facility Emergency Repair Account</a>
Ed. Code 200-262.4	<a href="#">Prohibition of discrimination</a>
Ed. Code 234.1	<a href="#">Student protections relating to discrimination, harassment, intimidation, and bullying</a>
Ed. Code 33126	<a href="#">School accountability report card</a>
Ed. Code 35186	<a href="#">Williams uniform complaint procedures</a>
Ed. Code 35292.5-35292.6	<a href="#">Restrooms; maintenance and cleanliness</a>
Ed. Code 48907	<a href="#">Exercise of free expression; time, place and manner rules and regulations</a>
Ed. Code 48950	<a href="#">Speech and other communication</a>
Ed. Code 48985	<a href="#">Notices to parents in language other than English</a>
Ed. Code 51501	<a href="#">Nondiscriminatory subject matter</a>
Ed. Code 60010	<a href="#">Instructional materials; definition</a>
Ed. Code 60040-60052	<a href="#">Requirements for instructional materials</a>
Ed. Code 60119	<a href="#">Hearing on sufficiency of instructional materials</a>
Ed. Code 60150	<a href="#">Penalty for insufficiency of textbooks and instructional materials</a>
<b>Federal</b>	<b>Description</b>
20 USC 6314	Title I schoolwide program
<b>Management Resources</b>	<b>Description</b>
Website	<a href="#">California County Superintendents Educational Services Association</a>
Website	<a href="#">CSBA District and County Office of Education Legal Services</a>
Website	<a href="#">State Allocation Board, Office of Public School Construction</a>

Website	<a href="#">Department of Justice</a>
Website	<a href="#">U.S. Department of Education, Office for Civil Rights</a>
Website	<a href="#">CSBA</a>
Website	<a href="#">California Department of Education</a>

## Cross References

Code	Description
0410	Nondiscrimination In District Programs And Activities
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
1100	Communication With The Public
1250	Visitors/Outsiders
1250	Visitors/Outsiders
1312.2	Complaints Concerning Instructional Materials
1312.2	Complaints Concerning Instructional Materials
1312.2	Complaints Concerning Instructional Materials
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1340	Access To District Records
1340	Access To District Records
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4112.2	Certification
4112.2	Certification
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4344	Complaints
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5145.3	Nondiscrimination/Harassment
6142.92	Mathematics Instruction
6143	Courses Of Study
6143	Courses Of Study
6161.1	Selection And Evaluation Of Instructional Materials
6161.1	Selection And Evaluation Of Instructional Materials
6161.1	Selection And Evaluation Of Instructional Materials
6161.11	Supplementary Instructional Materials
6161.2	Damaged Or Lost Instructional Materials
6163.1	Library Media Centers
9000	Role Of The Board
9012	Board Member Electronic Communications
9200	Limits Of Board Member Authority
9322	Agenda/Meeting Materials

District Policy Manual  
CSBA Policy Management Console

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

Status:  
ADOPTED

Original Adopted Date: 11/01/2010 | Last Revised Date: 10/01/2023 | Last Reviewed  
Date: 10/01/2023

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

~~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.)

~~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. (5 CCR 4600)

- ☐ A teacher who lacks credentials or training to teach English learners is assigned to teach a class with one or 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

3. 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~~ and 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 a documented student safety concern, an immediate threat to student safety, or to ~~make repairs~~ repair the facility.

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.


Please file this complaint at the following location:

\_\_\_\_\_  
(principal or designee)

\_\_\_\_\_  
(address)

Please be aware that you may file a complaint directly with the Superintendent of Public Instruction if you are alleging that more than one student does not have sufficient textbooks or instructional materials as the result of an act by the Governing Board, or the Board's failure to remedy the deficiency.

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)

Please file this complaint at the following location:

\_\_\_\_\_  
(Principal or designee)

\_\_\_\_\_  
(Address)

Please provide a signature below.

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.

<b><u>State</u></b>	<b><u>Description</u></b>
<a href="#"><u>5 CCR 4600-4670</u></a>	<a href="#"><u>Uniform complaint procedures</u></a>
<a href="#"><u>5 CCR 4600-4687</u></a>	<a href="#"><u>Uniform complaint procedures and Williams complaints</u></a>
<a href="#"><u>5 CCR 4690-4694</u></a>	<a href="#"><u>Health and safety complaints in license-exempt preschool programs</u></a>
<a href="#"><u>Ed. Code 1240</u></a>	<a href="#"><u>County superintendent of schools; duties</u></a>
<a href="#"><u>Ed. Code 17592.72</u></a>	<a href="#"><u>Urgent or emergency repairs; School Facility Emergency Repair Account</u></a>
<a href="#"><u>Ed. Code 200-262.4</u></a>	<a href="#"><u>Prohibition of discrimination</u></a>
<a href="#"><u>Ed. Code 234.1</u></a>	<a href="#"><u>Student protections relating to discrimination, harassment, intimidation, and bullying</u></a>
<a href="#"><u>Ed. Code 33126</u></a>	<a href="#"><u>School accountability report card</u></a>
<a href="#"><u>Ed. Code 35186</u></a>	<a href="#"><u>Williams uniform complaint procedures</u></a>
<a href="#"><u>Ed. Code 35292.5-35292.6</u></a>	<a href="#"><u>Restrooms; maintenance and cleanliness</u></a>
<a href="#"><u>Ed. Code 48907</u></a>	<a href="#"><u>Exercise of free expression; time, place and manner rules and regulations</u></a>
<a href="#"><u>Ed. Code 48950</u></a>	<a href="#"><u>Speech and other communication</u></a>
<a href="#"><u>Ed. Code 48985</u></a>	<a href="#"><u>Notices to parents in language other than English</u></a>
<a href="#"><u>Ed. Code 51501</u></a>	<a href="#"><u>Nondiscriminatory subject matter</u></a>
<a href="#"><u>Ed. Code 60010</u></a>	<a href="#"><u>Instructional materials; definition</u></a>
<a href="#"><u>Ed. Code 60040-60052</u></a>	<a href="#"><u>Requirements for instructional materials</u></a>
<a href="#"><u>Ed. Code 60119</u></a>	<a href="#"><u>Hearing on sufficiency of instructional materials</u></a>
<a href="#"><u>Ed. Code 60150</u></a>	<a href="#"><u>Penalty for insufficiency of textbooks and instructional materials</u></a>
<b><u>Federal</u></b>	<b><u>Description</u></b>
<a href="#"><u>20 USC 6314</u></a>	<a href="#"><u>Title I schoolwide program</u></a>
<b><u>Management Resources</u></b>	<b><u>Description</u></b>
<a href="#"><u>Website</u></a>	<a href="#"><u>California County Superintendents Educational Services Association</u></a>
<a href="#"><u>Website</u></a>	<a href="#"><u>CSBA District and County Office of Education Legal Services</u></a>
<a href="#"><u>Website</u></a>	<a href="#"><u>State Allocation Board, Office of Public School Construction</u></a>
<a href="#"><u>Website</u></a>	<a href="#"><u>Department of Justice</u></a>
<a href="#"><u>Website</u></a>	<a href="#"><u>U.S. Department of Education, Office for Civil Rights</u></a>
<a href="#"><u>Website</u></a>	<a href="#"><u>CSBA</u></a>

**[Cross References](#)**

<b><a href="#">Code</a></b>	<b><a href="#">Description</a></b>
<a href="#">0410</a>	<a href="#">Nondiscrimination In District Programs And Activities</a>
<a href="#">0460</a>	<a href="#">Local Control And Accountability Plan</a>
<a href="#">0460</a>	<a href="#">Local Control And Accountability Plan</a>
<a href="#">1100</a>	<a href="#">Communication With The Public</a>
<a href="#">1250</a>	<a href="#">Visitors/Outsiders</a>
<a href="#">1250</a>	<a href="#">Visitors/Outsiders</a>
<a href="#">1312.2</a>	<a href="#">Complaints Concerning Instructional Materials</a>
<a href="#">1312.2</a>	<a href="#">Complaints Concerning Instructional Materials</a>
<a href="#">1312.2</a>	<a href="#">Complaints Concerning Instructional Materials</a>
<a href="#">1312.3</a>	<a href="#">Uniform Complaint Procedures</a>
<a href="#">1312.3</a>	<a href="#">Uniform Complaint Procedures</a>
<a href="#">1312.3</a>	<a href="#">Uniform Complaint Procedures</a>
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<a href="#">3517</a>	<a href="#">Facilities Inspection</a>
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<a href="#"><u>4244</u></a>	<a href="#"><u>Complaints</u></a>
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<a href="#"><u>6142.92</u></a>	<a href="#"><u>Mathematics Instruction</u></a>
<a href="#"><u>6143</u></a>	<a href="#"><u>Courses Of Study</u></a>
<a href="#"><u>6143</u></a>	<a href="#"><u>Courses Of Study</u></a>
<a href="#"><u>6161.1</u></a>	<a href="#"><u>Selection And Evaluation Of Instructional Materials</u></a>
<a href="#"><u>6161.1</u></a>	<a href="#"><u>Selection And Evaluation Of Instructional Materials</u></a>
<a href="#"><u>6161.1</u></a>	<a href="#"><u>Selection And Evaluation Of Instructional Materials</u></a>
<a href="#"><u>6161.11</u></a>	<a href="#"><u>Supplementary Instructional Materials</u></a>
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<a href="#"><u>6163.1</u></a>	<a href="#"><u>Library Media Centers</u></a>
<a href="#"><u>9000</u></a>	<a href="#"><u>Role Of The Board</u></a>
<a href="#"><u>9012</u></a>	<a href="#"><u>Board Member Electronic Communications</u></a>
<a href="#"><u>9200</u></a>	<a href="#"><u>Limits Of Board Member Authority</u></a>
<a href="#"><u>9322</u></a>	<a href="#"><u>Agenda/Meeting Materials</u></a>

~~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)

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(Date)

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

revised: ~~May 14, 2019~~

revised: ~~July 20, 2022~~



**WILLIAMS UNIFORM COMPLAINT PROCEDURES****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. (5 CCR 4600)
- A teacher who lacks credentials or training to teach English learners is assigned to teach a class with one or more 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, and 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 a documented student safety concern, an immediate threat to student safety, or to repair the facility.

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 be aware that you may file a complaint directly with the Superintendent of Public Instruction if you are alleging that more than one student does not have sufficient textbooks or instructional materials as the result of an act by the Governing Board, or the Board's failure to remedy the deficiency.

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(Signature)

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**State**

5 CCR 4600-4670

5 CCR 4600-4687

5 CCR 4690-4694

Ed. Code 1240

**Description**

Uniform complaint procedures

Uniform complaint procedures and Williams complaints

Health and safety complaints in license-exempt preschool programs

[County superintendent of schools; duties](#)

Ed. Code 17592.72	<a href="#">Urgent or emergency repairs; School Facility Emergency Repair Account</a>
Ed. Code 200-262.4	<a href="#">Prohibition of discrimination</a>
Ed. Code 234.1	<a href="#">Student protections relating to discrimination, harassment, intimidation, and bullying</a>
Ed. Code 33126	<a href="#">School accountability report card</a>
Ed. Code 35186	<a href="#">Williams uniform complaint procedures</a>
Ed. Code 35292.5-35292.6	<a href="#">Restrooms; maintenance and cleanliness</a>
Ed. Code 48907	<a href="#">Exercise of free expression; time, place and manner rules and regulations</a>
Ed. Code 48950	<a href="#">Speech and other communication</a>
Ed. Code 48985	<a href="#">Notices to parents in language other than English</a>
Ed. Code 51501	<a href="#">Nondiscriminatory subject matter</a>
Ed. Code 60010	<a href="#">Instructional materials; definition</a>
Ed. Code 60040-60052	<a href="#">Requirements for instructional materials</a>
Ed. Code 60119	<a href="#">Hearing on sufficiency of instructional materials</a>
Ed. Code 60150	<a href="#">Penalty for insufficiency of textbooks and instructional materials</a>
<b>Federal</b>	<b>Description</b>
20 USC 6314	Title I schoolwide program
<b>Management Resources</b>	<b>Description</b>
Website	<a href="#">California County Superintendents Educational Services Association</a>
Website	<a href="#">CSBA District and County Office of Education Legal Services</a>
Website	<a href="#">State Allocation Board, Office of Public School Construction</a>
Website	<a href="#">Department of Justice</a>
Website	<a href="#">U.S. Department of Education, Office for Civil Rights</a>
Website	<a href="#">CSBA</a>
Website	<a href="#">California Department of Education</a>

## Cross References

Code	Description
0410	Nondiscrimination In District Programs And Activities
0460	Local Control And Accountability Plan

0460	Local Control And Accountability Plan
1100	Communication With The Public
1250	Visitors/Outsiders
1250	Visitors/Outsiders
1312.2	Complaints Concerning Instructional Materials
1312.2	Complaints Concerning Instructional Materials
1312.2	Complaints Concerning Instructional Materials
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1340	Access To District Records
1340	Access To District Records
3270	Sale And Disposal Of Books, Equipment And Supplies
3270	Sale And Disposal Of Books, Equipment And Supplies
3514	Environmental Safety
3514	Environmental Safety
3514.2	Integrated Pest Management
3517	Facilities Inspection
3517	Facilities Inspection
3550	Food Service/Child Nutrition Program
3550	Food Service/Child Nutrition Program
4112.2	Certification
4112.2	Certification
4112.22	Staff Teaching English Learners
4113	Assignment
4113	Assignment
4144	Complaints
4144	Complaints
4244	Complaints
4244	Complaints

4344	Complaints
4344	Complaints
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
6142.92	Mathematics Instruction
6143	Courses Of Study
6143	Courses Of Study
6161.1	Selection And Evaluation Of Instructional Materials
6161.1	Selection And Evaluation Of Instructional Materials
6161.1	Selection And Evaluation Of Instructional Materials
6161.11	Supplementary Instructional Materials
6161.2	Damaged Or Lost Instructional Materials
6163.1	Library Media Centers
9000	Role Of The Board
9012	Board Member Electronic Communications
9200	Limits Of Board Member Authority
9322	Agenda/Meeting Materials

Exhibit ALAMEDA UNIFIED SCHOOL DISTRICT

Adopted: August 25, 2009 Alameda, California

revised: May 14, 2019

revised: July 20, 2022

version:

**Policy 5145.3: Nondiscrimination/Harassment**

**Status: ADOPTED**

**Original Adopted Date:** 11/15/2016 | **Last Revised Date:** 05/11/2021 | **Last Reviewed Date:** 05/11/2021

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

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

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

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

Because unlawful discrimination may occur when disciplining students, including suspension and expulsion, the Superintendent or designee shall ensure that staff enforce discipline rules fairly, consistently and in a non-discriminatory manner, as specified in Board Policy and Administrative Regulation 5144 - Discipline, Board Policy and Administrative Regulation 5144.1 - Suspension and Expulsion/Due Process, and Administrative Regulation 5144.2 - Suspension and Expulsion/Due Process (Students With Disabilities).

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

The Superintendent or designee shall facilitate students' access to the educational program by publicizing the district's nondiscrimination policy and related complaint procedures to students, parents/guardians, and employees. In addition, the Superintendent or designee shall post the

district's policies prohibiting discrimination, harassment, intimidation, and bullying and other required information on the district's web site in a manner that is easily accessible to parents/guardians and students, in accordance with law and the accompanying administrative regulation.

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

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

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

[All allegations of unlawful discrimination in district programs and activities shall be brought, investigated, and resolved in accordance with Board Policy 1312.3 - Uniform Complaint Procedures.](#)

### **Record-Keeping**

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

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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.

<b>State</b>	<b>Description</b>
5 CCR 432	Student records
5 CCR 4600-4670	Uniform complaint procedures
5 CCR 4900-4965	Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance
Civ. Code 1714.1	<u><a href="#">Liability of parent or guardian for act of willful misconduct by a minor</a></u>
Ed. Code 200-262.4	<u><a href="#">Prohibition of discrimination</a></u>
Ed. Code 48900.3	<u><a href="#">Suspension or expulsion for act of hate violence</a></u>



Ed. Code 48900.4	<a href="#">Suspension or expulsion for harassment, threats, or intimidation</a>
Ed. Code 48904	<a href="#">Liability of parent/guardian for willful student misconduct</a>
Ed. Code 48907	<a href="#">Exercise of free expression; time, place and manner rules and regulations</a>
Ed. Code 48950	<a href="#">Speech and other communication</a>
Ed. Code 48985	<a href="#">Notices to parents in language other than English</a>
Ed. Code 49020-49023	<a href="#">Athletic programs</a>
Ed. Code 49060-49079	<a href="#">Student records</a>
Ed. Code 51204.5	<a href="#">Social sciences instruction; contributions of specified groups</a>
Ed. Code 51500	<a href="#">Prohibited instruction or activity</a>
Ed. Code 51501	<a href="#">Nondiscriminatory subject matter</a>
Ed. Code 60010	<a href="#">Instructional materials; definition</a>
Ed. Code 60040-60052	<a href="#">Requirements for instructional materials</a>
Gov. Code 11135	<a href="#">Prohibition of discrimination</a>
Pen. Code 422.55	<a href="#">Definition of hate crime</a>
Pen. Code 422.6	<a href="#">Crimes; harassment</a>
<b>Federal</b>	<b>Description</b>
20 USC 1681-1688	Title IX of the Education Amendments of 1972; discrimination based on sex
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 104.8	Notice of Nondiscrimination on the Basis of Handicap
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	Prohibition of discrimination based on age
34 CFR 99.31	Disclosure of personally identifiable information
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**

**Description**

34 CFR 106.30

Discrimination on the basis of sex; definitions

CA Office of the Attorney General  
Publication

[Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues, April 2018](#)

California Department of Education  
Publication

California Longitudinal Pupil Achievement Data System (CALPADS) Update FLASH #158: Guidance for Changing a Student's Gender in CALPADS, July 2019

Court Decision

Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567

Court Decision

Flores v. Morgan Hill Unified School District, (2003, 9th Cir.) 324 F.3d 1130

CSBA Publication

[Legal Guidance on Rights of Transgender and Gender Nonconforming Students in Schools, October 2022](#)

U.S. DOE, Office for Civil Rights  
Publication

[Resolution Agreement Between the Arcadia USD, US Dept of Ed, OCR, & the US DOJ, CRD, \(2013\) OCR 09-12-1020, DOJ 169-12C-70](#)

U.S. Dept. of Health & Human Services  
Publication

[Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, August 2013](#)

U.S. DOE & U.S. DOJ Civil Rights  
Divisions Pub

[Dear Colleague Letter: Resource on Confronting Racial Discrimination in Student Discipline, May 2023](#)

U.S. DOE Publication

[Guidance on Constitutionally Protected Prayer and Religious Expression in Public Elementary and Secondary Schools, May 2023](#)

U.S. DOE, Office for Civil Rights  
Publication

[Enforcement of Title IX of the Education Amendments of 1972 With Respect to Discrimination Based on Sexual Orientation and Gender Identity in Light of Bostock v. Clayton County, June 2021](#)

U.S. DOE, Office for Civil Rights  
Publication

[Dear Colleague Letter: Addressing Discrimination Against Jewish Students, May 2023](#)

U.S. DOE, Office for Civil Rights  
Publication

[U.S. Department of Education Toolkit: Creating Inclusive and Nondiscriminatory School Environments for LGBTQI+ Students, June 2023](#)

U.S. DOE, Office for Civil Rights  
Publication

[Questions and Answers on the Title IX Regulations on Sexual Harassment, June 2022](#)

U.S. DOE, Office for Civil Rights  
Publication

[Supporting Students with Disabilities and Avoiding the Discriminatory Use of Student Discipline under Section 504 of the Rehabilitation Act of 1973, July 2022](#)

U.S. DOE, Office for Civil Rights  
Publication

U.S. DOE, Office for Civil Rights  
Publication

Website

Website

Website

Website

Website

Website

Website

[Dear Colleague Letter: Race and School Programming, August 2023](#)

Examples of Policies and Emerging Practices for Supporting  
Transgender Students, May 2016

[CSBA District and County Office of Education Legal Services](#)

[First Amendment Center](#)

[California Office of the Attorney General](#)

[California Safe Schools Coalition](#)

[CSBA](#)

[California Department of Education](#)

[U.S. Department of Education, Office for Civil Rights](#)

## Cross References

Code	Description
0410	<a href="#">Nondiscrimination In District Programs And Activities</a>
0415	<a href="#">Equity</a>
0415	<a href="#">Equity</a>
0450	<a href="#">Comprehensive Safety Plan</a>
0450	<a href="#">Comprehensive Safety Plan</a>
1114	<a href="#">District-Sponsored Social Media</a>
1240	<a href="#">Volunteer Assistance</a>
1240	<a href="#">Volunteer Assistance</a>
1312.1	<a href="#">Complaints Concerning District Employees</a>
1312.1	<a href="#">Complaints Concerning District Employees</a>
1312.2	<a href="#">Complaints Concerning Instructional Materials</a>
1312.2	<a href="#">Complaints Concerning Instructional Materials</a>
1312.2-E PDF(1)	<a href="#">Complaints Concerning Instructional Materials</a>
1312.3	<a href="#">Uniform Complaint Procedures</a>
1312.3	<a href="#">Uniform Complaint Procedures</a>
1312.3-E PDF(1)	<a href="#">Uniform Complaint Procedures</a>
1312.4	<a href="#">Williams Uniform Complaint Procedures</a>
1312.4-E PDF(1)	<a href="#">Williams Uniform Complaint Procedures</a>
1340	<a href="#">Access To District Records</a>
1340	<a href="#">Access To District Records</a>

3515.4	<a href="#">Recovery For Property Loss Or Damage</a>
3515.4	<a href="#">Recovery For Property Loss Or Damage</a>
3530	<a href="#">Risk Management/Insurance</a>
3530	<a href="#">Risk Management/Insurance</a>
3553	<a href="#">Free And Reduced Price Meals</a>
3553	<a href="#">Free And Reduced Price Meals</a>
3580	<a href="#">District Records</a>
3580	<a href="#">District Records</a>
4112.6	<a href="#">Personnel Files</a>
4112.9	<a href="#">Employee Notifications</a>
4112.9	<a href="#">Employee Notifications</a>
4112.9-E PDF(1)	<a href="#">Employee Notifications</a>
4118	<a href="#">Dismissal/Suspension/Disciplinary Action</a>
4118	<a href="#">Dismissal/Suspension/Disciplinary Action</a>
4119.21	<a href="#">Professional Standards</a>
4119.21-E PDF(1)	<a href="#">Professional Standards</a>
4119.23	<a href="#">Unauthorized Release Of Confidential/Privileged Information</a>
4131	<a href="#">Staff Development</a>
4131	<a href="#">Staff Development</a>
4212.6	<a href="#">Personnel Files</a>
4212.9	<a href="#">Employee Notifications</a>
4212.9	<a href="#">Employee Notifications</a>
4212.9-E PDF(1)	<a href="#">Employee Notifications</a>
4218	<a href="#">Dismissal/Suspension/Disciplinary Action</a>
4218	<a href="#">Dismissal/Suspension/Disciplinary Action</a>
4219.21	<a href="#">Professional Standards</a>
4219.21-E PDF(1)	<a href="#">Professional Standards - Code Of Ethics Classified Employees</a>
4219.23	<a href="#">Unauthorized Release Of Confidential/Privileged Information</a>
4231	<a href="#">Staff Development</a>
4231	<a href="#">Staff Development</a>
4312.6	<a href="#">Personnel Files</a>
4312.9	<a href="#">Employee Notifications</a>
4312.9	<a href="#">Employee Notifications</a>

4312.9-E PDF(1)	<a href="#">Employee Notifications</a>
4319.21	<a href="#">Professional Standards</a>
4319.21-E PDF(1)	<a href="#">Professional Standards</a>
4319.23	<a href="#">Unauthorized Release Of Confidential/Privileged Information</a>
4331	<a href="#">Staff Development</a>
4331	<a href="#">Staff Development</a>
5000	<a href="#">Concepts And Roles</a>
5030	<a href="#">Student Wellness</a>
5111	<a href="#">Admission</a>
5111	<a href="#">Admission</a>
5113.1	<a href="#">Chronic Absence And Truancy</a>
5113.1	<a href="#">Chronic Absence And Truancy</a>
5125	<a href="#">Student Records</a>
5125	<a href="#">Student Records</a>
5125.1	<a href="#">Release Of Directory Information</a>
5125.1	<a href="#">Release Of Directory Information</a>
5125.1-E PDF(1)	<a href="#">Release Of Directory Information</a>
5125.3	<a href="#">Challenging Student Records</a>
5131	<a href="#">Conduct</a>
5131.2	<a href="#">Bullying</a>
5131.2	<a href="#">Bullying</a>
5131.5	<a href="#">Vandalism And Graffiti</a>
5132	<a href="#">Dress And Grooming</a>
5132	<a href="#">Dress And Grooming</a>
5137	<a href="#">Positive School Climate</a>
5138	<a href="#">Conflict Resolution/Peer Mediation</a>
5141.22	<a href="#">Infectious Diseases</a>
5141.22	<a href="#">Infectious Diseases</a>
5141.27	<a href="#">Food Allergies/Special Dietary Needs</a>
5141.27	<a href="#">Food Allergies/Special Dietary Needs</a>
5141.4	<a href="#">Child Abuse Prevention And Reporting</a>
5141.4	<a href="#">Child Abuse Prevention And Reporting</a>
5141.52	<a href="#">Suicide Prevention</a>

5141.52	<a href="#">Suicide Prevention</a>
5141.52-E PDF(1)	<a href="#">Suicide Prevention</a>
5144	<a href="#">Discipline</a>
5144	<a href="#">Discipline</a>
5144.1	<a href="#">Suspension And Expulsion/Due Process</a>
5144.1	<a href="#">Suspension And Expulsion/Due Process</a>
5144.2	<a href="#">Suspension And Expulsion/Due Process (Students With Disabilities)</a>
5145.12	<a href="#">Search And Seizure</a>
5145.12	<a href="#">Search And Seizure</a>
5145.2	<a href="#">Freedom Of Speech/Expression</a>
5145.2	<a href="#">Freedom Of Speech/Expression</a>
5145.6	<a href="#">Parent/Guardian Notifications</a>
5145.6-E PDF(1)	<a href="#">Parent/Guardian Notifications</a>
5145.7	<a href="#">Sexual Harassment</a>
5145.7	<a href="#">Sexual Harassment</a>
5145.71	<a href="#">Title IX Sexual Harassment Complaint Procedures</a>
5145.71-E PDF(1)	<a href="#">Title IX Sexual Harassment Complaint Procedures</a>
5145.9	<a href="#">Hate-Motivated Behavior</a>
5146	<a href="#">Married/Pregnant/Parenting Students</a>
5146	<a href="#">Married/Pregnant/Parenting Students</a>
6142.1	<a href="#">Sexual Health And HIV/AIDS Prevention Instruction</a>
6142.1	<a href="#">Sexual Health And HIV/AIDS Prevention Instruction</a>
6142.8	<a href="#">Comprehensive Health Education</a>
6142.8	<a href="#">Comprehensive Health Education</a>
6143	<a href="#">Courses Of Study</a>
6143	<a href="#">Courses Of Study</a>
6144	<a href="#">Controversial Issues</a>
6144	<a href="#">Controversial Issues</a>
6145	<a href="#">Extracurricular And Cocurricular Activities</a>
6145	<a href="#">Extracurricular And Cocurricular Activities</a>
6145.2	<a href="#">Athletic Competition</a>
6145.2	<a href="#">Athletic Competition</a>

6153	<a href="#"><u>School-Sponsored Trips</u></a>
6153	<a href="#"><u>School-Sponsored Trips</u></a>
6159.4	<a href="#"><u>Behavioral Interventions For Special Education Students</u></a>
6161.1	<a href="#"><u>Selection And Evaluation Of Instructional Materials</u></a>
6161.1	<a href="#"><u>Selection And Evaluation Of Instructional Materials</u></a>
6161.1-E PDF(1)	<a href="#"><u>Selection And Evaluation Of Instructional Materials</u></a>
6161.11	<a href="#"><u>Supplementary Instructional Materials</u></a>
6163.1	<a href="#"><u>Library Media Centers</u></a>
6163.4	<a href="#"><u>Student Use Of Technology</u></a>
6163.4	<a href="#"><u>Student Use Of Technology</u></a>
6164.2	<a href="#"><u>Guidance/Counseling Services</u></a>
6164.2	<a href="#"><u>Guidance/Counseling Services</u></a>
6173.1	<a href="#"><u>Education For Foster Youth</u></a>
6173.1	<a href="#"><u>Education For Foster Youth</u></a>
7110	<a href="#"><u>Facilities Master Plan</u></a>

**Policy 5145.3: Nondiscrimination/Harassment**

**Status: ADOPTED**

**Original Adopted Date:** 11/15/2016 | **Last Revised Date:** | **Last Reviewed Date:**

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

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

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

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

Because unlawful discrimination may occur when disciplining students, including suspension and expulsion, the Superintendent or designee shall ensure that staff enforce discipline rules fairly, consistently and in a non-discriminatory manner, as specified in Board Policy and Administrative Regulation 5144 - Discipline, Board Policy and Administrative Regulation 5144.1 - Suspension and Expulsion/Due Process, and Administrative Regulation 5144.2 - Suspension and Expulsion/Due Process (Students With Disabilities).

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

The Superintendent or designee shall facilitate students' access to the educational program by publicizing the district's nondiscrimination policy and related complaint procedures to students, parents/guardians, and employees. In addition, the Superintendent or designee shall post the district's policies prohibiting discrimination, harassment, intimidation, and bullying and other



required information on the district's web site in a manner that is easily accessible to parents/guardians and students, in accordance with law and the accompanying administrative regulation.

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

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

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

All allegations of unlawful discrimination in district programs and activities shall be brought, investigated, and resolved in accordance with Board Policy 1312.3 - Uniform Complaint Procedures.

### **Record-Keeping**

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

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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.

<b>State</b>	<b>Description</b>
5 CCR 432	Student records
5 CCR 4600-4670	Uniform complaint procedures
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Civ. Code 1714.1	<a href="#">Liability of parent or guardian for act of willful misconduct by a minor</a>
Ed. Code 200-262.4	<a href="#">Prohibition of discrimination</a>
Ed. Code 48900.3	<a href="#">Suspension or expulsion for act of hate violence</a>

Ed. Code 48900.4	<a href="#">Suspension or expulsion for harassment, threats, or intimidation</a>
Ed. Code 48904	<a href="#">Liability of parent/guardian for willful student misconduct</a>
Ed. Code 48907	<a href="#">Exercise of free expression; time, place and manner rules and regulations</a>
Ed. Code 48950	<a href="#">Speech and other communication</a>
Ed. Code 48985	<a href="#">Notices to parents in language other than English</a>
Ed. Code 49020-49023	<a href="#">Athletic programs</a>
Ed. Code 49060-49079	<a href="#">Student records</a>
Ed. Code 51204.5	<a href="#">Social sciences instruction; contributions of specified groups</a>
Ed. Code 51500	<a href="#">Prohibited instruction or activity</a>
Ed. Code 51501	<a href="#">Nondiscriminatory subject matter</a>
Ed. Code 60010	<a href="#">Instructional materials; definition</a>
Ed. Code 60040-60052	<a href="#">Requirements for instructional materials</a>
Gov. Code 11135	<a href="#">Prohibition of discrimination</a>
Pen. Code 422.55	<a href="#">Definition of hate crime</a>
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20 USC 1681-1688	Title IX of the Education Amendments of 1972; discrimination based on sex
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 104.8	Notice of Nondiscrimination on the Basis of Handicap
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	Prohibition of discrimination based on age
34 CFR 99.31	Disclosure of personally identifiable information
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

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34 CFR 106.30

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U.S. Dept. of Health & Human Services  
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U.S. DOE & U.S. DOJ Civil Rights  
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[U.S. Department of Education Toolkit: Creating Inclusive and Nondiscriminatory School Environments for LGBTQI+ Students, June 2023](#)

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[California Office of the Attorney General](#)

[California Safe Schools Coalition](#)

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**Policy 6143: Courses Of Study**

**Status:** ADOPTED

**Original Adopted Date:** ~~08/25/2009~~03/01/2003 | **Last Revised Date:** ~~03/22/2022~~10/01/2023 |  
**Last Reviewed Date:** ~~03/22/2022~~10/01/2023

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 or require or refuse participation by any student on the basis of the student's actual or perceived sex, sexual orientation, gender, gender expression, gender identity, ethnic group identification, immigration status, race, ancestry, national origin, religion, color, mental or physical disability, age, medical condition, genetic information, marital status, or any other characteristic listed in Education Code 200 and 220, Government Code 11135, or Penal Code 422.55, or the student's association with a person or group with one or more of such actual or perceived characteristics.— (Education Code 200, 220; Government Code 11135; Penal Code 422.55; 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. The district's course of study may provide\_ for a rigorous academic curriculum that integrates academic and career skills, includes applied learning across all disciplines, and prepares all students for high school graduation and career entry. ~~(Education Code 51228)~~

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

~~(cf. 6141.5 - (Education Code 51228)~~

~~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~~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)

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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	Description
5 CCR 10020	Automobile driver education
5 CCR 10040-10043	Automobile driver training
5 CCR 10060	Criteria for high school physical education programs
5 CCR 430-438	Individual student records
5 CCR 4940	Nondiscrimination; course access
Ed. Code 200	<a href="#">Equal rights and opportunities in state educational institutions</a>
Ed. Code 220	<a href="#">Prohibition of discrimination</a>
Ed. Code 234.1	<a href="#">Student protections relating to discrimination, harassment, intimidation, and bullying</a>

Ed. Code 234.7	<a href="#">Student protections relating to immigration and citizenship status</a>
Ed. Code 242	<a href="#">Access to information about educational laws and policies regarding right to accurate and inclusive curriculum</a>
Ed. Code 33319.3	<a href="#">Driver education; CDE materials on road rage</a>
Ed. Code 33540	<a href="#">Standards for government and civics instruction</a>
Ed. Code 48980	<a href="#">Parent/Guardian notifications</a>
Ed. Code 49060-49079	<a href="#">Student records</a>
Ed. Code 51202	<a href="#">Instruction in personal and public health and safety</a>
Ed. Code 51203	<a href="#">Instruction on alcohol, narcotics and dangerous drugs</a>
Ed. Code 51204	<a href="#">Course of study designed for student's needs</a>
Ed. Code 51204.5	<a href="#">History of California; contributions of specified groups</a>
Ed. Code 51210	<a href="#">Course of study for grades 1-6</a>
Ed. Code 51220	<a href="#">Course of study for grades 7-12</a>
Ed. Code 51225.3	<a href="#">High school graduation requirements</a>
Ed. Code 51226.7	<a href="#">Model curriculum in ethnic studies</a>
Ed. Code 51241	<a href="#">Temporary two-year or permanent exemption from physical education</a>
Ed. Code 51501	<a href="#">Nondiscriminatory subject matter</a>
Ed. Code 51911-51921	<a href="#">Comprehensive health education</a>
Ed. Code 51925-51929	<a href="#">Mandatory mental health education and in-service training</a>
Ed. Code 51930-51939	<a href="#">California Healthy Youth Act</a>
Ed. Code 51940	<a href="#">Curriculum for brain and spinal cord injury prevention</a>
Ed. Code 60040-60052	<a href="#">Requirements for instructional materials</a>
Ed. Code 66204	<a href="#">Certification of high school courses as meeting university admission criteria</a>
Gov. Code 11135	<a href="#">Prohibition of discrimination</a>
Gov. Code 7282-7282.5	<a href="#">Standards for responding to U.S. Immigration and Customs enforcement holds</a>
Gov. Code 7283-7283.2	<a href="#">Standards for participation in U.S. Immigration and Customs enforcement programs</a>
Gov. Code 7284-7284.12	<a href="#">Cooperation with immigration authorities</a>
H&S Code 11032	<a href="#">Definition of dangerous drugs</a>
Pen. Code 422.55	<a href="#">Definition of hate crime</a>
<b>Federal</b>	<b>Description</b>

20 USC 1232g

34 CFR 99.1-99.67

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Family Educational Rights and Privacy Act (FERPA) of 1974

Family Educational Rights and Privacy

### Description

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[Instructional Quality Commission](#)

[American Red Cross, Hands-Only CPR Training](#)

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[Federal Student Aid](#)

[American Heart Association](#)

[California Student Aid Commission](#)

[University of California, A-G Course Submissions](#)

[University of California, List of Approved A-G Courses](#)

[California State University, Admission Requirements](#)

[California Career Resource Network](#)

[Department of Justice](#)

[California Colleges.edu](#)

[California Department of Education](#)

[CSBA](#)

[U.S. Department of Education](#)

### Cross References

#### Code

0410

#### Description

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~~Nondiscrimination In District Programs And Activities~~

0415

~~Equity~~  
~~Equity~~

~~0415~~

~~Equity~~

0460

~~Local Control And Accountability Plan~~  
~~Local Control And Accountability Plan~~

0460

~~Local Control And Accountability Plan~~  
~~Local Control And Accountability Plan~~

1312.2

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<del>6151</del>	<u>Class-Size</u>
6152.1	<u>Placement In Mathematics Courses</u> <u>Placement In Mathematics Courses</u>
6152.1	<u>Placement In Mathematics Courses</u> <u>Placement In Mathematics Courses</u>
6153	<u>School-Sponsored Trips</u> <u>School-Sponsored Trips</u>
6153	<u>School-Sponsored Trips</u> <u>School-Sponsored Trips</u>

6155	<del>Challenging Courses By Examination</del> <u>Challenging Courses By Examination</u>
6155	<del>Challenging Courses By Examination</del> <u>Challenging Courses By Examination</u>
6158	<del>Independent Study</del> <u>Independent Study</u>
6158	<del>Independent Study</del> <u>Independent Study</u>
6159	<del>Individualized Education Program</del> <u>Individualized Education Program</u>
6159	<del>Individualized Education Program</del> <u>Individualized Education Program</u>
6161.1	<del>Selection And Evaluation Of Instructional Materials</del> <u>Selection And Evaluation Of Instructional Materials</u>
6161.1	<del>Selection And Evaluation Of Instructional Materials</del> <u>Selection And Evaluation Of Instructional Materials</u>
6161.1-E PDF(1)	<del>Selection And Evaluation Of Instructional Materials</del> <u>Selection And Evaluation Of Instructional Materials</u>
6161.11	<del>Supplementary Instructional Materials</del> <u>Supplementary Instructional Materials</u>
6163.1	<del>Library Media Centers</del> <u>Library Media Centers</u>
6164.2	<del>Guidance/Counseling Services</del> <u>Guidance/Counseling Services</u>
<del>6164.2</del>	<del>Guidance/Counseling Services</del> <u>Guidance/Counseling Services</u>
6172.1	<del>Concurrent Enrollment In College Classes</del> <u>Concurrent Enrollment In College Classes</u>
6172.1	<del>Concurrent Enrollment In College Classes</del> <u>Concurrent Enrollment In College Classes</u>
6173	<del>Education For Homeless Children</del> <u>Education For Homeless Children</u>
6173	<del>Education For Homeless Children</del> <u>Education For Homeless Children</u>
6173-E PDF(1)	<del>Education For Homeless Children</del> <u>Education For Homeless Children</u>
<del>6173</del>	<del>Education For Homeless Children</del> <u>Education For Homeless Children</u>
6173.2	<del>Education Of Children Of Military Families</del> <u>Education Of Children Of Military Families</u>
<del>6173.2</del>	<del>Education Of Children Of Military Families</del> <u>Education Of Children Of Military Families</u>
<del>6173.3</del>	<del>Education For Juvenile Court School Students</del> <u>Education For Juvenile Court School Students</u>
6177	<del>Summer Learning Programs</del> <u>Summer Learning Programs</u>
6178	<del>Career Technical Education</del> <u>Career Technical Education</u>



6178	<del>Career Technical Education</del> Career Technical Education
6178.1	<del>Work-Based Learning</del> Work-Based Learning
6178.1	<del>Work-Based Learning</del> Work-Based Learning
6181	<del>Alternative Schools/Programs Of Choice</del> Alternative Schools/Programs Of Choice
6181	<del>Alternative Schools/Programs Of Choice</del> Alternative Schools/Programs Of Choice
6184	<del>Continuation Education</del> Continuation Education
6184	<del>Continuation Education</del> Continuation Education

**Policy 6143: Courses Of Study**

**Status: ADOPTED**

**Original Adopted Date:** 08/25/2009 | **Last Revised Date:**     | **Last Reviewed Date:**

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.

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 or require or refuse participation by any student on the basis of the student's actual or perceived sex, sexual orientation, gender, gender expression, gender identity, ethnic group identification, immigration status, race, ancestry, national origin, religion, color, mental or physical disability, age, medical condition, genetic information, marital status, or any other characteristic listed in Education Code 200 and 220, Government Code 11135, or Penal Code 422.55, or the student's association with a person or group with one or more of such actual or perceived characteristics. (Education Code 200, 220; Government Code 11135; Penal Code 422.55; 5 CCR 4940)

**Elementary Grades**

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

**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. The district's course of study may provide for a rigorous academic curriculum that integrates academic and career skills, includes applied learning across all disciplines, and prepares all students for high school graduation and career entry. (Education Code 51228)

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)

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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.

<b>State</b>	<b>Description</b>
5 CCR 10020	Automobile driver education
5 CCR 10040-10043	Automobile driver training
5 CCR 10060	Criteria for high school physical education programs
5 CCR 430-438	Individual student records
5 CCR 4940	Nondiscrimination; course access
Ed. Code 200	<a href="#"><u>Equal rights and opportunities in state educational institutions</u></a>
Ed. Code 220	<a href="#"><u>Prohibition of discrimination</u></a>
Ed. Code 234.1	<a href="#"><u>Student protections relating to discrimination, harassment, intimidation, and bullying</u></a>
Ed. Code 234.7	<a href="#"><u>Student protections relating to immigration and citizenship status</u></a>
Ed. Code 242	<a href="#"><u>Access to information about educational laws and policies regarding right to accurate and inclusive curriculum</u></a>
Ed. Code 33319.3	<a href="#"><u>Driver education; CDE materials on road rage</u></a>
Ed. Code 33540	<a href="#"><u>Standards for government and civics instruction</u></a>
Ed. Code 48980	<a href="#"><u>Parent/Guardian notifications</u></a>
Ed. Code 49060-49079	<a href="#"><u>Student records</u></a>
Ed. Code 51202	<a href="#"><u>Instruction in personal and public health and safety</u></a>
Ed. Code 51203	<a href="#"><u>Instruction on alcohol, narcotics and dangerous drugs</u></a>
Ed. Code 51204	<a href="#"><u>Course of study designed for student's needs</u></a>
Ed. Code 51204.5	<a href="#"><u>History of California; contributions of specified groups</u></a>
Ed. Code 51210	<a href="#"><u>Course of study for grades 1-6</u></a>
Ed. Code 51220	<a href="#"><u>Course of study for grades 7-12</u></a>
Ed. Code 51225.3	<a href="#"><u>High school graduation requirements</u></a>
Ed. Code 51226.7	<a href="#"><u>Model curriculum in ethnic studies</u></a>

Ed. Code 51241	<a href="#">Temporary two-year or permanent exemption from physical education</a>
Ed. Code 51501	<a href="#">Nondiscriminatory subject matter</a>
Ed. Code 51911-51921	<a href="#">Comprehensive health education</a>
Ed. Code 51925-51929	<a href="#">Mandatory mental health education and in-service training</a>
Ed. Code 51930-51939	<a href="#">California Healthy Youth Act</a>
Ed. Code 51940	<a href="#">Curriculum for brain and spinal cord injury prevention</a>
Ed. Code 60040-60052	<a href="#">Requirements for instructional materials</a>
Ed. Code 66204	<a href="#">Certification of high school courses as meeting university admission criteria</a>
Gov. Code 11135	<a href="#">Prohibition of discrimination</a>
Gov. Code 7282-7282.5	<a href="#">Standards for responding to U.S. Immigration and Customs enforcement holds</a>
Gov. Code 7283-7283.2	<a href="#">Standards for participation in U.S. Immigration and Customs enforcement programs</a>
Gov. Code 7284-7284.12	<a href="#">Cooperation with immigration authorities</a>
H&S Code 11032	<a href="#">Definition of dangerous drugs</a>
Pen. Code 422.55	<a href="#">Definition of hate crime</a>
<b>Federal</b>	<b>Description</b>
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
34 CFR 99.1-99.67	Family Educational Rights and Privacy
<b>Management Resources</b>	<b>Description</b>
U.S. DOE, Office for Civil Rights Publication	<a href="#">Dear Colleague Letter: Race and School Programming, August 2023</a>
Website	<a href="#">Instructional Quality Commission</a>
Website	<a href="#">American Red Cross, Hands-Only CPR Training</a>
Website	<a href="#">CSBA District and County Office of Education Legal Services</a>
Website	<a href="#">Federal Student Aid</a>
Website	<a href="#">American Heart Association</a>
Website	<a href="#">California Student Aid Commission</a>
Website	<a href="#">University of California, A-G Course Submissions</a>
Website	<a href="#">University of California, List of Approved A-G Courses</a>
Website	<a href="#">California State University, Admission Requirements</a>
Website	<a href="#">California Career Resource Network</a>
Website	<a href="#">Department of Justice</a>

Website	<a href="http://CaliforniaColleges.edu">California Colleges.edu</a>
Website	<a href="http://CaliforniaDepartmentofEducation">California Department of Education</a>
Website	<a href="http://CSBA">CSBA</a>
Website	<a href="http://U.S.DepartmentofEducation">U.S. Department of Education</a>

## Cross References

Code	Description
0410	Nondiscrimination In District Programs And Activities
0415	Equity
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
1312.2	Complaints Concerning Instructional Materials
1312.2	Complaints Concerning Instructional Materials
1312.2	Complaints Concerning Instructional Materials
1312.4	Williams Uniform Complaint Procedures
1312.4	Williams Uniform Complaint Procedures
1312.4	Williams Uniform Complaint Procedures
1340	Access To District Records
1340	Access To District Records
3270	Sale And Disposal Of Books, Equipment And Supplies
3270	Sale And Disposal Of Books, Equipment And Supplies
3513.3	Tobacco-Free Schools
3513.3	Tobacco-Free Schools
5022	Student And Family Privacy Rights
5022	Student And Family Privacy Rights
5121	Grades/Evaluation Of Student Achievement
5121	Grades/Evaluation Of Student Achievement
5125	Student Records
5125	Student Records
5126	Awards For Achievement
5126	Awards For Achievement
5131.6	Alcohol And Other Drugs
5131.6	Alcohol And Other Drugs

5138	Conflict Resolution/Peer Mediation
5141.4	Child Abuse Prevention And Reporting
5141.4	Child Abuse Prevention And Reporting
5145.13	Response To Immigration Enforcement
5145.13	Response To Immigration Enforcement
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
5145.6	Parent/Guardian Notifications
5145.6	Parent/Guardian Notifications
5146	Married/Pregnant/Parenting Students
6000	Concepts And Roles
6011	Academic Standards
6141	Curriculum Development And Evaluation
6141	Curriculum Development And Evaluation
6141.2	Recognition Of Religious Beliefs And Customs
6141.2	Recognition Of Religious Beliefs And Customs
6141.4	International Baccalaureate Program
6141.5	Advanced Placement
6142.1	Sexual Health And HIV/AIDS Prevention Instruction
6142.1	Sexual Health And HIV/AIDS Prevention Instruction
6142.2	World Language Instruction
6142.2	World Language Instruction
6142.3	Civic Education
6142.4	Service Learning/Community Service Classes
6142.5	Environmental Education
6142.6	Visual And Performing Arts Education
6142.7	Physical Education And Activity
6142.7	Physical Education And Activity
6142.8	Comprehensive Health Education
6142.8	Comprehensive Health Education
6142.91	Reading/Language Arts Instruction
6142.92	Mathematics Instruction
6142.93	Science Instruction

6142.94	History-Social Science Instruction
6144	Controversial Issues
6145	Extracurricular And Cocurricular Activities
6145	Extracurricular And Cocurricular Activities
6145.8	Assemblies And Special Events
6146.1	High School Graduation Requirements
6146.11	Alternative Credits Toward Graduation
6146.11	Alternative Credits Toward Graduation
6146.3	Reciprocity Of Academic Credit
6146.3	Reciprocity Of Academic Credit
6146.5	Elementary/Middle School Graduation Requirements
6151	Class Size
6152.1	Placement In Mathematics Courses
6152.1	Placement In Mathematics Courses
6153	School-Sponsored Trips
6153	School-Sponsored Trips
6155	Challenging Courses By Examination
6155	Challenging Courses By Examination
6158	Independent Study
6158	Independent Study
6159	Individualized Education Program
6159	Individualized Education Program
6161.1	Selection And Evaluation Of Instructional Materials
6161.1	Selection And Evaluation Of Instructional Materials
6161.1	Selection And Evaluation Of Instructional Materials
6161.11	Supplementary Instructional Materials
6163.1	Library Media Centers
6164.2	Guidance/Counseling Services
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6173	Education For Homeless Children
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6173.2	Education Of Children Of Military Families
6173.3	Education For Juvenile Court School Students
6177	Summer Learning Programs
6178	Career Technical Education
6178	Career Technical Education
6178.1	Work-Based Learning
6178.1	Work-Based Learning
6181	Alternative Schools/Programs Of Choice
6181	Alternative Schools/Programs Of Choice
6184	Continuation Education
6184	Continuation Education



Regulation 6143: Courses Of Study

Status: ADOPTED

Original Adopted Date: 02/11/202001/2014 | Last Revised Date: 02/28/202210/01/2023 |  
Last Reviewed Date: 02/28/202210/01/2023

Grades 1-6

Courses of study for grades 1-6 shall include the following:

1. \_\_\_\_\_

1. English: knowledge and appreciation of language and literature, and the skills of speaking, reading, listening, spelling, handwriting, and composition (Education Code 51210)

2. \_\_\_\_\_

2. Mathematics: concepts, operational skills, and problem-solving (Education Code 51210)

3. \_\_\_\_\_

3. Social sciences: age-appropriate instruction drawing upon the disciplines of anthropology, economics, geography, history, political science, psychology, and sociology, including instruction in: (Education Code 51210)

a. a. \_\_\_\_\_ The history, resources, development, and government of California and the United States

Instruction shall include the early history of California and a study of the role and contributions of ~~men and women~~ people of all genders, Native Americans, African Americans, ~~Mexican~~ Latino Americans, Asian Americans, Pacific Islanders, European Americans, ~~lesbian, gay, bisexual, and transgender~~ LGBTQ+ Americans, persons with disabilities, and members of other ethnic ~~and~~ cultural, religious, and socioeconomic status groups to the economic, political, and social development of California and the United States, with particular emphasis on portraying the role of these groups in contemporary society. (Education Code 51204.5, 60040)

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b. b. \_\_\_\_\_ The development of the American economic system, including the role of the entrepreneur and labor

c. \_\_\_\_\_

c. The relations of persons to their human and natural environments

d. \_\_\_\_\_

d. Eastern and western cultures and civilizations

e. \_\_\_\_\_

e. Contemporary issues

f. \_\_\_\_\_

f. The wise use of natural resources

4. \_\_\_\_\_

4. Science: biological and physical aspects, with emphasis on experimental inquiry and the place of humans in ecological systems (Education Code 51210)

5. \_\_\_\_\_

5. Visual and performing arts: instruction in dance, music, theatertheatre, and visual arts aimed at developing aesthetic appreciation and creative expression (Education Code 51210)

6. \_\_\_\_\_

6. Health: principles and practices of individual, family, and community health, including instruction at the appropriate grade levels and subject areas in: (Education Code 51202, 51210)

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a. \_\_\_\_\_

a. Personal and public safety and accident prevention, including instruction in emergency first aid, hemorrhage control, treatment for poisoning, resuscitation techniques, and cardiopulmonary resuscitation (CPR) when appropriate equipment is available

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b. b. Fire prevention

c. \_\_\_\_\_

c. The protection and conservation of resources, including the necessity for the protection of the environment

d. ~~Venereal disease~~

Venereal disease-

d. e. \_\_\_\_\_

-

e. The effects of alcohol, narcotics, drugs, and tobacco upon the human body

-

f. f. Violence as a public health issue

g. \_\_\_\_\_

7. Mental Health, that provides for reasonably designed instruction on the 186

overarching themes and core principles of mental health, which includes: (Education Code 51925)

- i. Defining the signs and symptoms of common mental health challenges
- ii. Explaining evidence-based services and supports that effectively help individuals manage mental health challenges
- iii. Promoting mental health wellness and protective factors, including positive development, social and cultural connectedness and supportive relationships, resiliency, problem solving skills, coping skills, self-esteem, and a positive school and home environment in which students feel comfortable
- iv. Identifying warning signs of common mental health problems in order to promote awareness and early intervention so that students know to take action before a situation turns into a crisis, including how to obtain assistance from the district or the community for themselves or others and evidence-based and culturally responsive practices that are proven to help overcome mental health challenges
- v. Connecting the importance of mental health to overall health and academic success and to co-occurring conditions, such as chronic physical conditions, chemical dependence, and substance abuse
- vi. Conveying an awareness and appreciation about the prevalence of mental health challenges across all populations, races, ethnicities, and socioeconomic statuses, including the impact of race, ethnicity, and culture on the experience and treatment of mental health challenges
- vii. Understanding the stigma surrounding mental health challenges and what can be done to overcome stigma, increase awareness, and promote acceptance, including, to the extent possible, classroom presentations of narratives by trained peers and other individuals who have experienced mental health challenges and how they coped with their situations, including how they sought help and acceptance

Mental health instruction offered by the district shall: (Education Code 51926)

- 1. Be appropriate for use with students of all races, genders, sexual orientations, ethnic and cultural backgrounds, students with disabilities, and English learners
- 2. Be accessible to students with disabilities, including, but not limited to, providing a modified curriculum, materials, and instruction in alternative formats, and auxiliary aids
- 3. Not reflect or promote bias against any person on the basis of any category protected by Education Code 220
- 4. Be coordinated with any existing on-campus mental health providers including, but not limited to, providers with a pupil personnel services credential, who may be immediately called upon by students for assistance

Students receiving mental health instruction shall not be required to disclose their confidential health or mental health information at any time in the course of receiving the instruction. (Education Code 51927)

7. Physical education: with emphasis on physical activities conducive to health and vigor of body and mind ~~(Education Code 51210)~~

8. \_\_\_\_\_

8. Violence awareness and prevention

9. \_\_\_\_\_

9. Career awareness exploration

## Grades 7-12

Courses of study for grades 7-12 shall include the following:

1. \_\_\_\_\_

1. English: ~~knowledge and appreciation of literature, language, and composition, and the skills of reading, listening, and speaking~~ (Education Code 51220)

2. \_\_\_\_\_

2. Social sciences: age-appropriate instruction drawing upon the disciplines of anthropology, economics, geography, history, political science, psychology, and sociology, with instruction in: (Education Code 51220)

a. a. \_\_\_\_\_ The history, resources, development, and government of California and the United States, including instruction in:

-

i. (1) \_\_\_\_\_ The early history of California and a study of the role and contributions of ~~both men and women~~ people of all genders, Native Americans, African Americans, ~~Mexican~~ Latino Americans, Asian Americans, Pacific Islanders, European Americans, ~~lesbian, gay, bisexual, and transgender~~ LGBTQ+ Americans, persons with disabilities, and members of other ethnic ~~and~~ cultural, religious, and socioeconomic status groups to the economic, political, and social development of California and the United States, with particular emphasis on portraying the role of these groups in contemporary society (Education Code 51204.5)

(2) \_\_\_\_\_ , 60040)

ii. \_\_\_\_\_ World War II, including the role of Americans and Filipino Americans who served in the United States Army during that time

(3) \_\_\_\_\_

iii. The Vietnam War, including the "Secret War" in Laos and role of Southeast Asians in that war

(4) -

iv. The Bracero program, in which there was a 1942 agreement between the United States and Mexico authorizing the temporary migration of laborers to the United States

b. The American legal system, the operation of the juvenile and adult criminal justice systems, and the rights and duties of citizens under the criminal and civil law and the state and federal constitutions

b. -

This course may include participation in a teen court or peer court program. (Education Code 51220.2)

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c. e. The development of the American economic system, including the role of the entrepreneur and labor

d. -

d. The relations of persons to their human and natural environments, including the wise use of natural resources (Education Code 51221)

-

-

e. e. Eastern and western cultures and civilizations

f. -

f. Human rights issues, with particular attention to the study of the inhumanity of genocide, which may include, but is not limited to, the Armenian, Cambodian, Darfur, and Rwandan genocides, slavery, and the Holocaust

g. -

g. Contemporary issues

-

3. -

3. World language(s): understanding, speaking, reading, and writing, beginning not later than grade 7 (Education Code 51220)

4. -

4. Physical education: with emphasis on physical activities conducive to health and vigor of body and mind, as required by Education Code 51222 (Education Code 51220)

5. -

5. Science: physical and biological aspects; emphasis on basic concepts, theories, and processes of scientific investigation and on the place of humans in ecological systems; appropriate applications of the interrelation and interdependence of the sciences (Education Code 51220)

- ~~6. \_\_\_\_\_~~
6. Mathematics: mathematical understandings, operational skills, and problem-solving procedures; algebra (Education Code 51220, 51224.5)
- ~~7. \_\_\_\_\_~~
7. Visual and performing arts: dance, music, theatre, and visual arts, with emphasis upon development of aesthetic appreciation and creative expression (Education Code 51220)
- ~~8. \_\_\_\_\_~~
8. Applied arts: consumer education, family and consumer sciences education, industrial arts, general business education, or general agriculture (Education Code 51220)
- ~~9. \_\_\_\_\_~~
9. Career technical/vocational-technical education: in the occupations and in the numbers appropriate to the personnel needs of the state and community served and relevant to the career desires and needs of students (~~Education Code 51220~~)
- ~~10. \_\_\_\_\_ Comprehensive sexual health and HIV prevention (Education Code 51225.36, 51934)~~
- ~~11. \_\_\_\_\_ Personal and public safety, accident prevention and health, including instruction in: (Education Code 51202, 51203)~~  
~~– (Education Code 51220)~~

~~10. a. \_\_\_\_\_ Comprehensive sexual health and HIV prevention (Education Code 51225.36, 51934)~~

~~11. Personal and public safety, accident prevention and health, including instruction in: (Education Code 51202, 51203)~~

-  
Emergency first aid, hemorrhage control, treatment for poisoning, resuscitation techniques, and CPR when appropriate equipment is available

~~a. \_\_\_\_\_~~

Instruction shall be provided in compression-only CPR based on national guidelines and shall include hands-on practice. (Education Code 51225.6)

~~b. \_\_\_\_\_~~ b. Fire prevention

~~c. \_\_\_\_\_~~

c. The protection and conservation of resources, including the necessity for the protection of the environment

~~d. \_\_\_\_\_ Venereal disease~~

~~e. \_\_\_\_\_ The effects of alcohol, narcotics, drugs, and tobacco upon the human body~~

d. Venereal disease

-

The effects of alcohol, narcotics, drugs, and tobacco upon the human body-

e. f. —

f. Prenatal care for pregnant individuals

g. —

g. Violence as a public health issue

h. —

12. — Mental Health, that provides for reasonably designed instruction on the overarching themes and core principles of mental health, which includes: (Education Code 51925)

-

i. Defining the signs and symptoms of common mental health challenges

ii. Explaining evidence-based services and supports that effectively help individuals manage mental health challenges

iii. Promoting mental health wellness and protective factors, including positive development, social and cultural connectedness and supportive relationships, resiliency, problem solving skills, coping skills, self-esteem, and a positive school and home environment in which students feel comfortable

iv. Identifying warning signs of common mental health problems in order to promote awareness and early intervention so that students know to take action before a situation turns into a crisis, including how to obtain assistance from the district or the community for themselves or others and evidence-based and culturally responsive practices that are proven to help overcome mental health challenges

v. Connecting the importance of mental health to overall health and academic success and to co-occurring conditions, such as chronic physical conditions, chemical dependence, and substance abuse

vi. Conveying an awareness and appreciation about the prevalence of mental health challenges across all populations, races, ethnicities, and socioeconomic statuses, including the impact of race, ethnicity, and culture on the experience and treatment of mental health challenges

vii. Understanding the stigma surrounding mental health challenges and what can be done to overcome stigma, increase awareness, and promote acceptance, including, to the extent possible, classroom presentations of narratives by trained peers and other individuals who have experienced mental health challenges and how they coped with their situations, including how they sought help and acceptance

Mental health instruction offered by the district shall: (Education Code 51926)

-

1. Be appropriate for use with students of all races, genders, sexual orientations, ethnic and cultural backgrounds, students with disabilities, and English learners
2. Be accessible to students with disabilities, including, but not limited to, providing a modified curriculum, materials, and instruction in alternative formats, and auxiliary aids
3. Not reflect or promote bias against any person on the basis of any category protected by Education Code 220
4. Be coordinated with any existing on-campus mental health providers including, but not limited to, providers with a pupil personnel services credential, who may be immediately called upon by students for assistance

Students receiving mental health instruction shall not be required to disclose their confidential health or mental health information at any time in the course of receiving the instruction. (Education Code 51927)

## 12. Violence awareness and prevention

13.—

## 13. Ethnic studies

Commencing in the 2025-26 school year, the district shall offer a one-semester course in ethnic studies ~~as specified in Education Code 51225.3.~~

In addition, the course of study for grade 7 and/or 8 may include parenting skills and education, including, but not limited to, child growth and development, parental responsibilities, household budgeting, child abuse and neglect issues, personal hygiene, maintenance of healthy relationships, teen parenting issues, and self-esteem. (Education Code 51220.5)

High schools shall offer automobile driver education that includes instruction in:— (Education Code 51220, 51220.1, 51220.4)

1.—

1. Vehicle Code provisions and other relevant state laws

2.—

2. Proper acceptance of personal responsibility in traffic

3.—

3. Appreciation of the causes, seriousness, and consequences of traffic accidents

4.—

4. Knowledge and attitudes necessary for the safe operation of motor vehicles

5.—



5. The safe operation of motorcycles

6. \_\_\_\_\_

6. The dangers involved in consuming alcohol or drugs in connection with the operation of a motor vehicle

7. \_\_\_\_\_

7. The rights and duties of a motorist as they pertain to pedestrians and the rights and duties of pedestrians as they pertain to traffic laws and traffic safety

### **Certification of College Preparatory Courses**

The Superintendent or designee shall identify district courses that may qualify for designation as "~~a-g~~A-G" college preparatory courses, including courses in history-social science, English, mathematics, laboratory science, languages other than English, visual and performing arts, career technical education, and college preparatory electives. The Superintendent or designee shall submit any necessary information regarding each identified course to ~~the University of California (UC)~~ for "~~a-g~~A-G" designation.

### **Notification and Information to Students in Grades 9-12**

At the beginning of each school year, the Superintendent or designee shall provide written notice to parents/guardians of students in grades 9-12 that, to the extent possible, shall not exceed one page in length and that includes all of the following: (Education Code 51229)

1. \_\_\_\_\_

1. A brief explanation of the course requirements for admission to UC and ~~the California State University (CSU)~~

2. \_\_\_\_\_

2. A list of the current UC and CSU websites that help students and their families learn about college admission requirements and that list high school courses that have been certified by UC as satisfying the requirements for admission to UC and CSU

3. \_\_\_\_\_

3. A brief description of what career technical education is, as defined by the California Department of Education (CDE)

4. \_\_\_\_\_

4. The Internet address for the portion of ~~the CDE~~CDE's website where students can learn more about career technical education

5. \_\_\_\_\_

5. Information about how students may meet with school counselors to help them choose courses that will meet college admission requirements and/or enroll in career technical education courses

The Superintendent or designee shall provide information to students and parents/guardians regarding the completion and submission of the Free Application for Federal Student Aid (FAFSA) and/or the California Dream Act Application (CADAA) at least once before grade 12. (Education Code 51225.8)

## Financial Aid Requirements for Students in Grade 12

~~Commencing in the 2022-23 school year, the~~

~~The~~ Superintendent or designee shall ensure that each student in grade 12 completes and submits a FAFSA to the U.S. Department of Education or, if a student is exempt from paying nonresident tuition, a CADAA to the Student Aid Commission (CSAC), unless either: (Education Code 51225.7)

~~1. \_\_\_\_\_~~

~~1.~~ The student's parent/guardian, emancipated minor, or student age 18 years or older submits an opt-out form to the district

~~2. \_\_\_\_\_~~

~~2.~~ If the district determines that a student is unable to complete a requirement of Education Code 51225.7, the district shall exempt the student or the student's parent/guardian from completing the FAFSA, CADAA, or opt-out form and shall complete and submit an opt-out form on the student's behalf

The Superintendent or designee shall ensure that each high school student in grade 12, and if applicable, the student's parent/guardian, be directed to any support and assistance necessary to complete the FAFSA and/or CADAA that may be available through outreach programs, including, but not limited to, programs operated by CSAC, postsecondary immigration resource centers, college readiness organizations, community-based organizations, and/or legal resource organizations. ~~—~~ (Education Code 51225.7)

Information shared by students and parents/guardians in completing and submitting the FAFSA and/or CADAA shall be handled in compliance with the federal Family Rights and Privacy Act and applicable state law, regardless of any person's immigration status or other personal information. ~~—~~ (Education Code 51225.7)

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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	Description
5 CCR 10020	Automobile driver education
5 CCR 10040-10043	Automobile driver training
5 CCR 10060	Criteria for high school physical education programs
5 CCR 430-438	Individual student records

5 CCR 4940	Nondiscrimination; course access
Ed. Code 200	<a href="#">Equal rights and opportunities in state educational institutions</a>
Ed. Code 220	<a href="#">Prohibition of discrimination</a>
Ed. Code 234.1	<a href="#">Student protections relating to discrimination, harassment, intimidation, and bullying</a>
Ed. Code 234.7	<a href="#">Student protections relating to immigration and citizenship status</a>
Ed. Code 242	<a href="#">Access to information about educational laws and policies regarding right to accurate and inclusive curriculum</a>
Ed. Code 33319.3	<a href="#">Driver education; CDE materials on road rage</a>
Ed. Code 33540	<a href="#">Standards for government and civics instruction</a>
Ed. Code 48980	<a href="#">Parent/Guardian notifications</a>
Ed. Code 49060-49079	<a href="#">Student records</a>
Ed. Code 51202	<a href="#">Instruction in personal and public health and safety</a>
Ed. Code 51203	<a href="#">Instruction on alcohol, narcotics and dangerous drugs</a>
Ed. Code 51204	<a href="#">Course of study designed for student's needs</a>
Ed. Code 51204.5	<a href="#">History of California; contributions of specified groups</a>
Ed. Code 51210	<a href="#">Course of study for grades 1-6</a>
Ed. Code 51220	<a href="#">Course of study for grades 7-12</a>
Ed. Code 51225.3	<a href="#">High school graduation requirements</a>
Ed. Code 51226.7	<a href="#">Model curriculum in ethnic studies</a>
Ed. Code 51241	<a href="#">Temporary two-year or permanent exemption from physical education</a>
Ed. Code 51501	<a href="#">Nondiscriminatory subject matter</a>
Ed. Code 51911-51921	<a href="#">Comprehensive health education</a>
Ed. Code 51925-51929	<a href="#">Mandatory mental health education and in-service training</a>
Ed. Code 51930-51939	<a href="#">California Healthy Youth Act</a>
Ed. Code 51940	<a href="#">Curriculum for brain and spinal cord injury prevention</a>
Ed. Code 60040-60052	<a href="#">Requirements for instructional materials</a>
Ed. Code 66204	<a href="#">Certification of high school courses as meeting university admission criteria</a>
Gov. Code 11135	<a href="#">Prohibition of discrimination</a>
Gov. Code 7282-7282.5	<a href="#">Standards for responding to U.S. Immigration and Customs enforcement holds</a>

Gov. Code 7283-7283.2

[Standards for participation in U.S. Immigration and Customs enforcement programs](#)

Gov. Code 7284-7284.12

[Cooperation with immigration authorities](#)

H&S Code 11032

[Definition of dangerous drugs](#)

Pen. Code 422.55

[Definition of hate crime](#)

### **Federal**

### **Description**

20 USC 1232g

Family Educational Rights and Privacy Act (FERPA) of 1974

34 CFR 99.1-99.67

Family Educational Rights and Privacy

### **Management Resources**

### **Description**

U.S. DOE, Office for Civil Rights Publication

[Dear Colleague Letter: Race and School Programming, August 2023](#)

Website

[Instructional Quality Commission](#)

Website

[American Red Cross, Hands-Only CPR Training](#)

Website

[CSBA District and County Office of Education Legal Services](#)

Website

[Federal Student Aid](#)

Website

[American Heart Association](#)

Website

[California Student Aid Commission](#)

Website

[University of California, A-G Course Submissions](#)

Website

[University of California, List of Approved A-G Courses](#)

Website

[California State University, Admission Requirements](#)

Website

[California Career Resource Network](#)

Website

[Department of Justice](#)

Website

[California Colleges.edu](#)

Website

[California Department of Education](#)

Website

[CSBA](#)

Website

[U.S. Department of Education](#)

## **Cross References**

### **Code**

### **Description**

0410

~~Nondiscrimination In District Programs And Activities~~  
[Nondiscrimination In District Programs And Activities](#)

0415

~~Equity~~  
[Equity](#)

~~0415~~

~~Equity~~

0460

~~Local Control And Accountability Plan~~  
[Local Control And Accountability Plan](#)

0460	<u>Local Control And Accountability Plan</u> <u>Local Control And Accountability Plan</u>
1312.2	<u>Complaints Concerning Instructional Materials</u> <u>Complaints Concerning Instructional Materials</u>
1312.2	<u>Complaints Concerning Instructional Materials</u> <u>Complaints Concerning Instructional Materials</u>
1312.2-E PDF(1)	<u>Complaints Concerning Instructional Materials</u> <u>Complaints Concerning Instructional Materials</u>
1312.4	<u>Williams Uniform Complaint Procedures</u> <u>Williams Uniform Complaint Procedures</u>
1312.4-E PDF(1)	<u>Williams Uniform Complaint Procedures</u> <u>Williams Uniform Complaint Procedures</u>
<u>1312.4</u>	<u>Williams Uniform Complaint Procedures</u>
1340	<u>Access To District Records</u> <u>Access To District Records</u>
1340	<u>Access To District Records</u> <u>Access To District Records</u>
3270	<u>Sale And Disposal Of Books, Equipment And Supplies</u> <u>Sale And Disposal Of Books, Equipment And Supplies</u>
3270	<u>Sale And Disposal Of Books, Equipment And Supplies</u> <u>Sale And Disposal Of Books, Equipment And Supplies</u>
3513.3	<u>Tobacco-Free Schools</u> <u>Tobacco-Free Schools</u>
3513.3	<u>Tobacco-Free Schools</u> <u>Tobacco-Free Schools</u>
5022	<u>Student And Family Privacy Rights</u> <u>Student And Family Privacy Rights</u>
5022	<u>Student And Family Privacy Rights</u> <u>Student And Family Privacy Rights</u>
5121	<u>Grades/Evaluation Of Student Achievement</u> <u>Grades/Evaluation Of Student Achievement</u>
5121	<u>Grades/Evaluation Of Student Achievement</u> <u>Grades/Evaluation Of Student Achievement</u>
5125	<u>Student Records</u> <u>Student Records</u>
5125	<u>Student Records</u> <u>Student Records</u>
5126	<u>Awards For Achievement</u> <u>Awards For Achievement</u>
5126	<u>Awards For Achievement</u> <u>Awards For Achievement</u>
5131.6	<u>Alcohol And Other Drugs</u> <u>Alcohol And Other Drugs</u>
5131.6	<u>Alcohol And Other Drugs</u> <u>Alcohol And Other Drugs</u>
5138	<u>Conflict Resolution/Peer Mediation</u> <u>Conflict Resolution/Peer Mediation</u>

5141.4	<del>Child Abuse Prevention And Reporting</del> Child Abuse Prevention And Reporting
5141.4	<del>Child Abuse Prevention And Reporting</del> Child Abuse Prevention And Reporting
5145.13	<del>Response To Immigration Enforcement</del> Response To Immigration Enforcement
5145.13	<del>Response To Immigration Enforcement</del> Response To Immigration Enforcement
5145.3	<del>Nondiscrimination/Harassment</del> Nondiscrimination/Harassment
5145.3	<del>Nondiscrimination/Harassment</del> Nondiscrimination/Harassment
5145.6	<del>Parent/Guardian Notifications</del> Parent/Guardian Notifications
5145.6-E PDF(1)	<del>Parent/Guardian Notifications</del> Parent/Guardian Notifications
5146	<del>Married/Pregnant/Parenting Students</del> Married/Pregnant/Parenting Students
5146	<del>Married/Pregnant/Parenting Students</del>
6000	<del>Concepts And Roles</del> Concepts And Roles
6011	<del>Academic Standards</del> Academic Standards
6141	<del>Curriculum Development And Evaluation</del> Curriculum Development And Evaluation
6141	<del>Curriculum Development And Evaluation</del> Curriculum Development And Evaluation
6141.2	<del>Recognition Of Religious Beliefs And Customs</del> Recognition Of Religious Beliefs And Customs
6141.2	<del>Recognition Of Religious Beliefs And Customs</del> Recognition Of Religious Beliefs And Customs
6141.54	<del>Advanced Placement</del> International Baccalaureate Program
6141.5	<del>Advanced Placement</del> Advanced Placement
6142.1	<del>Sexual Health And HIV/AIDS Prevention Instruction</del> Sexual Health And HIV/AIDS Prevention Instruction
6142.1	<del>Sexual Health And HIV/AIDS Prevention Instruction</del> Sexual Health And HIV/AIDS Prevention Instruction
6142.2	<del>World Language Instruction</del> World Language Instruction
6142.2	<del>World Language Instruction</del> World Language Instruction
6142.3	<del>Civic Education</del> Civic Education
6142.4	<del>Service Learning/Community Service Classes</del> Service Learning/Community Service Classes
6142.5	<del>Environmental Education</del> Environmental Education

6142.6	<del>Visual And Performing Arts Education</del> Visual And Performing Arts Education
6142.7	<del>Physical Education And Activity</del> Physical Education And Activity
6142.7	<del>Physical Education And Activity</del> Physical Education And Activity
6142.8	<del>Comprehensive Health Education</del> Comprehensive Health Education
6142.8	<del>Comprehensive Health Education</del> Comprehensive Health Education
6142.91	<del>Reading/Language Arts Instruction</del> Reading/Language Arts Instruction
<del>6142.91</del>	<del>Reading/Language Arts Instruction</del>
6142.92	<del>Mathematics Instruction</del> Mathematics Instruction
6142.93	<del>Science Instruction</del> Science Instruction
6142.94	<del>History-Social Science Instruction</del> History-Social Science Instruction
6144	<del>Controversial Issues</del> Controversial Issues
<del>6144</del>	<del>Controversial Issues</del>
6145	<del>Extracurricular And Cocurricular Activities</del> Extracurricular And Cocurricular Activities
6145	<del>Extracurricular And Cocurricular Activities</del> Extracurricular And Cocurricular Activities
6145.8	<del>Assemblies And Special Events</del> Assemblies And Special Events
6146.1	<del>High School Graduation Requirements</del> High School Graduation Requirements
6146.11	<del>Alternative Credits Toward Graduation</del> Alternative Credits Toward Graduation
6146.11	<del>Alternative Credits Toward Graduation</del> Alternative Credits Toward Graduation
6146.3	<del>Reciprocity Of Academic Credit</del> Reciprocity Of Academic Credit
6146.3	<del>Reciprocity Of Academic Credit</del> Reciprocity Of Academic Credit
6146.5	<del>Elementary/Middle School Graduation Requirements</del> Elementary/Middle School Graduation Requirements
6151	<del>Class-Size</del> Class Size
<del>6151</del>	<del>Class-Size</del>

6152.1	<del>Placement In Mathematics Courses</del> Placement In Mathematics Courses
6152.1	<del>Placement In Mathematics Courses</del> Placement In Mathematics Courses
6153	<del>School-Sponsored Trips</del> School-Sponsored Trips
6153	<del>School-Sponsored Trips</del> School-Sponsored Trips
6155	<del>Challenging Courses By Examination</del> Challenging Courses By Examination
6155	<del>Challenging Courses By Examination</del> Challenging Courses By Examination
6158	<del>Independent Study</del> Independent Study
6158	<del>Independent Study</del> Independent Study
6159	<del>Individualized Education Program</del> Individualized Education Program
6159	<del>Individualized Education Program</del> Individualized Education Program
6161.1	<del>Selection And Evaluation Of Instructional Materials</del> Selection And Evaluation Of Instructional Materials
6161.1	<del>Selection And Evaluation Of Instructional Materials</del> Selection And Evaluation Of Instructional Materials
6161.1-E PDF(1)	<del>Selection And Evaluation Of Instructional Materials</del> Selection And Evaluation Of Instructional Materials
6161.11	<del>Supplementary Instructional Materials</del> Supplementary Instructional Materials
6163.1	<del>Library Media Centers</del> Library Media Centers
6164.2	<del>Guidance/Counseling Services</del> Guidance/Counseling Services
<del>6164.2</del>	<del>Guidance/Counseling Services</del>
6172.1	<del>Concurrent Enrollment In College Classes</del> Concurrent Enrollment In College Classes
6172.1	<del>Concurrent Enrollment In College Classes</del> Concurrent Enrollment In College Classes
6173	<del>Education For Homeless Children</del> Education For Homeless Children
6173	<del>Education For Homeless Children</del> Education For Homeless Children
6173-E PDF(1)	<del>Education For Homeless Children</del> Education For Homeless Children
<del>6173</del>	<del>Education For Homeless Children</del>
<u>6173</u>	<u>Education For Homeless Children</u>



6173.2	<del>Education Of Children Of Military Families</del> Education Of Children Of Military Families
<u>6173.2</u>	<u>Education Of Children Of Military Families</u>
<u>6173.3</u>	<u>Education For Juvenile Court School Students</u>
6177	<del>Summer Learning Programs</del> Summer Learning Programs
6178	<del>Career Technical Education</del> Career Technical Education
6178	<del>Career Technical Education</del> Career Technical Education
6178.1	<del>Work-Based Learning</del> Work-Based Learning
6178.1	<del>Work-Based Learning</del> Work-Based Learning
6181	<del>Alternative Schools/Programs Of Choice</del> Alternative Schools/Programs Of Choice
6181	<del>Alternative Schools/Programs Of Choice</del> Alternative Schools/Programs Of Choice
6184	<del>Continuation Education</del> Continuation Education
6184	<del>Continuation Education</del> Continuation Education

**Regulation 6143: Courses Of Study**

**Status: ADOPTED**

Original Adopted Date: 02/11/2020 | Last Revised Date: | Last Reviewed Date:

**Grades 1-6**

Courses of study for grades 1-6 shall include the following:

1. English: knowledge and appreciation of language and literature, and the skills of speaking, reading, listening, spelling, handwriting, and composition (Education Code 51210)
2. Mathematics: concepts, operational skills, and problem solving (Education Code 51210)
3. Social sciences: age-appropriate instruction drawing upon the disciplines of anthropology, economics, geography, history, political science, psychology, and sociology, including instruction in: (Education Code 51210)

- a. The history, resources, development, and government of California and the United States

Instruction shall include the early history of California and a study of the role and contributions of people of all genders, Native Americans, African Americans, Latino Americans, Asian Americans, Pacific Islanders, European Americans, LGBTQ+ Americans, persons with disabilities, and members of other ethnic, cultural, religious, and socioeconomic status groups to the economic, political, and social development of California and the United States, with particular emphasis on portraying the role of these groups in contemporary society. (Education Code 51204.5, 60040)

- b. The development of the American economic system, including the role of the entrepreneur and labor
  - c. The relations of persons to their human and natural environments
  - d. Eastern and western cultures and civilizations
  - e. Contemporary issues
  - f. The wise use of natural resources
4. Science: biological and physical aspects, with emphasis on experimental inquiry and the place of humans in ecological systems (Education Code 51210)
  5. Visual and performing arts: instruction in dance, music, theatre, and visual arts aimed at developing aesthetic appreciation and creative expression (Education Code 51210)
  6. Health: principles and practices of individual, family, and community health, including instruction at the appropriate grade levels and subject areas in: (Education Code 51202, 51210)

- a. Personal and public safety and accident prevention, including instruction in emergency first aid, hemorrhage control, treatment for poisoning, resuscitation techniques, and cardiopulmonary resuscitation (CPR) when appropriate equipment is available
- b. Fire prevention
- c. The protection and conservation of resources, including the necessity for the protection of the environment
- d. Venereal disease
- e. The effects of alcohol, narcotics, drugs, and tobacco upon the human body
- f. Violence as a public health issue
- g. Mental Health, that provides for reasonably designed instruction on the overarching themes and core principles of mental health, which includes: (Education Code 51925)
  - i. Defining the signs and symptoms of common mental health challenges
  - ii. Explaining evidence-based services and supports that effectively help individuals manage mental health challenges
  - iii. Promoting mental health wellness and protective factors, including positive development, social and cultural connectedness and supportive relationships, resiliency, problem solving skills, coping skills, self-esteem, and a positive school and home environment in which students feel comfortable
  - iv. Identifying warning signs of common mental health problems in order to promote awareness and early intervention so that students know to take action before a situation turns into a crisis, including how to obtain assistance from the district or the community for themselves or others and evidence-based and culturally responsive practices that are proven to help overcome mental health challenges
  - v. Connecting the importance of mental health to overall health and academic success and to co-occurring conditions, such as chronic physical conditions, chemical dependence, and substance abuse
  - vi. Conveying an awareness and appreciation about the prevalence of mental health challenges across all populations, races, ethnicities, and socioeconomic statuses, including the impact of race, ethnicity, and culture on the experience and treatment of mental health challenges
  - vii. Understanding the stigma surrounding mental health challenges and what can be done to overcome stigma, increase awareness, and promote acceptance, including, to the extent possible, classroom presentations of narratives by trained peers and other individuals who have experienced mental health challenges and how they coped with their situations, including how they sought help and acceptance

Mental health instruction offered by the district shall: (Education Code 51926)

1. Be appropriate for use with students of all races, genders, sexual orientations, ethnic and cultural backgrounds, students with disabilities, and English learners
2. Be accessible to students with disabilities, including, but not limited to, providing a modified curriculum, materials, and instruction in alternative formats, and auxiliary aids
3. Not reflect or promote bias against any person on the basis of any category protected by Education Code 220
4. Be coordinated with any existing on-campus mental health providers including, but not limited to, providers with a pupil personnel services credential, who may be immediately called upon by students for assistance

Students receiving mental health instruction shall not be required to disclose their confidential health or mental health information at any time in the course of receiving the instruction. (Education Code 51927)

7. Physical education: with emphasis on physical activities conducive to health and vigor of body and mind
8. Violence awareness and prevention
9. Career awareness exploration

## **Grades 7-12**

Courses of study for grades 7-12 shall include the following:

1. English: knowledge and appreciation of literature, language, and composition, and the skills of reading, listening, and speaking (Education Code 51220)
2. Social sciences: age-appropriate instruction drawing upon the disciplines of anthropology, economics, geography, history, political science, psychology, and sociology, with instruction in: (Education Code 51220)
  - a. The history, resources, development, and government of California and the United States, including instruction in:
    - i. The early history of California and a study of the role and contributions of people of all genders, Native Americans, African Americans, Latino Americans, Asian Americans, Pacific Islanders, European Americans, LGBTQ+ Americans, persons with disabilities, and members of other ethnic, cultural, religious, and socioeconomic status groups to the economic, political, and social development of California and the United States, with particular emphasis on portraying the role of these groups in contemporary society (Education Code 51204.5, 60040)
    - ii. World War II, including the role of Americans and Filipino Americans who served in the United States Army during that time

- iii. The Vietnam War, including the "Secret War" in Laos and role of Southeast Asians in that war
    - iv. The Bracero program, in which there was a 1942 agreement between the United States and Mexico authorizing the temporary migration of laborers to the United States
  - b. The American legal system, the operation of the juvenile and adult criminal justice systems, and the rights and duties of citizens under the criminal and civil law and the state and federal constitutions
- This course may include participation in a teen court or peer court program. (Education Code 51220.2)
- c. The development of the American economic system, including the role of the entrepreneur and labor
  - d. The relations of persons to their human and natural environments, including the wise use of natural resources (Education Code 51221)
  - e. Eastern and western cultures and civilizations
  - f. Human rights issues, with particular attention to the study of the inhumanity of genocide, which may include, but is not limited to, the Armenian, Cambodian, Darfur, and Rwandan genocides, slavery, and the Holocaust
  - g. Contemporary issues
3. World language(s): understanding, speaking, reading, and writing, beginning not later than grade 7 (Education Code 51220)
  4. Physical education: with emphasis on physical activities conducive to health and vigor of body and mind, as required by Education Code 51222 (Education Code 51220)
  5. Science: physical and biological aspects; emphasis on basic concepts, theories, and processes of scientific investigation and on the place of humans in ecological systems; appropriate applications of the interrelation and interdependence of the sciences (Education Code 51220)
  6. Mathematics: mathematical understandings, operational skills, and problem-solving procedures; algebra (Education Code 51220, 51224.5)
  7. Visual and performing arts: dance, music, theatre, and visual arts, with emphasis upon development of aesthetic appreciation and creative expression (Education Code 51220)
  8. Applied arts: consumer education, family and consumer sciences education, industrial arts, general business education, or general agriculture (Education Code 51220)
  9. Career technical/vocational-technical education: in the occupations and in the numbers appropriate to the personnel needs of the state and community served and relevant to the career desires and needs of students (Education Code 51220)
  10. Comprehensive sexual health and HIV prevention (Education Code 51225.36, 51934)

11. Personal and public safety, accident prevention and health, including instruction in: (Education Code 51202, 51203)

- a. Emergency first aid, hemorrhage control, treatment for poisoning, resuscitation techniques, and CPR when appropriate equipment is available

Instruction shall be provided in compression-only CPR based on national guidelines and shall include hands-on practice (Education Code 51225.6)

- b. Fire prevention
- c. The protection and conservation of resources, including the necessity for the protection of the environment
- d. Venereal disease
- e. The effects of alcohol, narcotics, drugs, and tobacco upon the human body
- f. Prenatal care for pregnant individuals
- g. Violence as a public health issue
- h. Mental Health, that provides for reasonably designed instruction on the overarching themes and core principles of mental health, which includes: (Education Code 51925)
  - i. Defining the signs and symptoms of common mental health challenges
  - ii. Explaining evidence-based services and supports that effectively help individuals manage mental health challenges
  - iii. Promoting mental health wellness and protective factors, including positive development, social and cultural connectedness and supportive relationships, resiliency, problem solving skills, coping skills, self-esteem, and a positive school and home environment in which students feel comfortable
  - iv. Identifying warning signs of common mental health problems in order to promote awareness and early intervention so that students know to take action before a situation turns into a crisis, including how to obtain assistance from the district or the community for themselves or others and evidence-based and culturally responsive practices that are proven to help overcome mental health challenges
  - v. Connecting the importance of mental health to overall health and academic success and to co-occurring conditions, such as chronic physical conditions, chemical dependence, and substance abuse
  - vi. Conveying an awareness and appreciation about the prevalence of mental health challenges across all populations, races, ethnicities, and socioeconomic statuses, including the impact of race, ethnicity, and culture on the experience and treatment of mental health challenges
  - vii. Understanding the stigma surrounding mental health challenges and what can be done to overcome stigma, increase awareness, and promote acceptance, including, to the extent possible, classroom presentations of narratives by trained peers and other individuals who have experienced

mental health challenges and how they coped with their situations, including how they sought help and acceptance

Mental health instruction offered by the district shall: (Education Code 51926)

1. Be appropriate for use with students of all races, genders, sexual orientations, ethnic and cultural backgrounds, students with disabilities, and English learners
2. Be accessible to students with disabilities, including, but not limited to, providing a modified curriculum, materials, and instruction in alternative formats, and auxiliary aids
3. Not reflect or promote bias against any person on the basis of any category protected by Education Code 220
4. Be coordinated with any existing on-campus mental health providers including, but not limited to, providers with a pupil personnel services credential, who may be immediately called upon by students for assistance

Students receiving mental health instruction shall not be required to disclose their confidential health or mental health information at any time in the course of receiving the instruction. (Education Code 51927)

## 12. Violence awareness and prevention

## 13. Ethnic studies

Commencing in the 2025-26 school year, the district shall offer a one-semester course in ethnic studies

In addition, the course of study for grade 7 and/or 8 may include parenting skills and education, including, but not limited to, child growth and development, parental responsibilities, household budgeting, child abuse and neglect issues, personal hygiene, maintenance of healthy relationships, teen parenting issues, and self-esteem. (Education Code 51220.5)

High schools shall offer automobile driver education that includes instruction in: (Education Code 51220, 51220.1, 51220.4)

1. Vehicle Code provisions and other relevant state laws
2. Proper acceptance of personal responsibility in traffic
3. Appreciation of the causes, seriousness, and consequences of traffic accidents
4. Knowledge and attitudes necessary for the safe operation of motor vehicles
5. The safe operation of motorcycles
6. The dangers involved in consuming alcohol or drugs in connection with the operation of a motor vehicle

7. The rights and duties of a motorist as they pertain to pedestrians and the rights and duties of pedestrians as they pertain to traffic laws and traffic safety

### **Certification of College Preparatory Courses**

The Superintendent or designee shall identify district courses that may qualify for designation as "A-G" college preparatory courses, including courses in history-social science, English, mathematics, laboratory science, languages other than English, visual and performing arts, career technical education, and college preparatory electives. The Superintendent or designee shall submit any necessary information regarding each identified course to UC for "A-G" designation.

### **Notification and Information to Students in Grades 9-12**

At the beginning of each school year, the Superintendent or designee shall provide written notice to parents/guardians of students in grades 9-12 that, to the extent possible, shall not exceed one page in length and that includes all of the following: (Education Code 51229)

1. A brief explanation of the course requirements for admission to UC and CSU
2. A list of the current UC and CSU websites that help students and their families learn about college admission requirements and that list high school courses that have been certified by UC as satisfying the requirements for admission to UC and CSU
3. A brief description of what career technical education is, as defined by the California Department of Education (CDE)
4. The Internet address for the portion of CDE's website where students can learn more about career technical education
5. Information about how students may meet with school counselors to help them choose courses that will meet college admission requirements and/or enroll in career technical education courses

The Superintendent or designee shall provide information to students and parents/guardians regarding the completion and submission of the Free Application for Federal Student Aid (FAFSA) and/or the California Dream Act Application (CADAA) at least once before grade 12. (Education Code 51225.8)

### **Financial Aid Requirements for Students in Grade 12**

The Superintendent or designee shall ensure that each student in grade 12 completes and submits a FAFSA to the U.S. Department of Education or, if a student is exempt from paying nonresident tuition, a CADAA to the Student Aid Commission (CSAC), unless either: (Education Code 51225.7)

1. The student's parent/guardian, emancipated minor, or student age 18 years or older submits an opt-out form to the district
2. If the district determines that a student is unable to complete a requirement of Education Code 51225.7, the district shall exempt the student or the student's parent/guardian from completing the FAFSA, CADAA, or opt-out form and shall complete and submit an opt-out form on the student's behalf



The Superintendent or designee shall ensure that each high school student in grade 12, and if applicable, the student's parent/guardian, be directed to any support and assistance necessary to complete the FAFSA and/or CADAA that may be available through outreach programs, including, but not limited to, programs operated by CSAC, postsecondary immigration resource centers, college readiness organizations, community-based organizations, and/or legal resource organizations. (Education Code 51225.7)

Information shared by students and parents/guardians in completing and submitting the FAFSA and/or CADAA shall be handled in compliance with the federal Family Rights and Privacy Act and applicable state law, regardless of any person's immigration status or other personal information. (Education Code 51225.7)

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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.

<b>State</b>	<b>Description</b>
5 CCR 10020	Automobile driver education
5 CCR 10040-10043	Automobile driver training
5 CCR 10060	Criteria for high school physical education programs
5 CCR 430-438	Individual student records
5 CCR 4940	Nondiscrimination; course access
Ed. Code 200	<a href="#">Equal rights and opportunities in state educational institutions</a>
Ed. Code 220	<a href="#">Prohibition of discrimination</a>
Ed. Code 234.1	<a href="#">Student protections relating to discrimination, harassment, intimidation, and bullying</a>
Ed. Code 234.7	<a href="#">Student protections relating to immigration and citizenship status</a>
Ed. Code 242	<a href="#">Access to information about educational laws and policies regarding right to accurate and inclusive curriculum</a>
Ed. Code 33319.3	<a href="#">Driver education; CDE materials on road rage</a>
Ed. Code 33540	<a href="#">Standards for government and civics instruction</a>
Ed. Code 48980	<a href="#">Parent/Guardian notifications</a>
Ed. Code 49060-49079	<a href="#">Student records</a>
Ed. Code 51202	<a href="#">Instruction in personal and public health and safety</a>
Ed. Code 51203	<a href="#">Instruction on alcohol, narcotics and dangerous drugs</a>
Ed. Code 51204	<a href="#">Course of study designed for student's needs</a>
Ed. Code 51204.5	<a href="#">History of California; contributions of specified groups</a>
Ed. Code 51210	<a href="#">Course of study for grades 1-6</a>

Ed. Code 51220	<a href="#">Course of study for grades 7-12</a>
Ed. Code 51225.3	<a href="#">High school graduation requirements</a>
Ed. Code 51226.7	<a href="#">Model curriculum in ethnic studies</a>
Ed. Code 51241	<a href="#">Temporary two-year or permanent exemption from physical education</a>
Ed. Code 51501	<a href="#">Nondiscriminatory subject matter</a>
Ed. Code 51911-51921	<a href="#">Comprehensive health education</a>
Ed. Code 51925-51929	<a href="#">Mandatory mental health education and in-service training</a>
Ed. Code 51930-51939	<a href="#">California Healthy Youth Act</a>
Ed. Code 51940	<a href="#">Curriculum for brain and spinal cord injury prevention</a>
Ed. Code 60040-60052	<a href="#">Requirements for instructional materials</a>
Ed. Code 66204	<a href="#">Certification of high school courses as meeting university admission criteria</a>
Gov. Code 11135	<a href="#">Prohibition of discrimination</a>
Gov. Code 7282-7282.5	<a href="#">Standards for responding to U.S. Immigration and Customs enforcement holds</a>
Gov. Code 7283-7283.2	<a href="#">Standards for participation in U.S. Immigration and Customs enforcement programs</a>
Gov. Code 7284-7284.12	<a href="#">Cooperation with immigration authorities</a>
H&S Code 11032	<a href="#">Definition of dangerous drugs</a>
Pen. Code 422.55	<a href="#">Definition of hate crime</a>
<b>Federal</b>	<b>Description</b>
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
34 CFR 99.1-99.67	Family Educational Rights and Privacy
<b>Management Resources</b>	<b>Description</b>
U.S. DOE, Office for Civil Rights Publication	<a href="#">Dear Colleague Letter: Race and School Programming, August 2023</a>
Website	<a href="#">Instructional Quality Commission</a>
Website	<a href="#">American Red Cross, Hands-Only CPR Training</a>
Website	<a href="#">CSBA District and County Office of Education Legal Services</a>
Website	<a href="#">Federal Student Aid</a>
Website	<a href="#">American Heart Association</a>
Website	<a href="#">California Student Aid Commission</a>
Website	<a href="#">University of California, A-G Course Submissions</a>
Website	<a href="#">University of California, List of Approved A-G Courses</a>

Website	<a href="#">California State University, Admission Requirements</a>
Website	<a href="#">California Career Resource Network</a>
Website	<a href="#">Department of Justice</a>
Website	<a href="#">California Colleges.edu</a>
Website	<a href="#">California Department of Education</a>
Website	<a href="#">CSBA</a>
Website	<a href="#">U.S. Department of Education</a>

## Cross References

Code	Description
0410	Nondiscrimination In District Programs And Activities
0415	Equity
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
1312.2	Complaints Concerning Instructional Materials
1312.2	Complaints Concerning Instructional Materials
1312.2	Complaints Concerning Instructional Materials
1312.4	Williams Uniform Complaint Procedures
1312.4	Williams Uniform Complaint Procedures
1312.4	Williams Uniform Complaint Procedures
1340	Access To District Records
1340	Access To District Records
3270	Sale And Disposal Of Books, Equipment And Supplies
3270	Sale And Disposal Of Books, Equipment And Supplies
3513.3	Tobacco-Free Schools
3513.3	Tobacco-Free Schools
5022	Student And Family Privacy Rights
5022	Student And Family Privacy Rights
5121	Grades/Evaluation Of Student Achievement
5121	Grades/Evaluation Of Student Achievement
5125	Student Records
5125	Student Records
5126	Awards For Achievement

5126	Awards For Achievement
5131.6	Alcohol And Other Drugs
5131.6	Alcohol And Other Drugs
5138	Conflict Resolution/Peer Mediation
5141.4	Child Abuse Prevention And Reporting
5141.4	Child Abuse Prevention And Reporting
5145.13	Response To Immigration Enforcement
5145.13	Response To Immigration Enforcement
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
5145.6	Parent/Guardian Notifications
5145.6	Parent/Guardian Notifications
5146	Married/Pregnant/Parenting Students
6000	Concepts And Roles
6011	Academic Standards
6141	Curriculum Development And Evaluation
6141	Curriculum Development And Evaluation
6141.2	Recognition Of Religious Beliefs And Customs
6141.2	Recognition Of Religious Beliefs And Customs
6141.4	International Baccalaureate Program
6141.5	Advanced Placement
6142.1	Sexual Health And HIV/AIDS Prevention Instruction
6142.1	Sexual Health And HIV/AIDS Prevention Instruction
6142.2	World Language Instruction
6142.2	World Language Instruction
6142.3	Civic Education
6142.4	Service Learning/Community Service Classes
6142.5	Environmental Education
6142.6	Visual And Performing Arts Education
6142.7	Physical Education And Activity
6142.7	Physical Education And Activity
6142.8	Comprehensive Health Education
6142.8	Comprehensive Health Education

6142.91	Reading/Language Arts Instruction
6142.92	Mathematics Instruction
6142.93	Science Instruction
6142.94	History-Social Science Instruction
6144	Controversial Issues
6145	Extracurricular And Cocurricular Activities
6145	Extracurricular And Cocurricular Activities
6145.8	Assemblies And Special Events
6146.1	High School Graduation Requirements
6146.11	Alternative Credits Toward Graduation
6146.11	Alternative Credits Toward Graduation
6146.3	Reciprocity Of Academic Credit
6146.3	Reciprocity Of Academic Credit
6146.5	Elementary/Middle School Graduation Requirements
6151	Class Size
6152.1	Placement In Mathematics Courses
6152.1	Placement In Mathematics Courses
6153	School-Sponsored Trips
6153	School-Sponsored Trips
6155	Challenging Courses By Examination
6155	Challenging Courses By Examination
6158	Independent Study
6158	Independent Study
6159	Individualized Education Program
6159	Individualized Education Program
6161.1	Selection And Evaluation Of Instructional Materials
6161.1	Selection And Evaluation Of Instructional Materials
6161.1	Selection And Evaluation Of Instructional Materials
6161.11	Supplementary Instructional Materials
6163.1	Library Media Centers
6164.2	Guidance/Counseling Services
6172.1	Concurrent Enrollment In College Classes
6172.1	Concurrent Enrollment In College Classes

6173	Education For Homeless Children
6173	Education For Homeless Children
6173	Education For Homeless Children
6173	Education For Homeless Children
6173.2	Education Of Children Of Military Families
6173.2	Education Of Children Of Military Families
6173.3	Education For Juvenile Court School Students
6177	Summer Learning Programs
6178	Career Technical Education
6178	Career Technical Education
6178.1	Work-Based Learning
6178.1	Work-Based Learning
6181	Alternative Schools/Programs Of Choice
6181	Alternative Schools/Programs Of Choice
6184	Continuation Education
6184	Continuation Education

**Policy 6161.1: Selection And Evaluation Of Instructional Materials**

**Status: ADOPTED**

**Original Adopted Date:** ~~09/28/2010~~11/01/2011 | **Last Revised Date:** ~~05/11/2021~~10/01/2023 |  
**Last Reviewed Date:** ~~05/11/2021~~10/01/2023

The Governing Board desires that district instructional materials, as a whole, present a broad spectrum of knowledge and viewpoints, accurately reflect and value society's diversity, stimulate thought, the exploration of ideas and intellectual exchanges, and enhance instructors' ability to educate all students through the use of multiple teaching strategies and technologies. The Board shall adopt instructional materials based on a determination that such materials are an effective learning resource to help students achieve grade-level competency and that the materials meet criteria specified in law. Textbooks, technology-based materials, and other educational materials shall be aligned with academic content standards and the district's curriculum to ensure that they effectively support the district's adopted courses of study.

The Board shall select instructional materials for use in grades K-8 that have been approved by the State Board of Education (SBE) or that have, during the district's review process, been determined to be aligned with the state academic content standards adopted by SBE, which includes instructional materials for mathematics and English language arts that are aligned to Common Core State Standards. (Education Code 60200, 60210)

The Board shall adopt instructional materials for grades 9-12 upon determining that the materials meet the criteria specified in law and the accompanying administrative regulation. (Education Code 60400)

In selecting or adopting instructional materials, the Board shall consider the recommendation of the Superintendent or designee and/or an advisory committee established to review the materials.

~~Public Hearing on~~ The degree to which every student has sufficient access to standards-aligned instructional materials shall be included in the district's local control and accountability plan. (Education Code 52060)

**Sufficiency of Instructional Materials and Public Hearing**

The Board shall annually conduct one or more public hearings on the sufficiency of the district's instructional materials, including textbooks, technology-based materials, other educational materials, and tests. ~~Technology-based materials include, but are not limited to, software programs, video disks, compact disks, optical disks, video and audio tapes, lesson plans, databases, and the electronic equipment required to make use of those materials by students and teachers as a learning resource.~~ (Education Code 60010, 60119)

The hearing shall be held on or before the end of the eighth week from the first day students attend

school for that year. (Education Code 60119)

The Board encourages participation by parents/guardians, teachers, interested community members, and bargaining unit leaders at the hearing. Ten days prior to the hearing, the Superintendent or designee shall post a notice in three public places within the district containing the time, place, and purpose of the hearing. The hearing shall not take place during or immediately following school hours. (Education Code 60119)

At the hearing(s), the Board shall determine, through a resolution, whether each student in each school, including each English learner, has sufficient textbooks and/or other instructional materials that are aligned to the content standards adopted by SBE and consistent with the content and cycles of the curriculum framework adopted by SBE in each of the following subjects: (Education Code 60119)

1. Mathematics
2. Science
3. History-social science
4. English language arts, including the English language development component of an adopted program
5. World language
6. Health

The Board shall also determine the availability of science laboratory equipment, as applicable to science laboratory courses offered in grades 9-12. (Education Code 60119)

In making these determinations, the Board shall consider whether each student has sufficient textbooks or other instructional materials to use in class and to take home. This does not require that each student have two sets of materials. However, materials shall not be considered sufficient if they are photocopied sheets from only a portion of a textbook or instructional materials copied to address a shortage. (Education Code 60119)

If materials are in a digital format, they shall be considered sufficient as long as each student, at a minimum, has and can access the same materials in the class and to take home as all other students in the same class or course in the district, and has the ability to use and access them at home. (Education Code 60119)

If the Board determines that there are insufficient textbooks or other instructional materials, the district Board shall, by resolution, provide information to classroom teachers and to the public setting forth, for each school in which an insufficiency exists, the percentage of students who lack sufficient standards-aligned textbooks or instructional materials in each subject area and the reasons that each student does not have sufficient textbooks and/or instructional materials. The Board shall submit a copy of the resolution to the County Superintendent of Schools no later than three business days after the hearing. The Board shall take any action to ensure that each student has sufficient materials within two months of the beginning of the school year in which the determination is made. (Education Code 60119)



~~The degree~~In addition, if the County Superintendent, in accordance with Education Code 1240, makes the district aware of a school that does not have sufficient textbooks or instructional materials, the district shall take any action ~~to which every~~ensure that each student has sufficient access~~materials~~ within two months of the beginning of the school year.

**Prohibition Against Refusal to standards-aligned instructional materials shall Approve or Prohibit the Use of Specified Instructional Materials**

~~The use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or other resource in a school library shall not be included in the district's local control~~rejected or prohibited by the Board or district on the basis that it includes a study of the role and accountability plan. ~~(Education Code 52060~~contributions of any individual or group consistent with the requirements of Education Code 51204.5 and 60040, unless such study would violate Education Code 51501 or 60044. ~~(Education Code 243)~~

## Complaints

Complaints concerning instructional materials shall be handled in accordance with ~~BP/AR~~Board Policy 1312.2 - Complaints Concerning Instructional Materials~~or AR, Board Policy 1312.3 - Uniform Complaint Procedures, or Administrative Regulation~~ 1312.4 - Williams Uniform Complaint Procedures, as applicable.

### 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	Description
5 CCR 9505-9530	Instructional materials
Ed. Code 1240	<a href="#">County superintendent of schools; duties</a>
Ed. Code 18111	<a href="#">Exclusion of books by Governing board that are sectarian, partisan, or denominational character</a>
Ed. Code 220	<a href="#">Prohibition of discrimination</a>
Ed. Code 242	<a href="#">Access to information about educational laws and policies regarding right to accurate and inclusive curriculum</a>
Ed. Code 243	<a href="#">Unlawful discrimination related to the use or prohibited use of textbooks and instructional materials</a>
Ed. Code 33050-33053	<a href="#">General waiver authority</a>
Ed. Code 33126	<a href="#">School accountability report card</a>
Ed. Code 35272	<a href="#">Education and athletic materials</a>
Ed. Code 44805	<a href="#">Teacher enforcement of course of studies; use of textbooks, rules and regulations</a>

Ed. Code 48907	<a href="#">Exercise of free expression; time, place and manner rules and regulations</a>
Ed. Code 48950	<a href="#">Speech and other communication</a>
Ed. Code 49415	<a href="#">Maximum textbook weight standards</a>
Ed. Code 51204.5	<a href="#">Social sciences instruction; contributions of specified groups</a>
Ed. Code 51501	<a href="#">Nondiscriminatory subject matter</a>
Ed. Code 51511	<a href="#">Religious matters properly included in courses of study</a>
Ed. Code 51933	<a href="#">Sexual health education and HIV prevention materials</a>
Ed. Code 52060-52077	<a href="#">Local control and accountability plan</a>
Ed. Code 60000-60005	<a href="#">Instructional materials; legislative intent</a>
Ed. Code 60010	<a href="#">Instructional materials; definition</a>
Ed. Code 60040-60052	<a href="#">Requirements for instructional materials</a>
Ed. Code 60060-60063.5	<a href="#">Requirements for publishers and manufacturers</a>
Ed. Code 60070-60076	<a href="#">Prohibited acts regarding instructional materials</a>
Ed. Code 60110-60115	<a href="#">Instructional materials on alcohol and drug education</a>
Ed. Code 60119	<a href="#">Sufficiency of textbooks and instructional materials; hearing and resolution</a>
Ed. Code 60150	<a href="#">Penalty for insufficiency of textbooks and instructional materials</a>
Ed. Code 60200-60213	<a href="#">Elementary school materials</a>
Ed. Code 60226	<a href="#">Requirements for publishers and manufacturers</a>
Ed. Code 60400-60411	<a href="#">Instructional materials; high schools</a>
Ed. Code 60510-60511	<a href="#">Donation or sale of obsolete instructional materials</a>
Ed. Code 60605	<a href="#">State-adopted content and performance standards in core curricular areas</a>
Ed. Code 60605.8	<a href="#">Common Core standards</a>
H&S Code 11032	Narcotics, restricted dangerous drugs, and marijuana; definitions
<b>Management Resources</b>	<b>Description</b>
California Department of Education Publication	<a href="#">Instructional Materials, FAQ</a>
California Department of Education Publication	<a href="#">Standards for Evaluating Instructional Materials for Social Content, 2013</a>
California Department of Education Publication	Guidelines for Piloting Textbooks and Instructional Materials, Policy # 01-05, rev. January 2015
Website	<a href="#">CSBA District and County Office of Education Legal Services</a>

Website	<a href="#">Association of American Publishers</a>
Website	<a href="#">California Academic Content Standards Commission, Common Core State Standards</a>
Website	<a href="#">Department of Justice</a>
Website	<a href="#">U.S. Department of Education, Office for Civil Rights</a>
Website	<a href="#">California Department of Education</a>
Website	<a href="#">CSBA</a>

## Cross References

Code	Description
0400	<del>Comprehensive Plans</del> Comprehensive Plans
0410	<del>Nondiscrimination In District Programs And Activities</del> Nondiscrimination In District Programs And Activities
0415	<del>Equity</del> Equity
<del>0415</del> 0440	<del>Equity</del> District Technology Plan
0440	<del>District Technology Plan</del> District Technology Plan
0460	<del>Local Control And Accountability Plan</del> Local Control And Accountability Plan
0460	<del>Local Control And Accountability Plan</del> Local Control And Accountability Plan
1220	<del>Citizen Advisory Committees</del> Citizen Advisory Committees
1220	<del>Citizen Advisory Committees</del> Citizen Advisory Committees
1312.2	<del>Complaints Concerning Instructional Materials</del> Complaints Concerning Instructional Materials
1312.2	<del>Complaints Concerning Instructional Materials</del> Complaints Concerning Instructional Materials
1312.2-E PDF(1)	<del>Complaints Concerning Instructional Materials</del> Complaints Concerning Instructional Materials
1312.3	<del>Uniform Complaint Procedures</del> Uniform Complaint Procedures
1312.3	<del>Uniform Complaint Procedures</del> Uniform Complaint Procedures
1312.3-E PDF(1)	<del>Uniform Complaint Procedures</del> Uniform Complaint Procedures
<del>1312.3</del>	<del>Uniform Complaint Procedures</del>
1312.4	<del>Williams Uniform Complaint Procedures</del> Williams Uniform Complaint Procedures
1312.4-E PDF(1)	<del>Williams Uniform Complaint Procedures</del> Williams Uniform Complaint Procedures
<del>1312.4</del>	<del>Williams Uniform Complaint Procedures</del>

1325	<u>Advertising And PromotionAdvertising And Promotion</u>
1340	<u>Access To District RecordsAccess To District Records</u>
1340	<u>Access To District RecordsAccess To District Records</u>
1700	<u>Relations Between Private Industry And The SchoolsRelations Between Private Industry And The Schools</u>
3220.1	<u>Lottery FundsLottery Funds</u>
3270	<u>Sale And Disposal Of Books, Equipment And SuppliesSale And Disposal Of Books, Equipment And Supplies</u>
3270	<u>Sale And Disposal Of Books, Equipment And SuppliesSale And Disposal Of Books, Equipment And Supplies</u>
3290	<u>Gifts, Grants And BequestsGifts, Grants And Bequests</u>
3311	<u>BidsBids</u>
3311	<u>BidsBids</u>
4136	<u>Nonschool EmploymentNonschool Employment</u>
4143	<u>Negotiations/ConsultationNegotiations/Consultation</u>
4236	<u>Nonschool EmploymentNonschool Employment</u>
4243	<u>Negotiations/ConsultationNegotiations/Consultation</u>
4331	<u>Staff DevelopmentStaff Development</u>
<del>4331</del>	<u>Staff Development</u>
4336	<u>Nonschool EmploymentNonschool Employment</u>
5020	<u>Parent Rights And ResponsibilitiesParent Rights And Responsibilities</u>
5020	<u>Parent Rights And ResponsibilitiesParent Rights And Responsibilities</u>
5145.3	<u>Nondiscrimination/HarassmentNondiscrimination/Harassment</u>
5145.3	<u>Nondiscrimination/HarassmentNondiscrimination/Harassment</u>
6000	<u>Concepts And RolesConcepts And Roles</u>
6011	<u>Academic StandardsAcademic Standards</u>
6020	<u>Parent InvolvementParent Involvement</u>
6020	<u>Parent InvolvementParent Involvement</u>
6141	<u>Curriculum Development And EvaluationCurriculum Development And Evaluation</u>
6141	<u>Curriculum Development And EvaluationCurriculum Development And Evaluation</u>
6142.2	<u>World Language InstructionWorld Language Instruction</u>

6142.2	<u>World Language InstructionWorld Language Instruction</u>
6142.6	<u>Visual And Performing Arts EducationVisual And Performing Arts Education</u>
6142.8	<u>Comprehensive Health EducationComprehensive Health Education</u>
6142.8	<u>Comprehensive Health EducationComprehensive Health Education</u>
6142.91	<u>Reading/Language Arts InstructionReading/Language Arts Instruction</u>
<del>6142.91</del>	<u>Reading/Language Arts Instruction</u>
6142.92	<u>Mathematics InstructionMathematics Instruction</u>
6142.93	<u>Science InstructionScience Instruction</u>
6142.94	<u>History-Social Science InstructionHistory-Social Science Instruction</u>
6143	<u>Courses Of StudyCourses Of Study</u>
6143	<u>Courses Of StudyCourses Of Study</u>
6144	<u>Controversial IssuesControversial Issues</u>
<del>6144</del>	<u>Controversial Issues</u>
6146.1	<u>High School Graduation RequirementsHigh School Graduation Requirements</u>
6161.11	<u>Supplementary Instructional MaterialsSupplementary Instructional Materials</u>
6161.2	<u>Damaged Or Lost Instructional MaterialsDamaged Or Lost Instructional Materials</u>
6162.5	<u>Student AssessmentStudent Assessment</u>
6162.6	<u>Use Of Copyrighted MaterialsUse Of Copyrighted Materials</u>
6162.6	<u>Use Of Copyrighted MaterialsUse Of Copyrighted Materials</u>
6163.1	<u>Library Media CentersLibrary Media Centers</u>
6170.1	<u>Transitional KindergartenTransitional Kindergarten</u>
6171	<u>Title I ProgramsTitle I Programs</u>
6171	<u>Title I ProgramsTitle I Programs</u>
6174	<u>Education For English LearnersEducation For English Learners</u>
6174	<u>Education For English LearnersEducation For English Learners</u>
<del>6174-E PDF(1)</del>	<u>Education For English Learners</u>
6190	<u>Evaluation Of The Instructional ProgramEvaluation Of The Instructional Program</u>

9000	<del>Role Of The Board</del> Role Of The Board
9270	<del>Conflict Of Interest</del> Conflict Of Interest
9270-E PDF(1)	<del>Conflict Of Interest</del> Conflict Of Interest
9322	<del>Agenda/Meeting Materials</del> Agenda/Meeting Materials

**Policy 6161.1: Selection And Evaluation Of Instructional Materials**

**Status: ADOPTED**

**Original Adopted Date:** 09/28/2010 | **Last Revised Date:** | **Last Reviewed Date:**

The Governing Board desires that district instructional materials, as a whole, present a broad spectrum of knowledge and viewpoints, accurately reflect and value society's diversity, stimulate thought, the exploration of ideas and intellectual exchanges, and enhance instructors' ability to educate all students through the use of multiple teaching strategies and technologies. The Board shall adopt instructional materials based on a determination that such materials are an effective learning resource to help students achieve grade-level competency and that the materials meet criteria specified in law. Textbooks, technology-based materials, and other educational materials shall be aligned with academic content standards and the district's curriculum to ensure that they effectively support the district's adopted courses of study.

The Board shall select instructional materials for use in grades K-8 that have been approved by the State Board of Education (SBE) or that have, during the district's review process, been determined to be aligned with the state academic content standards adopted by SBE, which includes instructional materials for mathematics and English language arts that are aligned to Common Core State Standards. (Education Code 60200, 60210)

The Board shall adopt instructional materials for grades 9-12 upon determining that the materials meet the criteria specified in law and the accompanying administrative regulation. (Education Code 60400)

In selecting or adopting instructional materials, the Board shall consider the recommendation of the Superintendent or designee and/or an advisory committee established to review the materials.

The degree to which every student has sufficient access to standards-aligned instructional materials shall be included in the district's local control and accountability plan. (Education Code 52060)

**Sufficiency of Instructional Materials and Public Hearing**

The Board shall annually conduct one or more public hearings on the sufficiency of the district's instructional materials, including textbooks, technology-based materials, other educational materials, and tests. Technology-based materials include, but are not limited to, software programs, video disks, compact disks, optical disks, video and audio tapes, lesson plans, databases, and the electronic equipment required to make use of those materials by students and teachers as a learning resource. (Education Code 60010, 60119)

The hearing shall be held on or before the end of the eighth week from the first day students attend school for that year. (Education Code 60119)

The Board encourages participation by parents/guardians, teachers, interested community members, and bargaining unit leaders at the hearing. Ten days prior to the hearing, the Superintendent or designee shall post a notice in three public places within the district containing the time, place, and purpose of the hearing. The hearing shall not take place during or immediately following school hours. (Education Code 60119)

At the hearing(s), the Board shall determine, through a resolution, whether each student in each school, including each English learner, has sufficient textbooks and/or other instructional materials that are aligned to the content standards adopted by SBE and consistent with the content and cycles of the curriculum framework adopted by SBE in each of the following subjects: (Education Code 60119)

1. Mathematics
2. Science
3. History-social science
4. English language arts, including the English language development component of an adopted program
5. World language
6. Health

The Board shall also determine the availability of science laboratory equipment, as applicable to science laboratory courses offered in grades 9-12. (Education Code 60119)

In making these determinations, the Board shall consider whether each student has sufficient textbooks or other instructional materials to use in class and to take home. This does not require that each student have two sets of materials. However, materials shall not be considered sufficient if they are photocopied sheets from only a portion of a textbook or instructional materials copied to address a shortage. (Education Code 60119)

If materials are in a digital format, they shall be considered sufficient as long as each student, at a minimum, has and can access the same materials in the class and to take home as all other students in the same class or course in the district, and has the ability to use and access them at home. (Education Code 60119)

If the Board determines that there are insufficient textbooks or other instructional materials, the Board shall, by resolution, provide information to classroom teachers and to the public setting forth, for each school in which an insufficiency exists, the percentage of students who lack sufficient standards-aligned textbooks or instructional materials in each subject area and the reasons that each student does not have sufficient textbooks and/or instructional materials. The Board shall submit a copy of the resolution to the County Superintendent of Schools no later than three business days after the hearing. The Board shall take any action to ensure that each student has sufficient materials within two months of the beginning of the school year in which the determination is made. (Education Code 60119)

In addition, if the County Superintendent, in accordance with Education Code 1240, makes the district aware of a school that does not have sufficient textbooks or instructional materials, the district shall take any action to ensure that each student has sufficient materials within two months of the beginning of the school year.

#### **Prohibition Against Refusal to Approve or Prohibit the Use of Specified Instructional Materials**



The use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or other resource in a school library shall not be rejected or prohibited by the Board or district on the basis that it includes a study of the role and contributions of any individual or group consistent with the requirements of Education Code 51204.5 and 60040, unless such study would violate Education Code 51501 or 60044. (Education Code 243)

## Complaints

Complaints concerning instructional materials shall be handled in accordance with Board Policy 1312.2 - Complaints Concerning Instructional Materials, Board Policy 1312.3 - Uniform Complaint Procedures, or Administrative Regulation 1312.4 - Williams Uniform Complaint Procedures, as applicable.

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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.

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5 CCR 9505-9530	Instructional materials
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Ed. Code 18111	<a href="#">Exclusion of books by Governing board that are sectarian, partisan, or denominational character</a>
Ed. Code 220	<a href="#">Prohibition of discrimination</a>
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Ed. Code 35272	<a href="#">Education and athletic materials</a>
Ed. Code 44805	<a href="#">Teacher enforcement of course of studies; use of textbooks, rules and regulations</a>
Ed. Code 48907	<a href="#">Exercise of free expression; time, place and manner rules and regulations</a>
Ed. Code 48950	<a href="#">Speech and other communication</a>
Ed. Code 49415	<a href="#">Maximum textbook weight standards</a>
Ed. Code 51204.5	<a href="#">Social sciences instruction; contributions of specified groups</a>
Ed. Code 51501	<a href="#">Nondiscriminatory subject matter</a>
Ed. Code 51511	<a href="#">Religious matters properly included in courses of study</a>
Ed. Code 51933	<a href="#">Sexual health education and HIV prevention materials</a>

Ed. Code 52060-52077	<a href="#">Local control and accountability plan</a>
Ed. Code 60000-60005	<a href="#">Instructional materials; legislative intent</a>
Ed. Code 60010	<a href="#">Instructional materials; definition</a>
Ed. Code 60040-60052	<a href="#">Requirements for instructional materials</a>
Ed. Code 60060-60063.5	<a href="#">Requirements for publishers and manufacturers</a>
Ed. Code 60070-60076	<a href="#">Prohibited acts regarding instructional materials</a>
Ed. Code 60110-60115	<a href="#">Instructional materials on alcohol and drug education</a>
Ed. Code 60119	<a href="#">Sufficiency of textbooks and instructional materials; hearing and resolution</a>
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Ed. Code 60510-60511	<a href="#">Donation or sale of obsolete instructional materials</a>
Ed. Code 60605	<a href="#">State-adopted content and performance standards in core curricular areas</a>
Ed. Code 60605.8	<a href="#">Common Core standards</a>
H&S Code 11032	Narcotics, restricted dangerous drugs, and marijuana; definitions
<b>Management Resources</b>	<b>Description</b>
California Department of Education Publication	<a href="#">Instructional Materials, FAQ</a>
California Department of Education Publication	<a href="#">Standards for Evaluating Instructional Materials for Social Content, 2013</a>
California Department of Education Publication	Guidelines for Piloting Textbooks and Instructional Materials, Policy # 01-05, rev. January 2015
Website	<a href="#">CSBA District and County Office of Education Legal Services</a>
Website	<a href="#">Association of American Publishers</a>
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Website	<a href="#">Department of Justice</a>
Website	<a href="#">U.S. Department of Education, Office for Civil Rights</a>
Website	<a href="#">California Department of Education</a>
Website	<a href="#">CSBA</a>

## Cross References

<b>Code</b>	<b>Description</b>
0400	Comprehensive Plans
0410	Nondiscrimination In District Programs And Activities
0415	Equity
0440	District Technology Plan
0440	District Technology Plan
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
1220	Citizen Advisory Committees
1220	Citizen Advisory Committees
1312.2	Complaints Concerning Instructional Materials
1312.2	Complaints Concerning Instructional Materials
1312.2	Complaints Concerning Instructional Materials
1312.3	Uniform Complaint Procedures
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6142.92	Mathematics Instruction
6142.93	Science Instruction
6142.94	History-Social Science Instruction
6143	Courses Of Study
6143	Courses Of Study
6144	Controversial Issues
6146.1	High School Graduation Requirements
6161.11	Supplementary Instructional Materials
6161.2	Damaged Or Lost Instructional Materials
6162.5	Student Assessment
6162.6	Use Of Copyrighted Materials
6162.6	Use Of Copyrighted Materials
6163.1	Library Media Centers
6170.1	Transitional Kindergarten

6171	Title I Programs
6171	Title I Programs
6174	Education For English Learners
6174	Education For English Learners
6190	Evaluation Of The Instructional Program
9000	Role Of The Board
9270	Conflict Of Interest
9270	Conflict Of Interest
9322	Agenda/Meeting Materials

**Regulation 6161.1: Selection And Evaluation Of Instructional Materials**

**Status:** ADOPTED

**Original Adopted Date:** ~~08/25/2009~~11/01/2010 | **Last Revised Date:** ~~05/11/2021~~10/01/2023 |  
**Last Reviewed Date:** ~~05/11/2021~~10/01/2023

**Review Process**

The district's review process for evaluating instructional materials shall involve teachers in a substantial manner and shall encourage the participation of parents/guardians and community members in accordance with Education Code 60002.- The review process may also involve administrators, other staff who have subject-matter expertise, and students as appropriate. The Superintendent or designee shall seek input from stakeholders with diverse backgrounds and perspectives.

If the district is considering the use of instructional materials for grades K-8 that have not been adopted by the State Board of Education (SBE), the Superintendent or designee shall ensure that a majority of the participants in the district's review process are classroom teachers who are assigned to the subject area or grade level of the materials.— (Education Code 60210)

The Superintendent or designee may establish an advisory committee to conduct the review of instructional materials.

The Superintendent or designee shall present to the Governing Board recommendations for instructional materials and documentation that supports the recommendations.

All recommended instructional materials shall be available for public inspection at the district office.

When possible, the district may pilot instructional materials in a representative sample of classrooms for a specified period of time during a school year, in order to determine the extent to which the materials support the district's curricular goals and academic standards-, and accurately reflect and value society's diversity. Feedback from teachers piloting the materials shall be made available to the Board before the materials are adopted.

**Criteria for Selection and Adoption of Instructional Materials**

In recommending instructional materials for adoption by the Board, the Superintendent or designee shall ensure that the materials:

1. Are aligned to the content standards adopted by SBE and consistent with the content and cycles of the curriculum framework adopted by SBE

For grades K-8, only instructional materials on the list of materials adopted by SBE and/or other instructional materials that have not been adopted by SBE but are aligned with the state academic content standards or the Common Core State Standards may be recommended for selection. ~~—~~ (Education Code 60200, 60210)

For grades 9-12, instructional materials in history-social science, mathematics, English/language arts, and science shall be reviewed using a standards map in order to determine the extent to which the materials are aligned to state academic content standards.

2. Do not reflect adversely upon persons because of any characteristic specified in law and BP Board Policy 0410 - Nondiscrimination in District Programs and Activities, nor contain any sectarian or denominational doctrine or propaganda contrary to law (Education Code 51501, 60044)
3. To the satisfaction of the Board, are accurate, objective, current, and suited to the differing needs and comprehension of district students at their respective grade levels ~~—~~ (Education Code 60045)
4. With the exception of literature and tradebooks, use proper grammar and spelling (Education Code 60045)  
~~—~~
5. Do not expose students to a commercial brand name, product, or corporate or company logo unless the Board makes a specific finding that the use is appropriate based on one of the following: (Education Code 60048, 60200)
  - a. The commercial brand name, product, or corporate or company logo is used in text for an educational purpose as defined in guidelines or frameworks adopted by SBE ~~—~~
  - b. The appearance of a commercial brand name, product, or corporate or company logo in an illustration is incidental to the general nature of the illustration ~~—~~  
~~—~~
6. Meet the requirements of Education Code 60040-60043 for specific subject content, including, but not limited, ~~accurately portraying society's cultural and racial diversity~~  
~~— to:~~  
~~—~~
  - a. Accurately portraying society's cultural and racial diversity, including:
    - i. The contributions of all genders in all types of roles, including professional, vocational, and executive roles  
~~—~~
    - ii. The role and contributions of Native Americans, African Americans, Latino Americans, Asian Americans, Pacific Islanders, European Americans, LGBTQ+ Americans, persons with disabilities, and members of other ethnic, cultural, religious, and soceioeconimic groups to the total development of California and the United States  
~~—~~
    - iii. The role and contributions of the entrepreneur and labor in the total development of California and the United States  
~~—~~

- b. Accurately portraying humanities place in ecological systems and the necessity for the protection of the environment
  - c. Accurately portraying the effects on the human system of the use of tobacco, alcohol, and narcotics, and restricted dangerous drugs as defined in Health and Safety Code 11032, and other dangerous substances
  - d. Encouraging thrift, fire prevention, and the humane treatment of animals and people
  - e. Requiring, when appropriate to the comprehension of students, that textbooks for social science, history, or civics classes contain the Declaration of Independence and the United States Constitution
- 7. Support the district's adopted courses of study and curricular goals, including the district's local control and accountability plan
- 8. Contribute to a comprehensive, balanced curriculum
- 9. Demonstrate reliable quality of scholarship as evidenced by:
  - a. Accurate, up-to-date, and well-documented information
  - b. Objective presentation of diverse viewpoints
  - c. Clear, concise writing and appropriate vocabulary
  - d. Thorough treatment of subject matter
- 10. Provide for a wide range of materials at all levels of difficulty, with appeal to students of varied interests, abilities, and developmental levels
- 11. Stimulate discussion of contemporary issues, exploration of ideas, and intellectual exchanges, and improve students' thinking and decision-making skills
- 12. As appropriate, have corresponding versions available in languages other than English
- 13. Include high-quality teacher's guides
- 14. When available, include options for lighter weight materials, including materials in digital format, in order to help minimize any injury to students by the combined weight of instructional materials

In addition to meeting the above criteria as applicable, technology-based materials shall:

- 1. Be both available and comparable to other, equivalent instructional materials— (Education Code 60052)
- 2. Be accessible to all students, including economically disadvantaged students, students with disabilities, and English learners
- 3. Protect the privacy of student data



## Conflict of Interest

To ensure integrity in the evaluation and selection of instructional materials, individuals who are participating in the evaluation of instructional materials and are not otherwise designated in the district's conflict of interest code shall sign a disclosure statement indicating that they:

1. Will not accept any emolument, money, or other valuable thing or inducement to directly or indirectly introduce, recommend, vote for, or otherwise influence the adoption or purchase of any instructional material (Education Code 60072)

Sample copies of instructional materials are excepted from this prohibition: (Education Code 60075)

2. Are not employed by nor receive compensation from the publisher or supplier of the instructional materials or any person, firm, organization, subsidiary, or controlling entity representing it
3. Do not have an interest as a contributor, author, editor, or consultant in any textbook or other instructional material submitted to the district

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<b>Management Resources</b>	<b>Description</b>
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1312.2-E PDF(1)	<del>Complaints Concerning Instructional Materials</del> Complaints Concerning Instructional Materials
1312.3	<del>Uniform Complaint Procedures</del> Uniform Complaint Procedures
1312.3	<del>Uniform Complaint Procedures</del> Uniform Complaint Procedures
1312.3-E PDF(1)	<del>Uniform Complaint Procedures</del> Uniform Complaint Procedures
<del>1312.3</del>	<del>Uniform Complaint Procedures</del>
1312.4	<del>Williams Uniform Complaint Procedures</del> Williams Uniform Complaint Procedures
1312.4-E PDF(1)	<del>Williams Uniform Complaint Procedures</del> Williams Uniform Complaint Procedures
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1325	<del>Advertising And Promotion</del> Advertising And Promotion

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1700	<u><del>Relations Between Private Industry And The Schools</del>Relations Between Private Industry And The Schools</u>
3220.1	<u><del>Lottery Funds</del>Lottery Funds</u>
3270	<u><del>Sale And Disposal Of Books, Equipment And Supplies</del>Sale And Disposal Of Books, Equipment And Supplies</u>
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<del>4331</del>	<u><del>Staff Development</del></u>
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5020	<u><del>Parent Rights And Responsibilities</del>Parent Rights And Responsibilities</u>
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5145.3	<u><del>Nondiscrimination/Harassment</del>Nondiscrimination/Harassment</u>
5145.3	<u><del>Nondiscrimination/Harassment</del>Nondiscrimination/Harassment</u>
6000	<u><del>Concepts And Roles</del>Concepts And Roles</u>
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6143	<del>Courses Of Study</del> Courses Of Study
6143	<del>Courses Of Study</del> Courses Of Study
6144	<del>Controversial Issues</del> Controversial Issues
<del>6144</del>	<del>Controversial Issues</del>
6146.1	<del>High School Graduation Requirements</del> High School Graduation Requirements
6161.11	<del>Supplementary Instructional Materials</del> Supplementary Instructional Materials
6161.2	<del>Damaged Or Lost Instructional Materials</del> Damaged Or Lost Instructional Materials
6162.5	<del>Student Assessment</del> Student Assessment
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<del>6174-E PDF(1)</del>	<del>Education For English Learners</del>
6190	<del>Evaluation Of The Instructional Program</del> Evaluation Of The Instructional Program
9000	<del>Role Of The Board</del> Role Of The Board

9270

~~Conflict Of Interest~~Conflict Of Interest

9270-~~E PDF(1)~~

~~Conflict Of Interest~~Conflict Of Interest

9322

~~Agenda/Meeting Materials~~Agenda/Meeting Materials

**Regulation 6161.1: Selection And Evaluation Of Instructional Materials**

**Status: ADOPTED**

Original Adopted Date: 08/25/2009 | Last Revised Date: | Last Reviewed Date:

**Review Process**

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In recommending instructional materials for adoption by the Board, the Superintendent or designee shall ensure that the materials:

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standards.

2. Do not reflect adversely upon persons because of any characteristic specified in law and Board Policy 0410 - Nondiscrimination in District Programs and Activities, nor contain any sectarian or denominational doctrine or propaganda contrary to law (Education Code 51501, 60044)
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5. Do not expose students to a commercial brand name, product, or corporate or company logo unless the Board makes a specific finding that the use is appropriate based on one of the following: (Education Code 60048, 60200)
  - a. The commercial brand name, product, or corporate or company logo is used in text for an educational purpose as defined in guidelines or frameworks adopted by SBE
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    - i. The contributions of all genders in all types of roles, including professional, vocational, and executive roles
    - ii. The role and contributions of Native Americans, African Americans, Latino Americans, Asian Americans, Pacific Islanders, European Americans, LGBTQ+ Americans, persons with disabilities, and members of other ethnic, cultural, religious, and socioeconomic groups to the total development of California and the United States
    - iii. The role and contributions of the entrepreneur and labor in the total development of California and the United States
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  - d. Encouraging thrift, fire prevention, and the humane treatment of animals and people
  - e. Requiring, when appropriate to the comprehension of students, that textbooks for social science, history, or civics classes contain the Declaration of Independence and the United States Constitution



7. Support the district's adopted courses of study and curricular goals, including the district's local control and accountability plan
8. Contribute to a comprehensive, balanced curriculum
9. Demonstrate reliable quality of scholarship as evidenced by:
  - a. Accurate, up-to-date, and well-documented information
  - b. Objective presentation of diverse viewpoints
  - c. Clear, concise writing and appropriate vocabulary
  - d. Thorough treatment of subject matter
10. Provide for a wide range of materials at all levels of difficulty, with appeal to students of varied interests, abilities, and developmental levels
11. Stimulate discussion of contemporary issues, exploration of ideas, and intellectual exchanges, and improve students' thinking and decision-making skills
12. As appropriate, have corresponding versions available in languages other than English
13. Include high-quality teacher's guides
14. When available, include options for lighter weight materials, including materials in digital format, in order to help minimize any injury to students by the combined weight of instructional materials

In addition to meeting the above criteria as applicable, technology-based materials shall:

1. Be both available and comparable to other, equivalent instructional materials (Education Code 60052)
2. Be accessible to all students, including economically disadvantaged students, students with disabilities, and English learners
3. Protect the privacy of student data

### **Conflict of Interest**

To ensure integrity in the evaluation and selection of instructional materials, individuals who are participating in the evaluation of instructional materials and are not otherwise designated in the district's conflict of interest code shall sign a disclosure statement indicating that they:

1. Will not accept any emolument, money, or other valuable thing or inducement to directly or indirectly introduce, recommend, vote for, or otherwise influence the adoption or purchase of any instructional material (Education Code 60072)

Sample copies of instructional materials are excepted from this prohibition (Education Code 60075)

2. Are not employed by nor receive compensation from the publisher or supplier of the instructional materials or any person, firm, organization, subsidiary, or controlling entity<sup>241</sup>

representing it

3. Do not have an interest as a contributor, author, editor, or consultant in any textbook or other instructional material submitted to the district

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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.

<b>State</b>	<b>Description</b>
5 CCR 9505-9530	Instructional materials
Ed. Code 1240	<a href="#"><u>County superintendent of schools; duties</u></a>
Ed. Code 18111	<a href="#"><u>Exclusion of books by Governing board that are sectarian, partisan, or denominational character</u></a>
Ed. Code 220	<a href="#"><u>Prohibition of discrimination</u></a>
Ed. Code 242	<a href="#"><u>Access to information about educational laws and policies regarding right to accurate and inclusive curriculum</u></a>
Ed. Code 243	<a href="#"><u>Unlawful discrimination related to the use or prohibited use of textbooks and instructional materials</u></a>
Ed. Code 33050-33053	<a href="#"><u>General waiver authority</u></a>
Ed. Code 33126	<a href="#"><u>School accountability report card</u></a>
Ed. Code 35272	<a href="#"><u>Education and athletic materials</u></a>
Ed. Code 44805	<a href="#"><u>Teacher enforcement of course of studies; use of textbooks, rules and regulations</u></a>
Ed. Code 48907	<a href="#"><u>Exercise of free expression; time, place and manner rules and regulations</u></a>
Ed. Code 48950	<a href="#"><u>Speech and other communication</u></a>
Ed. Code 49415	<a href="#"><u>Maximum textbook weight standards</u></a>
Ed. Code 51204.5	<a href="#"><u>Social sciences instruction; contributions of specified groups</u></a>
Ed. Code 51501	<a href="#"><u>Nondiscriminatory subject matter</u></a>
Ed. Code 51511	<a href="#"><u>Religious matters properly included in courses of study</u></a>
Ed. Code 51933	<a href="#"><u>Sexual health education and HIV prevention materials</u></a>
Ed. Code 52060-52077	<a href="#"><u>Local control and accountability plan</u></a>
Ed. Code 60000-60005	<a href="#"><u>Instructional materials; legislative intent</u></a>
Ed. Code 60010	<a href="#"><u>Instructional materials; definition</u></a>
Ed. Code 60040-60052	<a href="#"><u>Requirements for instructional materials</u></a>
Ed. Code 60060-60063.5	<a href="#"><u>Requirements for publishers and manufacturers</u></a>

Ed. Code 60070-60076	<a href="#">Prohibited acts regarding instructional materials</a>
Ed. Code 60110-60115	<a href="#">Instructional materials on alcohol and drug education</a>
Ed. Code 60119	<a href="#">Sufficiency of textbooks and instructional materials; hearing and resolution</a>
Ed. Code 60150	<a href="#">Penalty for insufficiency of textbooks and instructional materials</a>
Ed. Code 60200-60213	<a href="#">Elementary school materials</a>
Ed. Code 60226	<a href="#">Requirements for publishers and manufacturers</a>
Ed. Code 60400-60411	<a href="#">Instructional materials; high schools</a>
Ed. Code 60510-60511	<a href="#">Donation or sale of obsolete instructional materials</a>
Ed. Code 60605	<a href="#">State-adopted content and performance standards in core curricular areas</a>
Ed. Code 60605.8	<a href="#">Common Core standards</a>
H&S Code 11032	Narcotics, restricted dangerous drugs, and marijuana; definitions
<b>Management Resources</b>	<b>Description</b>
California Department of Education Publication	<a href="#">Instructional Materials, FAQ</a>
California Department of Education Publication	<a href="#">Standards for Evaluating Instructional Materials for Social Content, 2013</a>
California Department of Education Publication	Guidelines for Piloting Textbooks and Instructional Materials, Policy # 01-05, rev. January 2015
Website	<a href="#">CSBA District and County Office of Education Legal Services</a>
Website	<a href="#">Association of American Publishers</a>
Website	<a href="#">California Academic Content Standards Commission, Common Core State Standards</a>
Website	<a href="#">Department of Justice</a>
Website	<a href="#">U.S. Department of Education, Office for Civil Rights</a>
Website	<a href="#">California Department of Education</a>
Website	<a href="#">CSBA</a>

## Cross References

Code	Description
0400	Comprehensive Plans
0410	Nondiscrimination In District Programs And Activities
0415	Equity
0440	District Technology Plan

0440	District Technology Plan
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
1220	Citizen Advisory Committees
1220	Citizen Advisory Committees
1312.2	Complaints Concerning Instructional Materials
1312.2	Complaints Concerning Instructional Materials
1312.2	Complaints Concerning Instructional Materials
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.4	Williams Uniform Complaint Procedures
1312.4	Williams Uniform Complaint Procedures
1312.4	Williams Uniform Complaint Procedures
1325	Advertising And Promotion
1340	Access To District Records
1340	Access To District Records
1700	Relations Between Private Industry And The Schools
3220.1	Lottery Funds
3270	Sale And Disposal Of Books, Equipment And Supplies
3270	Sale And Disposal Of Books, Equipment And Supplies
3290	Gifts, Grants And Bequests
3311	Bids
3311	Bids
4136	Nonschool Employment
4143	Negotiations/Consultation
4236	Nonschool Employment
4243	Negotiations/Consultation
4331	Staff Development
4336	Nonschool Employment
5020	Parent Rights And Responsibilities
5020	Parent Rights And Responsibilities

5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
6000	Concepts And Roles
6011	Academic Standards
6020	Parent Involvement
6020	Parent Involvement
6141	Curriculum Development And Evaluation
6141	Curriculum Development And Evaluation
6142.2	World Language Instruction
6142.2	World Language Instruction
6142.6	Visual And Performing Arts Education
6142.8	Comprehensive Health Education
6142.8	Comprehensive Health Education
6142.91	Reading/Language Arts Instruction
6142.92	Mathematics Instruction
6142.93	Science Instruction
6142.94	History-Social Science Instruction
6143	Courses Of Study
6143	Courses Of Study
6144	Controversial Issues
6146.1	High School Graduation Requirements
6161.11	Supplementary Instructional Materials
6161.2	Damaged Or Lost Instructional Materials
6162.5	Student Assessment
6162.6	Use Of Copyrighted Materials
6162.6	Use Of Copyrighted Materials
6163.1	Library Media Centers
6170.1	Transitional Kindergarten
6171	Title I Programs
6171	Title I Programs
6174	Education For English Learners
6174	Education For English Learners
6190	Evaluation Of The Instructional Program

9000	Role Of The Board
9270	Conflict Of Interest
9270	Conflict Of Interest
9322	Agenda/Meeting Materials

**~~Exhibit (PDF) 6161.1-E PDF(1): Selection And Evaluation Of Instructional Materials~~**

Status: ~~ADOPTED~~

~~Original Adopted Date: 11/14/2017 | Last Revised Date: 05/11/2021 | Last Reviewed Date: 05/11/2021~~

~~See PDF on the next page.~~

~~SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS~~CSBA Policy Management ConsoleExhibit 6161.1-E(1): Selection And Evaluation Of Instructional MaterialsStatus: ADOPTEDOriginal Adopted Date: 11/01/2012 | Last Revised Date: 10/01/2023 | Last Reviewed Date: 10/01/2023**RESOLUTION ON SUFFICIENCY OF INSTRUCTIONAL MATERIALS**

Whereas, the Governing Board of the *(name of school district)*, in ~~order to~~ comply accordance with the requirements of Education Code 60119, held a public hearing on *(date)*, at *(time)* ~~o'clock,~~ which is on or before the eighth week of school (between the first day that students attend school and the end of the eighth week from that day) and which did not take place during or immediately following school hours, and;

Whereas, the Board provided at least 10 ~~days~~ days notice of the public hearing by posting it in at least three public places within the district stating the time, place, and purpose of the hearing, and;

Whereas, the Board encouraged participation by parents/guardians, teachers, members of the community, and bargaining unit leaders in the public hearing, and;

Whereas, information provided at the public hearing detailed the extent to which sufficient textbooks or other instructional materials were provided to all students, including English learners, in the *(name of school district)*, and;

Whereas, the definition of "sufficient textbooks or instructional materials" means that each student, including each English learner, has ~~a standards-aligned textbook~~ textbooks and/ or instructional materials to use in class and to take home, which



may include materials in a digital format as long as each student, at a minimum, has and can access the same materials in the class and at home as other students in the same class or course in the district, but shall not include photocopied sheets from only a portion of a textbook or instructional materials copied to address a shortage, and;

Whereas, textbooks or instructional materials in core curriculum subjects should be aligned with state academic content standards and/or the Common Core State Standards adopted by the State Board of Education;

:

#### Finding of Sufficient Textbooks or Instructional Materials

Whereas,

Therefore, be it resolved, for the (year) school year, the (name of school district), sufficient standards-aligned textbooks or other instructional materials that are consistent with the cycles and content of the curriculum frameworks were provided to each student, including each English learner, at the following schools in the following subjects:

- Mathematics: (List adopted textbooks or instructional materials for this subject for each grade level or school as well as applicable state adoption cycle.)


-


- Science: (List adopted textbooks or instructional materials for this subject for each grade level or school as well as applicable state adoption cycle.)


-


- History-social science: (List adopted textbooks or instructional materials for this subject for each ~~grade level or~~ school as well as applicable state adoption cycle.)


-

- English language arts, including the English language development component of an adopted program: (List adopted textbooks or instructional materials for this subject for each ~~grade level or~~ school as well as applicable state adoption cycle.)


-

- World language: (List adopted textbooks or instructional materials for this subject for each ~~grade level or~~ school as well as applicable state adoption cycle.)


-

- Health: (List adopted textbooks or instructional materials for this subject for each ~~grade level or~~ school as well as applicable state adoption cycle.)



~~Whereas, laboratory science equipment was available for science laboratory classes offered~~  
**Finding of Insufficient Textbooks or Instructional Materials in grades 9-12, inclusive;**

Therefore, One or More Subjects

Be it ~~is further~~ resolved ~~that~~, for the (year) school year, the (name of school district)

~~has provided each student with sufficient standards-aligned textbooks or other instructional materials that are consistent with the cycles and content of the curriculum frameworks.~~

### ~~Finding of Insufficient Textbooks or Instructional Materials~~

~~Whereas, information provided at the public hearing and to the Board at the public meeting detailed that,~~ insufficient standards-aligned textbooks or other instructional materials were provided to students at the following schools in the following subjects:

- ~~• Mathematics: (For each school, list the percentage of students who lack sufficient standards-aligned textbooks or instructional materials and~~ grade levels at district schools ~~the reasons that each student does not have sufficient instructional materials.)~~


- ~~• Science: (For each school, list the percentage of students who lack sufficient standards-aligned textbooks or instructional materials~~ in mathematics, science, history-social science, English language arts, world language, and health. ~~)and the reasons that each student does not have sufficient instructional materials.)~~


-

- ~~• Whereas, History-social science: (For each school, list the percentage of students who lack sufficient~~ standards-aligned ~~textbooks or other instructional materials~~ were not provided at each school listed above due to the following reasons: (For each school at which there is an insufficiency, list the ~~and the~~ reasons that each student does not have sufficient instructional materials ~~in each subject and grade level listed above-).)~~


-

- ~~• Therefore, it is resolved, that for~~ English language arts, including the ~~(year)~~ school year, the ~~(name)~~ English language development component of ~~school district)~~ has not provided an adopted program: (For each ~~student with school,~~ list the percentage of students who lack sufficient standards-aligned textbooks or other instructional materials ~~that are consistent with and the cycles and content of~~ reasons that each student does not have sufficient instructional materials.)


-

- World language: (For each school, list the curriculum framework, percentage of students who lack sufficient standards-aligned textbooks or instructional materials and; the reasons that each student does not have sufficient instructional materials.)


-

- Health: (For each school, list the percentage of students who lack sufficient standards-aligned textbooks or instructional materials and the reasons that each student does not have sufficient instructional materials.)



Be it further resolved, that the following actions will be taken to ensure that all students have sufficient standards-aligned textbooks or other instructional materials in all subjects that are consistent with the cycles and content of the curriculum frameworks within two months of the beginning of the school year in which this determination is made. (List actions to be taken to resolve insufficiency.) (List actions to be taken to resolve insufficiency.)


### Finding of Available Science Laboratory Equipment for Grades 9-12

Be it further resolved, laboratory science equipment was available or was not available for science laboratory courses offered in grades 9-12, inclusive, as indicated below:


- Available: (List all science laboratory courses offered in grades 9-12 for which science laboratory equipment was available.)


- Not Available: (List all science laboratory courses offered in grades 9-12 for which science laboratory equipment was not available.)


Be it further resolved, that the Superintendent or designee, on  
behalf of the Board, shall submit a copy of this resolution to the  
County Superintendent of Schools within three business days of  
the hearing.

PASSED AND ADOPTED THIS        day of

\_\_\_\_\_, \_\_\_\_\_ at a meeting, by the following

vote:

\_\_\_\_ AYES: \_\_\_\_\_

\_\_\_\_ NOES: \_\_\_\_\_

\_\_\_\_ ABSENT: \_\_\_\_\_

\_\_\_\_

Attest:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_, Secretary-

\_\_\_\_\_, President

~~Exhibit ALAMEDA UNIFIED SCHOOL DISTRICT~~

~~version: November, 14, 2017 Alameda, California~~

~~revised: May 11, 2021~~ **Policy Reference Disclaimer:**

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**State**

5 CCR 9505-9530

Ed. Code 1240

**Description**

Instructional materials

County superintendent of schools; duties

<a href="#"><u>Ed. Code 18111</u></a>	<a href="#"><u>Exclusion of books by Governing board that are sectarian, partisan, or denominational character</u></a>
<a href="#"><u>Ed. Code 220</u></a>	<a href="#"><u>Prohibition of discrimination</u></a>
<a href="#"><u>Ed. Code 242</u></a>	<a href="#"><u>Access to information about educational laws and policies regarding right to accurate and inclusive curriculum</u></a>
<a href="#"><u>Ed. Code 243</u></a>	<a href="#"><u>Unlawful discrimination related to the use or prohibited use of textbooks and instructional materials</u></a>
<a href="#"><u>Ed. Code 33050-33053</u></a>	<a href="#"><u>General waiver authority</u></a>
<a href="#"><u>Ed. Code 33126</u></a>	<a href="#"><u>School accountability report card</u></a>
<a href="#"><u>Ed. Code 35272</u></a>	<a href="#"><u>Education and athletic materials</u></a>
<a href="#"><u>Ed. Code 44805</u></a>	<a href="#"><u>Teacher enforcement of course of studies; use of textbooks, rules and regulations</u></a>
<a href="#"><u>Ed. Code 48907</u></a>	<a href="#"><u>Exercise of free expression; time, place and manner rules and regulations</u></a>
<a href="#"><u>Ed. Code 48950</u></a>	<a href="#"><u>Speech and other communication</u></a>
<a href="#"><u>Ed. Code 49415</u></a>	<a href="#"><u>Maximum textbook weight standards</u></a>
<a href="#"><u>Ed. Code 51204.5</u></a>	<a href="#"><u>Social sciences instruction; contributions of specified groups</u></a>
<a href="#"><u>Ed. Code 51501</u></a>	<a href="#"><u>Nondiscriminatory subject matter</u></a>
<a href="#"><u>Ed. Code 51511</u></a>	<a href="#"><u>Religious matters properly included in courses of study</u></a>
<a href="#"><u>Ed. Code 51933</u></a>	<a href="#"><u>Sexual health education and HIV prevention materials</u></a>
<a href="#"><u>Ed. Code 52060-52077</u></a>	<a href="#"><u>Local control and accountability plan</u></a>
<a href="#"><u>Ed. Code 60000-60005</u></a>	<a href="#"><u>Instructional materials; legislative intent</u></a>
<a href="#"><u>Ed. Code 60010</u></a>	<a href="#"><u>Instructional materials; definition</u></a>
<a href="#"><u>Ed. Code 60040-60052</u></a>	<a href="#"><u>Requirements for instructional materials</u></a>
<a href="#"><u>Ed. Code 60060-60063.5</u></a>	<a href="#"><u>Requirements for publishers and manufacturers</u></a>
<a href="#"><u>Ed. Code 60070-60076</u></a>	<a href="#"><u>Prohibited acts regarding instructional materials</u></a>
<a href="#"><u>Ed. Code 60110-60115</u></a>	<a href="#"><u>Instructional materials on alcohol and drug education</u></a>
<a href="#"><u>Ed. Code 60119</u></a>	<a href="#"><u>Sufficiency of textbooks and instructional materials; hearing and resolution</u></a>
<a href="#"><u>Ed. Code 60150</u></a>	<a href="#"><u>Penalty for insufficiency of textbooks and instructional materials</u></a>
<a href="#"><u>Ed. Code 60200-60213</u></a>	<a href="#"><u>Elementary school materials</u></a>
<a href="#"><u>Ed. Code 60226</u></a>	<a href="#"><u>Requirements for publishers and manufacturers</u></a>
<a href="#"><u>Ed. Code 60400-60411</u></a>	<a href="#"><u>Instructional materials; high schools</u></a>
<a href="#"><u>Ed. Code 60510-60511</u></a>	<a href="#"><u>Donation or sale of obsolete instructional materials</u></a>

[Ed. Code 60605](#)

[Ed. Code 60605.8](#)

[H&S Code 11032](#)

### **Management Resources**

[California Department of Education Publication](#)

[California Department of Education Publication](#)

[California Department of Education Publication](#)

[Website](#)

[Website](#)

[Website](#)

[Website](#)

[Website](#)

[Website](#)

[Website](#)

[State-adopted content and performance standards in core curricular areas](#)

[Common Core standards](#)

[Narcotics, restricted dangerous drugs, and marijuana: definitions](#)

### **Description**

[Instructional Materials, FAQ](#)

[Standards for Evaluating Instructional Materials for Social Content, 2013](#)

[Guidelines for Piloting Textbooks and Instructional Materials, Policy # 01-05, rev. January 2015](#)

[CSBA District and County Office of Education Legal Services](#)

[Association of American Publishers](#)

[California Academic Content Standards Commission, Common Core State Standards](#)

[Department of Justice](#)

[U.S. Department of Education, Office for Civil Rights](#)

[California Department of Education](#)

[CSBA](#)

### **Cross References**

#### **Code**

[0400](#)

[0410](#)

[0415](#)

[0440](#)

[0440](#)

[0460](#)

[0460](#)

[1220](#)

[1220](#)

[1312.2](#)

[1312.2](#)

[1312.2](#)

[1312.3](#)

#### **Description**

[Comprehensive Plans](#)

[Nondiscrimination In District Programs And Activities](#)

[Equity](#)

[District Technology Plan](#)

[District Technology Plan](#)

[Local Control And Accountability Plan](#)

[Local Control And Accountability Plan](#)

[Citizen Advisory Committees](#)

[Citizen Advisory Committees](#)

[Complaints Concerning Instructional Materials](#)

[Complaints Concerning Instructional Materials](#)

[Complaints Concerning Instructional Materials](#)

[Uniform Complaint Procedures](#)



<a href="#"><u>1312.3</u></a>	<a href="#"><u>Uniform Complaint Procedures</u></a>
<a href="#"><u>1312.3</u></a>	<a href="#"><u>Uniform Complaint Procedures</u></a>
<a href="#"><u>1312.3</u></a>	<a href="#"><u>Uniform Complaint Procedures</u></a>
<a href="#"><u>1312.4</u></a>	<a href="#"><u>Williams Uniform Complaint Procedures</u></a>
<a href="#"><u>1312.4</u></a>	<a href="#"><u>Williams Uniform Complaint Procedures</u></a>
<a href="#"><u>1312.4</u></a>	<a href="#"><u>Williams Uniform Complaint Procedures</u></a>
<a href="#"><u>1325</u></a>	<a href="#"><u>Advertising And Promotion</u></a>
<a href="#"><u>1340</u></a>	<a href="#"><u>Access To District Records</u></a>
<a href="#"><u>1340</u></a>	<a href="#"><u>Access To District Records</u></a>
<a href="#"><u>1700</u></a>	<a href="#"><u>Relations Between Private Industry And The Schools</u></a>
<a href="#"><u>3220.1</u></a>	<a href="#"><u>Lottery Funds</u></a>
<a href="#"><u>3270</u></a>	<a href="#"><u>Sale And Disposal Of Books, Equipment And Supplies</u></a>
<a href="#"><u>3270</u></a>	<a href="#"><u>Sale And Disposal Of Books, Equipment And Supplies</u></a>
<a href="#"><u>3290</u></a>	<a href="#"><u>Gifts, Grants And Bequests</u></a>
<a href="#"><u>3311</u></a>	<a href="#"><u>Bids</u></a>
<a href="#"><u>3311</u></a>	<a href="#"><u>Bids</u></a>
<a href="#"><u>4136</u></a>	<a href="#"><u>Nonschool Employment</u></a>
<a href="#"><u>4143</u></a>	<a href="#"><u>Negotiations/Consultation</u></a>
<a href="#"><u>4236</u></a>	<a href="#"><u>Nonschool Employment</u></a>
<a href="#"><u>4243</u></a>	<a href="#"><u>Negotiations/Consultation</u></a>
<a href="#"><u>4331</u></a>	<a href="#"><u>Staff Development</u></a>
<a href="#"><u>4336</u></a>	<a href="#"><u>Nonschool Employment</u></a>
<a href="#"><u>5020</u></a>	<a href="#"><u>Parent Rights And Responsibilities</u></a>
<a href="#"><u>5020</u></a>	<a href="#"><u>Parent Rights And Responsibilities</u></a>
<a href="#"><u>5145.3</u></a>	<a href="#"><u>Nondiscrimination/Harassment</u></a>
<a href="#"><u>5145.3</u></a>	<a href="#"><u>Nondiscrimination/Harassment</u></a>
<a href="#"><u>6000</u></a>	<a href="#"><u>Concepts And Roles</u></a>
<a href="#"><u>6011</u></a>	<a href="#"><u>Academic Standards</u></a>
<a href="#"><u>6020</u></a>	<a href="#"><u>Parent Involvement</u></a>
<a href="#"><u>6020</u></a>	<a href="#"><u>Parent Involvement</u></a>
<a href="#"><u>6141</u></a>	<a href="#"><u>Curriculum Development And Evaluation</u></a>
<a href="#"><u>6141</u></a>	<a href="#"><u>Curriculum Development And Evaluation</u></a>
<a href="#"><u>6142.2</u></a>	<a href="#"><u>World Language Instruction</u></a>

<a href="#"><u>6142.2</u></a>	<a href="#"><u>World Language Instruction</u></a>
<a href="#"><u>6142.6</u></a>	<a href="#"><u>Visual And Performing Arts Education</u></a>
<a href="#"><u>6142.8</u></a>	<a href="#"><u>Comprehensive Health Education</u></a>
<a href="#"><u>6142.8</u></a>	<a href="#"><u>Comprehensive Health Education</u></a>
<a href="#"><u>6142.91</u></a>	<a href="#"><u>Reading/Language Arts Instruction</u></a>
<a href="#"><u>6142.92</u></a>	<a href="#"><u>Mathematics Instruction</u></a>
<a href="#"><u>6142.93</u></a>	<a href="#"><u>Science Instruction</u></a>
<a href="#"><u>6142.94</u></a>	<a href="#"><u>History-Social Science Instruction</u></a>
<a href="#"><u>6143</u></a>	<a href="#"><u>Courses Of Study</u></a>
<a href="#"><u>6143</u></a>	<a href="#"><u>Courses Of Study</u></a>
<a href="#"><u>6144</u></a>	<a href="#"><u>Controversial Issues</u></a>
<a href="#"><u>6146.1</u></a>	<a href="#"><u>High School Graduation Requirements</u></a>
<a href="#"><u>6161.11</u></a>	<a href="#"><u>Supplementary Instructional Materials</u></a>
<a href="#"><u>6161.2</u></a>	<a href="#"><u>Damaged Or Lost Instructional Materials</u></a>
<a href="#"><u>6162.5</u></a>	<a href="#"><u>Student Assessment</u></a>
<a href="#"><u>6162.6</u></a>	<a href="#"><u>Use Of Copyrighted Materials</u></a>
<a href="#"><u>6162.6</u></a>	<a href="#"><u>Use Of Copyrighted Materials</u></a>
<a href="#"><u>6163.1</u></a>	<a href="#"><u>Library Media Centers</u></a>
<a href="#"><u>6170.1</u></a>	<a href="#"><u>Transitional Kindergarten</u></a>
<a href="#"><u>6171</u></a>	<a href="#"><u>Title I Programs</u></a>
<a href="#"><u>6171</u></a>	<a href="#"><u>Title I Programs</u></a>
<a href="#"><u>6174</u></a>	<a href="#"><u>Education For English Learners</u></a>
<a href="#"><u>6174</u></a>	<a href="#"><u>Education For English Learners</u></a>
<a href="#"><u>6190</u></a>	<a href="#"><u>Evaluation Of The Instructional Program</u></a>
<a href="#"><u>9000</u></a>	<a href="#"><u>Role Of The Board</u></a>
<a href="#"><u>9270</u></a>	<a href="#"><u>Conflict Of Interest</u></a>
<a href="#"><u>9270</u></a>	<a href="#"><u>Conflict Of Interest</u></a>
<a href="#"><u>9322</u></a>	<a href="#"><u>Agenda/Meeting Materials</u></a>

SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS

RESOLUTION ON SUFFICIENCY OF INSTRUCTIONAL MATERIALS

Whereas, the Governing Board of the *name of school@district*, in accordance with the requirements of Education Code 60119, held a public hearing on *date*, at *time*, which is on or before the eighth week of school (between the first day that students attend school and the end of the eighth week from that day) and which did not take place during or immediately following school hours, and;

Whereas, the Board provided at least 10 days notice of the public hearing by posting it in at least three public places within the district stating the time, place, and purpose of the hearing, and;

Whereas, the Board encouraged participation by parents/guardians, teachers, members of the community, and bargaining unit leaders in the public hearing, and;

Whereas, information provided at the public hearing detailed the extent to which sufficient textbooks or other instructional materials were provided to all students, including English learners, in the *name of school@district*; and;

Whereas, the definition of sufficient textbooks or instructional materials means that each student, including each English learner, has standards-aligned textbooks and/or instructional materials to use in class and to take home, which may include materials in a digital format as long as each student, at a minimum, has and can access the same materials in the class and at home as other students in the same class or course in the district, but shall not include photocopied sheets from only a portion of a textbook or instructional materials copied to address a shortage, and;

Whereas, textbooks or instructional materials in core curriculum subjects should be aligned with state academic content standards and/or the Common Core State Standards adopted by the State Board of Education.

Finding of Sufficient Textbooks or Instructional Materials

Therefore, be it resolved, for the *year* school year, the *name of school@district*, sufficient standards-aligned textbooks or other instructional materials that are consistent with the cycles and content of the curriculum frameworks were provided to each student, including each English learner, at the following schools in the following subjects:

- Mathematics: (List adopted textbooks or instructional materials for this subject for each school as well as applicable state adoption cycle.)

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- Science: (List adopted textbooks or instructional materials for this subject for each school as well as applicable state adoption cycle.)  
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- History-social science: (List adopted textbooks or instructional materials for this subject for each school as well as applicable state adoption cycle.)  
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- English language arts, including the English language development component of an adopted program: (List adopted textbooks or instructional materials for this subject for each school as well as applicable state adoption cycle.)  
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- World language: (List adopted textbooks or instructional materials for this subject for each school as well as applicable state adoption cycle.)  
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-----
- Health: (List adopted textbooks or instructional materials for this subject for each school as well as applicable state adoption cycle.)  
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### Finding of Insufficient Textbooks or Instructional Materials in One or More Subjects

Be it further resolved, for the **year** school year, the **name of school district**, insufficient standards-aligned textbooks or other instructional materials were provided to students at the following schools in the following subjects:

- Mathematics: (For each school, list the percentage of students who lack sufficient standards-aligned textbooks or instructional materials and the reasons that each student does not have sufficient instructional materials.)  
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- Science: (For each school, list the percentage of students who lack sufficient standards-aligned textbooks or instructional materials and the reasons that each student does not have sufficient instructional materials.)  
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-----
- History-social science: (For each school, list the percentage of students who lack sufficient standards-aligned textbooks or instructional materials and the reasons that each student does not have sufficient instructional materials.)  
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- English language arts, including the English language development component of an adopted program: (For each school, list the percentage of students who lack sufficient standards-aligned textbooks or instructional materials and the reasons that each student does not have sufficient instructional materials.)

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- World language: (For each school, list the percentage of students who lack sufficient standards-aligned textbooks or instructional materials and the reasons that each student does not have sufficient instructional materials.)

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- Health: (For each school, list the percentage of students who lack sufficient standards-aligned textbooks or instructional materials and the reasons that each student does not have sufficient instructional materials.)

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Be it further resolved, that the following actions will be taken to ensure that all students have sufficient standards-aligned textbooks or other instructional materials in all subjects that are consistent with the cycles and content of the curriculum frameworks within two months of the beginning of the school year in which this determination is made. (List actions to be taken to resolve insufficiency.)

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### **Finding of Available Science Laboratory Equipment for Grades 9-12**

Be it further resolved, laboratory science equipment was available or was not available for science laboratory courses offered in grades 9-12, inclusive, as indicated below:

- Available: (List all science laboratory courses offered in grades 9-12 for which science laboratory equipment was available.)

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- Not Available: (List all science laboratory courses offered in grades 9-12 for which science laboratory equipment was not available.)

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Be it further resolved, that the Superintendent or designee, on behalf of the Board, shall submit a copy of this resolution to the County Superintendent of Schools within three business days of the hearing.

PASSED AND ADOPTED THIS \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ at a meeting, by the following vote: AYES:\_\_\_\_\_ NOES:\_\_\_\_\_ ABSENT:\_\_\_\_\_

Attest:

\_\_\_\_\_, Secretary

\_\_\_\_\_, President

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Exhibit ALAMEDA UNIFIED SCHOOL DISTRICT

Adopted: November, 14, 2017 Alameda, California

revised: May 11, 2021

revised:

**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**

5 CCR 9505-9530

Ed. Code 1240

Ed. Code 18111

Ed. Code 220

Ed. Code 242

Ed. Code 243

Ed. Code 33050-33053

Ed. Code 33126

Ed. Code 35272

Ed. Code 44805

Ed. Code 48907

Ed. Code 48950

Ed. Code 49415

Ed. Code 51204.5

Ed. Code 51501

Ed. Code 51511

**Description**

Instructional materials

[County superintendent of schools; duties](#)

[Exclusion of books by Governing board that are sectarian, partisan, or denominational character](#)

[Prohibition of discrimination](#)

[Access to information about educational laws and policies regarding right to accurate and inclusive curriculum](#)

[Unlawful discrimination related to the use or prohibited use of textbooks and instructional materials](#)

[General waiver authority](#)

[School accountability report card](#)

[Education and athletic materials](#)

[Teacher enforcement of course of studies; use of textbooks, rules and regulations](#)

[Exercise of free expression; time, place and manner rules and regulations](#)

[Speech and other communication](#)

[Maximum textbook weight standards](#)

[Social sciences instruction; contributions of specified groups](#)

[Nondiscriminatory subject matter](#)

[Religious matters properly included in courses of study](#)

Ed. Code 51933	<a href="#">Sexual health education and HIV prevention materials</a>
Ed. Code 52060-52077	<a href="#">Local control and accountability plan</a>
Ed. Code 60000-60005	<a href="#">Instructional materials; legislative intent</a>
Ed. Code 60010	<a href="#">Instructional materials; definition</a>
Ed. Code 60040-60052	<a href="#">Requirements for instructional materials</a>
Ed. Code 60060-60063.5	<a href="#">Requirements for publishers and manufacturers</a>
Ed. Code 60070-60076	<a href="#">Prohibited acts regarding instructional materials</a>
Ed. Code 60110-60115	<a href="#">Instructional materials on alcohol and drug education</a>
Ed. Code 60119	<a href="#">Sufficiency of textbooks and instructional materials; hearing and resolution</a>
Ed. Code 60150	<a href="#">Penalty for insufficiency of textbooks and instructional materials</a>
Ed. Code 60200-60213	<a href="#">Elementary school materials</a>
Ed. Code 60226	<a href="#">Requirements for publishers and manufacturers</a>
Ed. Code 60400-60411	<a href="#">Instructional materials; high schools</a>
Ed. Code 60510-60511	<a href="#">Donation or sale of obsolete instructional materials</a>
Ed. Code 60605	<a href="#">State-adopted content and performance standards in core curricular areas</a>
Ed. Code 60605.8	<a href="#">Common Core standards</a>
H&S Code 11032	Narcotics, restricted dangerous drugs, and marijuana; definitions
<b>Management Resources</b>	<b>Description</b>
California Department of Education Publication	<a href="#">Instructional Materials, FAQ</a>
California Department of Education Publication	<a href="#">Standards for Evaluating Instructional Materials for Social Content, 2013</a>
California Department of Education Publication	Guidelines for Piloting Textbooks and Instructional Materials, Policy # 01-05, rev. January 2015
Website	<a href="#">CSBA District and County Office of Education Legal Services</a>
Website	<a href="#">Association of American Publishers</a>
Website	<a href="#">California Academic Content Standards Commission, Common Core State Standards</a>
Website	<a href="#">Department of Justice</a>
Website	<a href="#">U.S. Department of Education, Office for Civil Rights</a>
Website	<a href="#">California Department of Education</a>

**Cross References**

<b>Code</b>	<b>Description</b>
0400	Comprehensive Plans
0410	Nondiscrimination In District Programs And Activities
0415	Equity
0440	District Technology Plan
0440	District Technology Plan
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
1220	Citizen Advisory Committees
1220	Citizen Advisory Committees
1312.2	Complaints Concerning Instructional Materials
1312.2	Complaints Concerning Instructional Materials
1312.2	Complaints Concerning Instructional Materials
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.4	Williams Uniform Complaint Procedures
1312.4	Williams Uniform Complaint Procedures
1312.4	Williams Uniform Complaint Procedures
1325	Advertising And Promotion
1340	Access To District Records
1340	Access To District Records
1700	Relations Between Private Industry And The Schools
3220.1	Lottery Funds
3270	Sale And Disposal Of Books, Equipment And Supplies
3270	Sale And Disposal Of Books, Equipment And Supplies
3290	Gifts, Grants And Bequests
3311	Bids



3311	Bids
4136	Nonschool Employment
4143	Negotiations/Consultation
4236	Nonschool Employment
4243	Negotiations/Consultation
4331	Staff Development
4336	Nonschool Employment
5020	Parent Rights And Responsibilities
5020	Parent Rights And Responsibilities
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
6000	Concepts And Roles
6011	Academic Standards
6020	Parent Involvement
6020	Parent Involvement
6141	Curriculum Development And Evaluation
6141	Curriculum Development And Evaluation
6142.2	World Language Instruction
6142.2	World Language Instruction
6142.6	Visual And Performing Arts Education
6142.8	Comprehensive Health Education
6142.8	Comprehensive Health Education
6142.91	Reading/Language Arts Instruction
6142.92	Mathematics Instruction
6142.93	Science Instruction
6142.94	History-Social Science Instruction
6143	Courses Of Study
6143	Courses Of Study
6144	Controversial Issues
6146.1	High School Graduation Requirements
6161.11	Supplementary Instructional Materials

6161.2	Damaged Or Lost Instructional Materials
6162.5	Student Assessment
6162.6	Use Of Copyrighted Materials
6162.6	Use Of Copyrighted Materials
6163.1	Library Media Centers
6170.1	Transitional Kindergarten
6171	Title I Programs
6171	Title I Programs
6174	Education For English Learners
6174	Education For English Learners
6190	Evaluation Of The Instructional Program
9000	Role Of The Board
9270	Conflict Of Interest
9270	Conflict Of Interest
9322	Agenda/Meeting Materials

**Policy 6161.11: Supplementary Instructional Materials**

**Status:** ADOPTED

**Original Adopted Date:** ~~08/25/2009~~12/01/1990 | **Last Revised Date:** ~~06/11/2013~~10/01/2023 |  
**Last Reviewed Date:** ~~06/11/2013~~10/01/2023

The Governing Board encourages the use of supplementary instructional materials to enrich the curriculum and enhance student learning. Such materials shall be aligned with district goals, curriculum objectives, and academic standards and shall supplement and not supplant the use of Board-adopted basic instructional materials that serve as the primary learning resources.

Supplementary instructional materials include, but are not limited to, instructional materials that are designed to serve one or more of the following purposes: (Education Code 60010)

1. To provide more complete coverage of one or more subjects included in a given course
2. To meet the various learning ability levels of students in a given age group or grade level
3. To meet the diverse educational needs of students with a language disability in a given age group or grade level
4. To meet the diverse educational needs of students reflective of a condition of cultural pluralism
5. To use current, relevant technology that further engages interactive learning in the classroom and beyond

Supplementary instructional materials may be selected by the Superintendent or designee, school administrators, or teachers, as applicable, and obtained through donations to the district and/or available funding sources designated for these purposes.

The use of any supplemental instructional material shall not be rejected or prohibited by the Board or district on the basis that it includes a study of the role and contributions of any individual or group consistent with the requirements of Education Code 51204.5 and 60040, unless such study would violate Education Code 51501 or 60044. (Education Code 243)

As appropriate, supplementary instructional materials shall meet the criteria developed for the selection and evaluation of basic instructional materials as described in AR 6161.1 - Selection and Evaluation of Instructional Materials.

Supplementary instructional materials shall be directly related to the course of study in which they are being used and shall be appropriate for the age and maturity level of the students.

The use or reproduction of supplementary instructional materials shall be in accordance with federal copyright law.

### **Supplementary Materials Aligned with Common Core Standards**

~~To prepare district students to achieve the Common Core Standards in English language arts and mathematics and the English language development standards, as applicable, the Board may select supplementary instructional materials from the lists of materials determined by the State Board of Education (SBE) to be aligned with those standards. (Education Code 60605.86-60605.88)~~

~~The Board may approve supplementary instructional materials that are not on the lists approved by the SBE but which are aligned with the Common Core Standards provided that the materials comply with the evaluation criteria established by the SBE and Education Code 60050, 60060-60062, and 60226. The Board shall select content review experts who possess the qualifications specified in law to review and recommend such supplementary materials. The majority of the content review experts shall be teachers who are credentialed and/or authorized in the subject area they are reviewing and the remainder shall include appropriate persons from postsecondary educational institutions, school and district curriculum administrators, and other persons who are knowledgeable in the subject area. (Education Code 60605.86-60605.88)~~

### **Appropriateness of Materials**

Whenever a district employee proposes to use a supplementary resource which is not included in the approved learning resources of the district, ~~he/she~~the employee shall preview the material to determine whether, in ~~his/her~~the employee's professional judgment, it is appropriate for the grade level taught and is consistent with district criteria for the selection of supplementary instructional materials.

The employee shall confer with the Superintendent or designee as necessary to determine the compliance of the material with district criteria. The primary considerations should be the educational value, ~~appropriateness, and relevance of the materials as well as the ages and maturity of the students.~~factual accuracy, appropriateness, including whether the material contains pervasive vulgarity or profanity, and relevance of the materials, as well as the ages and maturity of the students.

The Superintendent or designee may provide training to administrators and teachers in the selection and evaluation of supplementary instructional materials, including the criteria to be utilized and applicable legal considerations.

### **Complaints**

Complaints concerning supplemental instructional materials shall be handled in accordance with Board Policy 1312.2 - Complaints Concerning Instructional Materials and Board Policy 1312.3 - Uniform Complaint Procedures, as applicable.

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**Policy Reference Disclaimer:**

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<b>State</b>	<b>Description</b>
5 CCR 4600-4670	Uniform complaint procedures
Ed. Code 18111	<a href="#">Exclusion of books by Governing board that are sectarian, partisan, or denominational character</a>
Ed. Code 220	<a href="#">Prohibition of discrimination</a>
Ed. Code 233.5	<a href="#">Teaching of principles</a>
Ed. Code 242	<a href="#">Access to information about educational laws and policies regarding right to accurate and inclusive curriculum</a>
Ed. Code 243	<a href="#">Unlawful discrimination related to the use or prohibited use of textbooks and instructional materials</a>
Ed. Code 48907	<a href="#">Exercise of free expression; time, place and manner rules and regulations</a>
Ed. Code 48950	<a href="#">Speech and other communication</a>
Ed. Code 51204.5	<a href="#">Social sciences instruction; contributions of specified groups</a>
Ed. Code 51501	<a href="#">Nondiscriminatory subject matter</a>
Ed. Code 51510	<a href="#">Prohibited study or supplemental materials</a>
Ed. Code 51511	<a href="#">Religious matters properly included in courses of study</a>
Ed. Code 51933	<a href="#">Sexual health education and HIV prevention materials</a>
Ed. Code 60000-60005	<a href="#">Instructional materials; legislative intent</a>
Ed. Code 60010	<a href="#">Instructional materials; definition</a>
Ed. Code 60040-60052	<a href="#">Requirements for instructional materials</a>
Ed. Code 60060-60063.5	<a href="#">Requirements for publishers and manufacturers</a>
Ed. Code 60200-60213	<a href="#">Elementary school materials</a>
Ed. Code 60226	<a href="#">Requirements for publishers and manufacturers</a>
Ed. Code 60400-60411	<a href="#">Instructional materials; high schools</a>
Ed. Code 60605	<a href="#">State-adopted content and performance standards in core curricular areas</a>
Ed. Code 60605.8	<a href="#">Common Core standards</a>

Ed. Code 60811.3

English language development standards

### Management Resources

California Department of Education  
Publication

### Description

[Standards for Evaluating Instructional Materials for Social  
Content, 2013](#)

Court Decision

Fowler v. Board of Education of Lincoln County (1987) 819  
F.2d 657

Court Decision

McCarthy v. Fletcher (1989) 207 Cal. App. 3d 130

Website

[CSBA District and County Office of Education Legal Services](#)

Website

[Department of Justice](#)

Website

[U.S. Department of Education, Office for Civil Rights](#)

Website

[California Department of Education](#)

Website

[CSBA](#)

### Cross References

#### Code

0000

#### Description

~~Vision~~[Vision](#)

~~0000~~

~~Vision~~

0200

~~Goals For The School District~~[Goals For The School District](#)

0410

~~Nondiscrimination In District Programs And  
Activities~~[Nondiscrimination In District Programs And Activities](#)

1260

~~Educational Foundation~~[Educational Foundation](#)

1312.2

~~Complaints Concerning Instructional Materials~~[Complaints  
Concerning Instructional Materials](#)

1312.2

~~Complaints Concerning Instructional Materials~~[Complaints  
Concerning Instructional Materials](#)

1312.2-~~E PDF(1)~~

~~Complaints Concerning Instructional Materials~~[Complaints  
Concerning Instructional Materials](#)

1312.3

~~Uniform Complaint Procedures~~[Uniform Complaint Procedures](#)

1312.3

~~Uniform Complaint Procedures~~[Uniform Complaint Procedures](#)

1312.3-~~E PDF(1)~~

~~Uniform Complaint Procedures~~[Uniform Complaint Procedures](#)

~~1312.3~~

~~Uniform Complaint Procedures~~

1312.4

~~Williams Uniform Complaint Procedures~~[Williams Uniform  
Complaint Procedures](#)

1312.4-~~E PDF(1)~~

~~Williams Uniform Complaint Procedures~~[Williams Uniform  
Complaint Procedures](#)

~~1312.4~~

~~Williams Uniform Complaint Procedures~~

1325

~~Advertising And Promotion~~[Advertising And Promotion](#)

3270	<del>Sale And Disposal Of Books, Equipment And Supplies</del> <u>Sale And Disposal Of Books, Equipment And Supplies</u>
3270	<del>Sale And Disposal Of Books, Equipment And Supplies</del> <u>Sale And Disposal Of Books, Equipment And Supplies</u>
3290	<del>Gifts, Grants And Bequests</del> <u>Gifts, Grants And Bequests</u>
3311	<del>Bids</del> <u>Bids</u>
3311	<del>Bids</del> <u>Bids</u>
4132	<del>Publication Or Creation Of Materials</del> <u>Publication Or Creation Of Materials</u>
4232	<del>Publication Or Creation Of Materials</del> <u>Publication Or Creation Of Materials</u>
4332	<del>Publication Or Creation Of Materials</del> <u>Publication Or Creation Of Materials</u>
5145.3	<del>Nondiscrimination/Harassment</del> <u>Nondiscrimination/Harassment</u>
5145.3	<del>Nondiscrimination/Harassment</del> <u>Nondiscrimination/Harassment</u>
6000	<del>Concepts And Roles</del> <u>Concepts And Roles</u>
6011	<del>Academic Standards</del> <u>Academic Standards</u>
6141	<del>Curriculum Development And Evaluation</del> <u>Curriculum Development And Evaluation</u>
6141	<del>Curriculum Development And Evaluation</del> <u>Curriculum Development And Evaluation</u>
6141.2	<del>Recognition Of Religious Beliefs And Customs</del> <u>Recognition Of Religious Beliefs And Customs</u>
6141.2	<del>Recognition Of Religious Beliefs And Customs</del> <u>Recognition Of Religious Beliefs And Customs</u>
6142.1	<del>Sexual Health And HIV/AIDS Prevention Instruction</del> <u>Sexual Health And HIV/AIDS Prevention Instruction</u>
6142.1	<del>Sexual Health And HIV/AIDS Prevention Instruction</del> <u>Sexual Health And HIV/AIDS Prevention Instruction</u>
6142.2	<del>World Language Instruction</del> <u>World Language Instruction</u>
6142.2	<del>World Language Instruction</del> <u>World Language Instruction</u>
6142.6	<del>Visual And Performing Arts Education</del> <u>Visual And Performing Arts Education</u>
6142.91	<del>Reading/Language Arts Instruction</del> <u>Reading/Language Arts Instruction</u>
<del>6142.91</del>	<del>Reading/Language Arts Instruction</del> <u>Reading/Language Arts Instruction</u>
6142.92	<del>Mathematics Instruction</del> <u>Mathematics Instruction</u>

6142.93	<del>Science Instruction</del> Science Instruction
6142.94	<del>History-Social Science Instruction</del> History-Social Science Instruction
6143	<del>Courses-Of Study</del> Courses Of Study
6143	<del>Courses-Of Study</del> Courses Of Study
6144	<del>Controversial Issues</del> Controversial Issues
<del>6144</del>	<del>Controversial Issues</del>
6161.1	<del>Selection And Evaluation Of Instructional Materials</del> Selection And Evaluation Of Instructional Materials
6161.1	<del>Selection And Evaluation Of Instructional Materials</del> Selection And Evaluation Of Instructional Materials
6161.1-E PDF(1)	<del>Selection And Evaluation Of Instructional Materials</del> Selection And Evaluation Of Instructional Materials
6162.6	<del>Use Of Copyrighted Materials</del> Use Of Copyrighted Materials
6162.6	<del>Use Of Copyrighted Materials</del> Use Of Copyrighted Materials
6163.1	<del>Library Media-Centers</del> Library Media Centers
6174	<del>Education For English Learners</del> Education For English Learners
6174	<del>Education For English Learners</del> Education For English Learners
<del>6174-E PDF(1)</del>	<del>Education For English Learners</del>



**Policy 6161.11: Supplementary Instructional Materials**

**Status: ADOPTED**

**Original Adopted Date:** 08/25/2009 | **Last Revised Date:** | **Last Reviewed Date:**

The Governing Board encourages the use of supplementary instructional materials to enrich the curriculum and enhance student learning. Such materials shall be aligned with district goals, curriculum objectives, and academic standards and shall supplement and not supplant the use of Board-adopted basic instructional materials that serve as the primary learning resources.

Supplementary instructional materials include, but are not limited to, instructional materials that are designed to serve one or more of the following purposes: (Education Code 60010)

1. To provide more complete coverage of one or more subjects included in a given course
2. To meet the various learning ability levels of students in a given age group or grade level
3. To meet the diverse educational needs of students with a language disability in a given age group or grade level
4. To meet the diverse educational needs of students reflective of a condition of cultural pluralism
5. To use current, relevant technology that further engages interactive learning in the classroom and beyond

Supplementary instructional materials may be selected by the Superintendent or designee, school administrators, or teachers, as applicable, and obtained through donations to the district and/or available funding sources designated for these purposes.

The use of any supplemental instructional material shall not be rejected or prohibited by the Board or district on the basis that it includes a study of the role and contributions of any individual or group consistent with the requirements of Education Code 51204.5 and 60040, unless such study would violate Education Code 51501 or 60044. (Education Code 243)

As appropriate, supplementary instructional materials shall meet the criteria developed for the selection and evaluation of basic instructional materials as described in AR 6161.1 - Selection and Evaluation of Instructional Materials.

Supplementary instructional materials shall be directly related to the course of study in which they are being used and shall be appropriate for the age and maturity level of the students.

The use or reproduction of supplementary instructional materials shall be in accordance with federal copyright law.

Whenever a district employee proposes to use a supplementary resource which is not included in the approved learning resources of the district, the employee shall preview the material to determine whether, in the employee's professional judgment, it is appropriate for the grade level taught and is consistent with district criteria for the selection of supplementary instructional materials.

The employee shall confer with the Superintendent or designee as necessary to determine the compliance of the material with district criteria. The primary considerations should be the educational value, factual accuracy, appropriateness, including whether the material contains pervasive vulgarity or profanity, and relevance of the materials, as well as the ages and maturity of the students.

The Superintendent or designee may provide training to administrators and teachers in the selection and evaluation of supplementary instructional materials, including the criteria to be utilized and applicable legal considerations.

## Complaints

Complaints concerning supplemental instructional materials shall be handled in accordance with Board Policy 1312.2 - Complaints Concerning Instructional Materials and Board Policy 1312.3 - Uniform Complaint Procedures, as applicable.

---

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Ed. Code 220	<a href="#">Prohibition of discrimination</a>
Ed. Code 233.5	<a href="#">Teaching of principles</a>
Ed. Code 242	<a href="#">Access to information about educational laws and policies regarding right to accurate and inclusive curriculum</a>
Ed. Code 243	<a href="#">Unlawful discrimination related to the use or prohibited use of textbooks and instructional materials</a>
Ed. Code 48907	<a href="#">Exercise of free expression; time, place and manner rules and regulations</a>
Ed. Code 48950	<a href="#">Speech and other communication</a>
Ed. Code 51204.5	<a href="#">Social sciences instruction; contributions of specified groups</a>
Ed. Code 51501	<a href="#">Nondiscriminatory subject matter</a>
Ed. Code 51510	<a href="#">Prohibited study or supplemental materials</a>

Ed. Code 51511	<a href="#">Religious matters properly included in courses of study</a>
Ed. Code 51933	<a href="#">Sexual health education and HIV prevention materials</a>
Ed. Code 60000-60005	<a href="#">Instructional materials; legislative intent</a>
Ed. Code 60010	<a href="#">Instructional materials; definition</a>
Ed. Code 60040-60052	<a href="#">Requirements for instructional materials</a>
Ed. Code 60060-60063.5	<a href="#">Requirements for publishers and manufacturers</a>
Ed. Code 60200-60213	<a href="#">Elementary school materials</a>
Ed. Code 60226	<a href="#">Requirements for publishers and manufacturers</a>
Ed. Code 60400-60411	<a href="#">Instructional materials; high schools</a>
Ed. Code 60605	<a href="#">State-adopted content and performance standards in core curricular areas</a>
Ed. Code 60605.8	<a href="#">Common Core standards</a>
Ed. Code 60811.3	English language development standards
<b>Management Resources</b>	<b>Description</b>
California Department of Education Publication	<a href="#">Standards for Evaluating Instructional Materials for Social Content, 2013</a>
Court Decision	Fowler v. Board of Education of Lincoln County (1987) 819 F.2d 657
Court Decision	McCarthy v. Fletcher (1989) 207 Cal. App. 3d 130
Website	<a href="#">CSBA District and County Office of Education Legal Services</a>
Website	<a href="#">Department of Justice</a>
Website	<a href="#">U.S. Department of Education, Office for Civil Rights</a>
Website	<a href="#">California Department of Education</a>
Website	<a href="#">CSBA</a>

## Cross References

Code	Description
0000	Vision
0200	Goals For The School District
0410	Nondiscrimination In District Programs And Activities
1260	Educational Foundation
1312.2	Complaints Concerning Instructional Materials
1312.2	Complaints Concerning Instructional Materials
1312.2	Complaints Concerning Instructional Materials
1312.3	Uniform Complaint Procedures

1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.4	Williams Uniform Complaint Procedures
1312.4	Williams Uniform Complaint Procedures
1312.4	Williams Uniform Complaint Procedures
1325	Advertising And Promotion
3270	Sale And Disposal Of Books, Equipment And Supplies
3270	Sale And Disposal Of Books, Equipment And Supplies
3290	Gifts, Grants And Bequests
3311	Bids
3311	Bids
4132	Publication Or Creation Of Materials
4232	Publication Or Creation Of Materials
4332	Publication Or Creation Of Materials
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
6000	Concepts And Roles
6011	Academic Standards
6141	Curriculum Development And Evaluation
6141	Curriculum Development And Evaluation
6141.2	Recognition Of Religious Beliefs And Customs
6141.2	Recognition Of Religious Beliefs And Customs
6142.1	Sexual Health And HIV/AIDS Prevention Instruction
6142.1	Sexual Health And HIV/AIDS Prevention Instruction
6142.2	World Language Instruction
6142.2	World Language Instruction
6142.6	Visual And Performing Arts Education
6142.91	Reading/Language Arts Instruction
6142.92	Mathematics Instruction
6142.93	Science Instruction
6142.94	History-Social Science Instruction
6143	Courses Of Study

6143	Courses Of Study
6144	Controversial Issues
6161.1	Selection And Evaluation Of Instructional Materials
6161.1	Selection And Evaluation Of Instructional Materials
6161.1	Selection And Evaluation Of Instructional Materials
6162.6	Use Of Copyrighted Materials
6162.6	Use Of Copyrighted Materials
6163.1	Library Media Centers
6174	Education For English Learners
6174	Education For English Learners

**Policy 6163.1: Library Media Centers**

**Status:** ADOPTED

Original Adopted Date: ~~09/13~~03/01/2011 | Last Revised Date: ~~03/24/2015~~10/01/2023 | Last Reviewed Date: ~~03/24/2015~~10/01/2023

The Governing Board recognizes that school libraries support the educational program by providing access to a variety of informational and supplemental resources that can ~~help raise~~inspire a love of reading, stimulate thought, the exploration of ideas and intellectual exchanges, and contribute to the academic achievement of all students. The Board desires that school libraries be stocked with up-to-date books, reference materials, and electronic resources that promote literacy, support academic standards, contain a broad spectrum of knowledge and viewpoints, accurately reflect and value society's diversity, and prepare students to become lifelong learners.

The Superintendent or designee may, in consultation with teacher librarians, classroom teachers, administrators, parents/guardians, and students as appropriate, develop and regularly update a plan for school libraries that describes the district's goals for school libraries and ~~how the distribution of funds will be distributed~~ to school sites to support libraries. As appropriate, the plan may also address staffing, facilities, selection and evaluation of materials, the development and maintenance of classroom libraries, prevention of loss or damage of library materials, prioritization of needs, and other related matters. The Superintendent or designee shall ensure that the library plan is aligned with the district's local control and accountability plan and other district and school plans.

### **Staffing**

To staff school libraries, the district may employ one or more teacher librarians who possess appropriate credentials issued by the Commission on Teacher Credentialing. (Education Code 18120, 44868; 5 CCR 80024.6, 80053)

The Superintendent or designee may assign teacher librarians to perform the following duties in accordance with the authorizations of their credential: (5 CCR 80053, 80053.1)

1. Instruct students in accessing, evaluating, using, and integrating information and resources in the library program and/or provide departmentalized instruction in information literacy, digital literacy, and digital citizenship
2. Plan and coordinate school library programs with the district's instructional programs through collaboration with teachers
3. Select materials for school and district libraries
4. Develop and deliver staff development programs for school library services
5. Coordinate or supervise library programs at the school or district level
6. Plan and conduct a course of instruction for students who assist in the operation of school libraries
7. Supervise classified personnel assigned school library duties
8. Develop procedures for and management of the school and district libraries

The Board also may appoint classified paraprofessionals to serve as library aides or library technicians. Volunteers may assist with school library services in accordance with law, Board policy, and administrative regulation.

### **Hours of Operation**

School libraries shall be open for use by students and teachers during the school day. (Education Code 18103)

With the approval of the Board, a school library may be open at other hours outside the school day, including evenings and Saturdays. Any library ~~opens~~open to serve students during evening and Saturday hours shall be under the supervision of a certificated employee who consents to the assignment. (Education Code 18103)

### **Selection and Evaluation of School Library Materials**

Library materials shall include print and electronic resources that align with the curriculum and are accessible to students with varying cognitive and/or language needs.

Library materials shall be selected and evaluated ~~and selected~~ through a process that invites recommendations from administrators, teachers, other staff, parents/guardians, and students as appropriate.

The use of any book or other resource in a school library shall not be rejected or prohibited by the Board or district on the basis that it includes a study of the role and contributions of any individual or group consistent with the requirements of Education Code 51204.5 and 60040, unless such study would violate Education Code 51501 or 60044. (Education Code 243)

Library materials shall be continually evaluated in relation to evolving curricula, new formats of materials, new instructional methods, and the needs of students and teachers. Materials that contain outdated subject matter or are no longer appropriate shall be removed.

All gifts and donations of school library materials shall be subject to the same criteria as materials selected for purchase by the district.

Complaints regarding the appropriateness of library materials shall be addressed ~~using the district's procedures for complaints regarding instructional materials.~~

in accordance with Board Policy 1312.2 - Complaints Concerning Instructional Materials and Board Policy 1312.3 - Uniform Complaint Procedures, as applicable.

## **Fees**

Students shall be allowed to borrow school library materials at no charge for use in the library and classrooms as well as out of school. (5 CCR 16042)

### **OPTION 1: (No late fees)**

Students shall be encouraged to return library materials in a timely manner, but no charge shall be assessed for the late return of materials.

### **OPTION 1 ENDS HERE**

### **OPTION 2: (Late fees charged)**



To encourage students to return materials in a timely manner, a nominal fee shall be charged for the late return of materials.

## **OPTION 2 ENDS HERE**

### **Library Instruction**

Teacher librarians and/or classroom teachers shall provide library instruction to support the development of students' information literacy skills. Such instruction shall be aligned with the state academic standards for library instruction and shall prepare students to:

### **Library Instruction**

~~Teacher librarians and/or classroom teachers shall provide library instruction to develop students' information literacy skills. Such instruction shall be aligned with state academic standards for library instruction and shall prepare students to:~~

1. Access information by applying knowledge of the organization of libraries, print materials, digital media, and other sources
2. Evaluate and analyze information to determine appropriateness in addressing the scope of inquiry
3. Organize, synthesize, create, and communicate information
4. Integrate information literacy skills into all areas of learning and pursue information independently to become life-long learners

Teacher librarians also may provide support to teachers, administrators, and other staff by identifying instructional materials that will aid in the development of curriculum and instructional activities and by providing information about effective and ethical uses of school library services and equipment.

### **Program Evaluation**

The Superintendent or designee shall annually assess and report to the Board regarding the condition and use of school libraries. The assessment shall evaluate, at a minimum:

1. Access of students and staff to school libraries during school hours and, as appropriate, access outside the school day
2. The process and frequency by which students are allowed to check out library materials
3. Staffing levels, qualifications, and number of hours worked
4. The quality of the collection at each library, including, but not limited to, the total number of books in the collection, number of books per student, types of materials (fiction, non-fiction,

newspapers, magazines, encyclopedias, materials in other languages, and reference materials), alignment with curriculum, provision of a broad spectrum of knowledge and viewpoints, amount expended during the year for the purchase of new resources, and the number of resources discarded and added during the year

5. Any special programs offered at the school to encourage reading and/or library use
6. The adequacy of the facility space and equipment designated for the school library
7. The source(s) and adequacy of funding for school libraries
8. Knowledge by principals, teachers, and library personnel of the process to follow when a library material(s) is challenged

The district shall, on or before August 31 each year, report to the CDE-California Department of Education on the condition of its school libraries for the preceding year ending June 30. (Education Code 18122)

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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.

<b>State</b>	<b>Description</b>
5 CCR 16040-16043	School libraries
5 CCR 80023-80023.2	Emergency permits; general requirements
5 CCR 80024.6	Emergency teacher librarian services permit
5 CCR 80026-80026.6	Emergency permits; Declaration of Need
5 CCR 80053-80053.1	Teacher librarian services credential
Ed. Code 1703	<u><a href="#">Coordination of district library services by county superintendent</a></u>
Ed. Code 1770-1775	<u><a href="#">Provision of library services by county superintendent</a></u>
Ed. Code 18100-18203	<u><a href="#">School libraries</a></u>
Ed. Code 18300-18571	<u><a href="#">Union high school district/unified school district library district</a></u>
Ed. Code 19335-19336	<u><a href="#">Reading Initiative Program; recommended books</a></u>
Ed. Code 220	<u><a href="#">Prohibition of discrimination</a></u>
Ed. Code 242	<u><a href="#">Access to information about educational laws and policies regarding right to accurate and inclusive curriculum</a></u>
Ed. Code 35021	<u><a href="#">Volunteer aides</a></u>
Ed. Code 44868-44869	<u><a href="#">Qualifications and employment of library media teachers</a></u>
Ed. Code 45340-45349	<u><a href="#">Instructional aides</a></u>

Ed. Code 48907	<a href="#">Exercise of free expression; time, place and manner rules and regulations</a>
Ed. Code 48950	<a href="#">Speech and other communication</a>
Ed. Code 51204.5	<a href="#">Social sciences instruction; contributions of specified groups</a>
Ed. Code 51501	<a href="#">Nondiscriminatory subject matter</a>
Ed. Code 60040-60052	<a href="#">Requirements for instructional materials</a>
<b>Management Resources</b>	<b>Description</b>
California Department of Education Publication	<a href="#">Examples of Model School Library Standards for California Public Schools Supporting Common Core State Standards (CCSS) for English Language Arts &amp; Literacy in History/Social Studies, Science, and Technical Subjects, rev. February 2012</a>
California Department of Education Publication	Looking at the School Library: An Evaluation Tool, 2003
California Department of Education Publication	<a href="#">Model School Library Standards for California Public Schools: K - 12, 2010</a>
California Department of Education Publication	Recommended Literature: Kindergarten Through Grade Twelve
California School Library Association Publication	Standards and Guidelines for Strong School Libraries, 2004
Website	<a href="#">CSBA District and County Office of Education Legal Services</a>
Website	<a href="#">American Association of School Libraries</a>
Website	<a href="#">California Department of Education, School Libraries</a>
Website	<a href="#">California School Library Association</a>
Website	<a href="#">Department of Justice</a>
Website	<a href="#">California Department of Education, Curriculum and Instruction Resources</a>
Website	<a href="#">U.S. Department of Education, Office for Civil Rights</a>

## Cross References

Code	Description
0200	<del>Goals For The School District</del> Goals For The School District
0400	<del>Comprehensive Plans</del> Comprehensive Plans
0410	<del>Nondiscrimination In District Programs And Activities</del> Nondiscrimination In District Programs And Activities
0420	<del>School Plans/Site Councils</del> School Plans/Site Councils
0420	<del>School Plans/Site Councils</del> School Plans/Site Councils
0440	<del>District Technology Plan</del> District Technology Plan
<u>0440</u>	<u>District Technology Plan</u>

0460	<del>Local Control And Accountability Plan</del> Local Control And Accountability Plan
0460	<del>Local Control And Accountability Plan</del> Local Control And Accountability Plan
1240	<del>Volunteer Assistance</del> Volunteer Assistance
1240	<del>Volunteer Assistance</del> Volunteer Assistance
1260	<del>Educational Foundation</del> Educational Foundation
1312.2	<del>Complaints Concerning Instructional Materials</del> Complaints Concerning Instructional Materials
1312.2	<del>Complaints Concerning Instructional Materials</del> Complaints Concerning Instructional Materials
1312.2-E PDF(1)	<del>Complaints Concerning Instructional Materials</del> Complaints Concerning Instructional Materials
1312.3	<del>Uniform Complaint Procedures</del> Uniform Complaint Procedures
1312.3	<del>Uniform Complaint Procedures</del> Uniform Complaint Procedures
1312.3-E PDF(1)	<del>Uniform Complaint Procedures</del> Uniform Complaint Procedures
<u>1312.3</u>	<u>Uniform Complaint Procedures</u>
1312.4	<del>Williams Uniform Complaint Procedures</del> Williams Uniform Complaint Procedures
1312.4-E PDF(1)	<del>Williams Uniform Complaint Procedures</del> Williams Uniform Complaint Procedures
<u>1312.4</u>	<u>Williams Uniform Complaint Procedures</u>
1330.1	<del>Joint Use Agreements</del> Joint Use Agreements
1340	<del>Access To District Records</del> Access To District Records
1340	<del>Access To District Records</del> Access To District Records
3260	<del>Fees And Charges</del> Fees And Charges
3260	<del>Fees And Charges</del> Fees And Charges
3270	<del>Sale And Disposal Of Books, Equipment And Supplies</del> Sale And Disposal Of Books, Equipment And Supplies
3270	<del>Sale And Disposal Of Books, Equipment And Supplies</del> Sale And Disposal Of Books, Equipment And Supplies
3290	<del>Gifts, Grants And Bequests</del> Gifts, Grants And Bequests
3311	<del>Bids</del> Bids
3311	<del>Bids</del> Bids
4112.2	<del>Certification</del> Certification
4112.2	<del>Certification</del> Certification

4113	<u>AssignmentAssignment</u>
4113	<u>AssignmentAssignment</u>
4131	<u>Staff DevelopmentStaff Development</u>
<del>4131</del>	<u>Staff Development</u>
4132	<u>Publication Or Creation Of MaterialsPublication Or Creation Of Materials</u>
4222	<u>Teacher Aides/ParaprofessionalsTeacher Aides/Paraprofessionals</u>
4222	<u>Teacher Aides/ParaprofessionalsTeacher Aides/Paraprofessionals</u>
4231	<u>Staff DevelopmentStaff Development</u>
<del>4231</del>	<u>Staff Development</u>
4232	<u>Publication Or Creation Of MaterialsPublication Or Creation Of Materials</u>
4331	<u>Staff DevelopmentStaff Development</u>
<del>4331</del>	<u>Staff Development</u>
4332	<u>Publication Or Creation Of MaterialsPublication Or Creation Of Materials</u>
5125.2	<u>Withholding Grades, Diploma Or TranscriptsWithholding Grades, Diploma Or Transcripts</u>
5145.3	<u>Nondiscrimination/HarassmentNondiscrimination/Harassment</u>
5145.3	<u>Nondiscrimination/HarassmentNondiscrimination/Harassment</u>
6011	<u>Academic StandardsAcademic Standards</u>
6141	<u>Curriculum Development And EvaluationCurriculum Development And Evaluation</u>
6141	<u>Curriculum Development And EvaluationCurriculum Development And Evaluation</u>
6142.2	<u>World Language InstructionWorld Language Instruction</u>
6142.2	<u>World Language InstructionWorld Language Instruction</u>
6142.6	<u>Visual And Performing Arts EducationVisual And Performing Arts Education</u>
6142.91	<u>Reading/Language Arts InstructionReading/Language Arts Instruction</u>
<del>6142.91</del>	<u>Reading/Language Arts Instruction</u>
6142.92	<u>Mathematics InstructionMathematics Instruction</u>
6142.94	<u>History-Social Science InstructionHistory-Social Science Instruction</u>

6143	<u>Courses Of Study</u> <u>Courses Of Study</u>
6143	<u>Courses Of Study</u> <u>Courses Of Study</u>
6144	<u>Controversial Issues</u> <u>Controversial Issues</u>
<del>6144</del>	<u>Controversial Issues</u>
6154	<u>Homework/Makeup Work</u> <u>Homework/Makeup Work</u>
<del>6154</del>	<u>Homework/Makeup Work</u>
<del>6154-E PDF(1)</del>	<u>Homework/Makeup Work</u>
6161.1	<u>Selection And Evaluation Of Instructional Materials</u> <u>Selection And Evaluation Of Instructional Materials</u>
6161.1	<u>Selection And Evaluation Of Instructional Materials</u> <u>Selection And Evaluation Of Instructional Materials</u>
6161.1 <del>-E PDF(1)</del>	<u>Selection And Evaluation Of Instructional Materials</u> <u>Selection And Evaluation Of Instructional Materials</u>
6161.11	<u>Supplementary Instructional Materials</u> <u>Supplementary Instructional Materials</u>
6161.2	<u>Damaged Or Lost Instructional Materials</u> <u>Damaged Or Lost Instructional Materials</u>
6162.6	<u>Use Of Copyrighted Materials</u> <u>Use Of Copyrighted Materials</u>
6162.6	<u>Use Of Copyrighted Materials</u> <u>Use Of Copyrighted Materials</u>
6163.4	<u>Student Use Of Technology</u> <u>Student Use Of Technology</u>
6163.4	<u>Student Use Of Technology</u> <u>Student Use Of Technology</u>
7110	<u>Facilities Master Plan</u> <u>Facilities Master Plan</u>

**Policy 6163.1: Library Media Centers**

**Status:** ADOPTED

**Original Adopted Date:** 09/13/2011 | **Last Revised Date:** | **Last Reviewed Date:**

The Governing Board recognizes that school libraries support the educational program by providing access to a variety of informational and supplemental resources that can inspire a love of reading, stimulate thought, the exploration of ideas and intellectual exchanges, and contribute to the academic achievement of all students. The Board desires that school libraries be stocked with up-to-date books, reference materials, and electronic resources that promote literacy, support academic standards, contain a broad spectrum of knowledge and viewpoints, accurately reflect and value society's diversity, and prepare students to become lifelong learners.

The Superintendent or designee may, in consultation with teacher librarians, classroom teachers, administrators, parents/guardians, and students as appropriate, develop and regularly update a plan for school libraries that describes the district's goals for school libraries and the distribution of funds to school sites to support libraries. As appropriate, the plan may also address staffing, facilities, selection and evaluation of materials, the development and maintenance of classroom libraries, prevention of loss or damage of library materials, prioritization of needs, and other related matters. The Superintendent or designee shall ensure that the library plan is aligned with the district's local control and accountability plan and other district and school plans.

**Staffing**

To staff school libraries, the district may employ one or more teacher librarians who possess appropriate credentials issued by the Commission on Teacher Credentialing. (Education Code 18120, 44868; 5 CCR 80024.6, 80053)

The Superintendent or designee may assign teacher librarians to perform the following duties in accordance with the authorizations of their credential: (5 CCR 80053, 80053.1)

1. Instruct students in accessing, evaluating, using, and integrating information and resources in the library program and/or provide departmentalized instruction in information literacy, digital literacy, and digital citizenship
2. Plan and coordinate school library programs with the district's instructional programs through collaboration with teachers
3. Select materials for school and district libraries
4. Develop and deliver staff development programs for school library services
5. Coordinate or supervise library programs at the school or district level

6. Plan and conduct a course of instruction for students who assist in the operation of school libraries
7. Supervise classified personnel assigned school library duties
8. Develop procedures for and management of the school and district libraries

The Board also may appoint classified paraprofessionals to serve as library aides or library technicians. Volunteers may assist with school library services in accordance with law, Board policy, and administrative regulation.

### **Hours of Operation**

School libraries shall be open for use by students and teachers during the school day. (Education Code 18103)

With the approval of the Board, a school library may be open at other hours outside the school day, including evenings and Saturdays. Any library open to serve students during evening and Saturday hours shall be under the supervision of a certificated employee who consents to the assignment. (Education Code 18103)

### **Selection and Evaluation of School Library Materials**

Library materials shall include print and electronic resources that align with the curriculum and are accessible to students with varying cognitive and/or language needs.

Library materials shall be selected and evaluated through a process that invites recommendations from administrators, teachers, other staff, parents/guardians, and students as appropriate.

The use of any book or other resource in a school library shall not be rejected or prohibited by the Board or district on the basis that it includes a study of the role and contributions of any individual or group consistent with the requirements of Education Code 51204.5 and 60040, unless such study would violate Education Code 51501 or 60044. (Education Code 243)

Library materials shall be continually evaluated in relation to evolving curricula, new formats of materials, new instructional methods, and the needs of students and teachers. Materials that contain outdated subject matter or are no longer appropriate shall be removed.

All gifts and donations of school library materials shall be subject to the same criteria as materials selected for purchase by the district.

Complaints regarding the appropriateness of library materials shall be addressed in accordance with Board Policy 1312.2 - Complaints Concerning Instructional Materials and Board Policy 1312.3 - Uniform Complaint Procedures, as applicable.

### **Fees**

Students shall be allowed to borrow school library materials at no charge for use in the<sup>288</sup>



library and classrooms as well as out of school. (5 CCR 16042)

**OPTION 1: (No late fees)**

Students shall be encouraged to return library materials in a timely manner, but no charge shall be assessed for the late return of materials.

**Library Instruction**

Teacher librarians and/or classroom teachers shall provide library instruction to support the development of students' information literacy skills. Such instruction shall be aligned with the state academic standards for library instruction and shall prepare students to:

1. Access information by applying knowledge of the organization of libraries, print materials, digital media, and other sources
2. Evaluate and analyze information to determine appropriateness in addressing the scope of inquiry
3. Organize, synthesize, create, and communicate information
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Teacher librarians also may provide support to teachers, administrators, and other staff by identifying instructional materials that will aid in the development of curriculum and instructional activities and by providing information about effective and ethical uses of school library services and equipment.

**Program Evaluation**

The Superintendent or designee shall annually assess and report to the Board regarding the condition and use of school libraries. The assessment shall evaluate, at a minimum:

1. Access of students and staff to school libraries during school hours and, as appropriate, access outside the school day
2. The process and frequency by which students are allowed to check out library materials
3. Staffing levels, qualifications, and number of hours worked
4. The quality of the collection at each library, including, but not limited to, the total number of books in the collection, number of books per student, types of materials (fiction, non-fiction, newspapers, magazines, encyclopedias, materials in other languages, and reference materials), alignment with curriculum, provision of a broad spectrum of knowledge and viewpoints, amount expended during the year for the purchase of new resources, and the number of resources discarded and added during the year
5. Any special programs offered at the school to encourage reading and/or library use
6. The adequacy of the facility space and equipment designated for the school library
7. The source(s) and adequacy of funding for school libraries

8. Knowledge by principals, teachers, and library personnel of the process to follow when a library material(s) is challenged

The district shall, on or before August 31 each year, report to the California Department of Education on the condition of its school libraries for the preceding year ending June 30. (Education Code 18122)

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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.

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Ed. Code 18100-18203	<a href="#">School libraries</a>
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Ed. Code 242	<a href="#">Access to information about educational laws and policies regarding right to accurate and inclusive curriculum</a>
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Ed. Code 44868-44869	<a href="#">Qualifications and employment of library media teachers</a>
Ed. Code 45340-45349	<a href="#">Instructional aides</a>
Ed. Code 48907	<a href="#">Exercise of free expression; time, place and manner rules and regulations</a>
Ed. Code 48950	<a href="#">Speech and other communication</a>
Ed. Code 51204.5	<a href="#">Social sciences instruction; contributions of specified groups</a>
Ed. Code 51501	<a href="#">Nondiscriminatory subject matter</a>
Ed. Code 60040-60052	<a href="#">Requirements for instructional materials</a>

**Management Resources**

California Department of Education  
Publication

**Description**

[Examples of Model School Library Standards for California Public Schools Supporting Common Core State Standards](#)

California Department of Education Publication	Looking at the School Library: An Evaluation Tool, 2003
California Department of Education Publication	<a href="#">Model School Library Standards for California Public Schools: K - 12, 2010</a>
California Department of Education Publication	Recommended Literature: Kindergarten Through Grade Twelve
California School Library Association Publication	Standards and Guidelines for Strong School Libraries, 2004
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Website	<a href="#">California Department of Education, School Libraries</a>
Website	<a href="#">California School Library Association</a>
Website	<a href="#">Department of Justice</a>
Website	<a href="#">California Department of Education, Curriculum and Instruction Resources</a>
Website	<a href="#">U.S. Department of Education, Office for Civil Rights</a>

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0420	School Plans/Site Councils
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0440	District Technology Plan
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
1240	Volunteer Assistance
1240	Volunteer Assistance
1260	Educational Foundation
1312.2	Complaints Concerning Instructional Materials
1312.2	Complaints Concerning Instructional Materials
1312.2	Complaints Concerning Instructional Materials

1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.4	Williams Uniform Complaint Procedures
1312.4	Williams Uniform Complaint Procedures
1312.4	Williams Uniform Complaint Procedures
1330.1	Joint Use Agreements
1340	Access To District Records
1340	Access To District Records
3260	Fees And Charges
3260	Fees And Charges
3270	Sale And Disposal Of Books, Equipment And Supplies
3270	Sale And Disposal Of Books, Equipment And Supplies
3290	Gifts, Grants And Bequests
3311	Bids
3311	Bids
4112.2	Certification
4112.2	Certification
4113	Assignment
4113	Assignment
4131	Staff Development
4132	Publication Or Creation Of Materials
4222	Teacher Aides/Paraprofessionals
4222	Teacher Aides/Paraprofessionals
4231	Staff Development
4232	Publication Or Creation Of Materials
4331	Staff Development
4332	Publication Or Creation Of Materials
5125.2	Withholding Grades, Diploma Or Transcripts
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
6011	Academic Standards

6141	Curriculum Development And Evaluation
6141	Curriculum Development And Evaluation
6142.2	World Language Instruction
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6142.6	Visual And Performing Arts Education
6142.91	Reading/Language Arts Instruction
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6143	Courses Of Study
6144	Controversial Issues
6154	Homework/Makeup Work
6161.1	Selection And Evaluation Of Instructional Materials
6161.1	Selection And Evaluation Of Instructional Materials
6161.1	Selection And Evaluation Of Instructional Materials
6161.11	Supplementary Instructional Materials
6161.2	Damaged Or Lost Instructional Materials
6162.6	Use Of Copyrighted Materials
6162.6	Use Of Copyrighted Materials
6163.4	Student Use Of Technology
6163.4	Student Use Of Technology
7110	Facilities Master Plan