

BOARD OF EDUCATION AGENDA

SPECIAL MEETING
March 3, 2022 - 4:00 PM

Board Policy Subcommittee Meeting - Meeting Will be Conducted Via Zoom - for Zoom link and password, please see item #1 under Call to Order below.

This meeting will be recorded. If you are unable to join the meeting via Zoom but would like to submit a public comment on the item(s) listed on this agenda only, please send public comment to: publiccomments@alamedaunified.org. Comments received by 5:00pm on March 2, 2022 will be distributed to Subcommittee members prior to the meeting.

Adjournment will be no later than 10:30 PM for all regular and special meetings, unless extended by a majority vote of the Board. Writings relating to a board meeting agenda item that are distributed to at least a majority of the Board members less than 72 hours before the noticed meeting, and that are public records not otherwise exempt from disclosure, will be available for inspection at the District administrative offices, 2060 Challenger Drive, Alameda, CA. Such writings may also be available on the District's website. (Govt Code 54957.5b).

Individuals who require special accommodations (American Sign Language interpreter, accessible seating, documentation in accessible format, etc.) should contact Kerri Lonergan, Assistant to the Superintendent, at 337-7101 as soon as possible preceding the meeting.

IF YOU WISH TO ADDRESS THE BOARD OF EDUCATION

Please submit a "Request to Address the Board" slip to Kerri Lonergan, Assistant to the Superintendent, prior to the introduction of the item. For meeting facilitation, please submit the slip at your earliest possible convenience. Upon recognition by the President of the Board, please come to the podium and identify yourself prior to speaking. The Board of Education reserves the right to limit speaking time to three (3) minutes or fewer per individual. Speakers are permitted to yield their time to one other speaker, however no one speaker shall have more than four (4) minutes. The public may comment on each item listed as the item is taken up. The Board reserves the right to limit public comment on agenda items to ten (10) minutes per item. The Board may, with the consent of persons representing both sides of an issue, allocate a block of time to each side to present their issue.

A. CALL TO ORDER

1. Call to Order - 4:00 PM - Via Zoom Video Conference.

Join Public Board Meeting (Zoom format):

<https://us06web.zoom.us/j/84086223369>

Meeting ID: 840 8622 3369

Passcode: 619229

2. Introduction of Board Members and Staff

B. MODIFICATION(S) OF THE AGENDA - The Board may change the order of business including, but not limited to, an announcement that an agenda item will be considered out of order, withdrawn, postponed, or rescheduled.

C. APPROVAL OF MINUTES

1. Approval of Minutes - Minutes from the October 8, 2021 Board Policy Subcommittee Meeting will be considered (5 Mins/Action)

D. BUSINESS – Informational reports and action items are presented under this section.

1. Review CSBA Recommended Board Policy Updates (10 Mins/Action)
2. Review and Discuss Staff Recommended Board Policy Updates (30 Mins/Discussion/Action)

E. ADJOURNMENT

ALAMEDA UNIFIED SCHOOL DISTRICT
SPECIAL AGENDA ITEM

Item Title: Approval of Minutes - Minutes from the October 8, 2021 Board Policy Subcommittee Meeting will be considered (5 Mins/Action)

Item Type: Action

Background: Staff has prepared minutes following Board Bylaw 9324 – Minutes and Recordings:

In order to ensure that the minutes are focused on Board action, the minutes shall include only a brief summary of the Board's discussion, but shall not include a verbatim record of the Board's discussion on each agenda topic or the names of Board members who made specific points during the discussion.

AUSD LCAP Goals:

Fiscal Analysis

Amount (Savings) (Cost): N/A

Recommendation: Approve as submitted.

AUSD Guiding Principle:

Submitted By: Kerri Lonergan, Senior Executive Assistant, Superintendent's Office

ATTACHMENTS:

Description	Upload Date	Type
☐ Unadopted minutes from Oct 8, 2021	3/1/2022	Backup Material

BOARD POLICY SUBCOMMITTEE MEETING

October 8, 2021

Special Meeting of the Board of Education

Meeting Held on Zoom Platform

UNADOPTED MINUTES

SPECIAL MEETING: This special meeting of the Board of Education was held remotely on the date mentioned above.

A. CALL TO ORDER

1. Call to Order – Via Zoom Video Conference - Board of Education Trustee Gary K. Lym called the meeting to order at 4:31pm.
2. Introduction of Board Members and Staff Via Video Conference:
Board of Education Members present: Board Clerk Megan Sweet, Board Trustee Gary K. Lym. Board President Jennifer Williams was in attendance to observe.

Student Board Members present: Brian Lin, Encinal Jr. & Sr. High School, and Student Board Member William Lau, ASTI.

B. MODIFICATION(S) OF THE AGENDA:

There were no modifications to the agenda.

C. APPROVAL OF MINUTES:

Minutes from the May 27th Board Policy Subcommittee Meeting were submitted for approval.

Motion to adopt the Minutes from the May 27th Board Policy Subcommittee Meeting.

MOTION: Member Sweet

SECONDED: Student Member Lin

ROLL CALL VOTE

STUDENT BOARD MEMBER VOTES

AYES: Members Lin and Lau

NOES:

ABSTAIN:

BOARD MEMBER VOTES

AYES: Members Sweet and Lym

NOES:

ABSTAIN:

MOTION APPROVED

D. GENERAL BUSINESS

1. Review and Discuss Potential Updates to Board Policy on Concurrent and Dual Enrollment

Superintendent Pasquale Scuderi presented information on Concurrent and Dual Enrollment. The Board of Education is considering a change to our past practice of how community college credit is applied. Previously, while AUSD's policies and Administrative Regulations did not specifically or explicitly prohibit credits earned at community colleges to be applied to core graduation requirements, the longstanding practice was to allow students to only apply those credits earned at community colleges to the elective credit requirements associated with AUSD high school graduation requirements.

The proposed change would allow, with some limits, the application of community college credits earned in relevant subject areas to some core high school graduation requirements.

One driver for this change is to allow for students and families to have additional flexibility in selecting their schedules in ways that progressively concentrate around their own interests. For example, a student inclined toward science could, through concurrent and summer community college classes, finish a four-year high school English requirement early and take additional science classes in their high school schedule.

The basic caps for concurrent college coursework will remain in place; specifically, comprehensive high school students will be allowed to take up to 14 community college classes during their high school term (2 per semester from spring semester of freshman year through senior year).

The general rule that only classes NOT offered at AUSD schools would remain in effect as the principal change here would simply allow the application of credits earned at the community college to be counted toward select core class requirements for high school graduation.

- General Rule #1: AUSD students are only permitted to take community college classes that are not offered at their AUSD school.
- General Rule #2: AUSD students in Comprehensive High Schools (EHS and AHS) can take up to two community college courses per semester beginning with the second semester of their 9th grade year.
- General Rule #3: Community college classes taken during high school will generally count towards the elective requirements associated with high school graduation; the exceptions, those classes that can be applied to core graduation requirements other than electives.

Public Comments:

Charlie Satterfield, AEA President: Mr. Satterfield stated changing this policy could cause students to attempt to complete AUSD required classes at the college level which could lead to teacher layoffs. Mr. Satterfield also stated there is Ed Code language that says students need to exhaust all attempts to

complete classes at the high school level. Mr. Satterfield asked the Board Policy Subcommittee to not approve this policy change.

Carolyn Brossard, AUSD parent: Ms. Brossard stated she is in full support and grateful for the change in policy. Ms. Brossard asked the Board Policy Subcommittee to approve the policy change.

Julie Taylor, AUSD parent: Ms. Taylor stated she is in full support and grateful for the change in policy. Ms. Taylor specifically mentioned the options students from marginalized students of color will have to take classes at the college level that reflect their history. Ms. Taylor asked the Board Policy Subcommittee to approve the policy change.

Pauline Chow, AUSD parent: Ms. Chow read a letter from parents of 1 current AUSD student and 3 former students. The letter stated the policies regarding concurrent enrollment are applied differently at Alameda High and Encinal High. Ms. Chow asked the Board Policy Subcommittee to approve the policy change.

Allison Goldberg, AUSD teacher: Ms. Goldberg stated her group of teachers has tremendous concerns regarding this policy. Ms. Goldberg stated high school students need more skills than community college teachers can give them. Ms. Goldberg stated community college teachers do not need a credential to teach. Ms. Goldberg stated high school students need teachers who can also help with socioemotional issues not just textbook issues. Ms. Goldberg asked the Board Policy Subcommittee to not approve the policy change.

Daniel Chin, AUSD parent: Mr. Chin stated his 10th grade daughter has taken 10 classes at the community college level but she has not gotten the credit applied to her graduation requirements at Alameda High. Mr. Chin stated if his daughter had attended Encinal High School the classes would have applied to her graduation requirements. Mr. Chin asked the Board Policy Subcommittee to approve the policy change.

O. Willard, AUSD student: Ms. Willard stated she took English at the community college level but she has not gotten the credit applied to her graduation requirements at Alameda High. Ms. Willard stated this practice is not what is happening at Encinal High School. Ms. Willard asked the Board Policy Subcommittee to approve the policy change.

Anna Johnson, AUSD parent: Ms. Johnson stated she is in favor of policies being standard across the district. Ms. Johnson stated she is also in favor of post-secondary classes counting for credit at the high school level. Ms. Johnson asked the Board Policy Subcommittee to approve the policy change.

Sue Ann Lee, AUSD parent and teacher: Ms. Lee stated she grew up in Alameda and benefitted from concurrent enrollment when she was a student at Alameda High. Ms. Lee stated this option is not for everyone but it should be an option for students who want to take advantage of these classes. Ms. Lee listed all the requirements that students have to meet in order to take

community college while in high school. Ms. Lee stated her child has enhanced her learning and this has not replaced her high school learning. Ms. Lee asked the Board Policy Subcommittee to approve the policy change.

Anne Turpin, AUSD teacher: Ms. Turpin invited parents to observed her AP European History class before they say high school courses are not challenging their children. Ms. Turpin mentioned the 5% cap of students who can take advantage of the community college classes, who is going to decide which students are allowed in the 5% of students who can take community college classes. Ms. Turpin stated this will become an equity issue. Ms. Turpin asked the Board Policy Subcommittee to not approve the policy change.

N. Chin, AUSD student: Ms. Chin stated she is a senior and she has taken numerous classes at the community college level during her time in high school but she has not gotten the credit applied to her graduation requirements at Alameda High. Ms. Chin stated if she attended Encinal High School the classes would have applied to her graduation requirements. Ms. Chin asked the Board Policy Subcommittee to approve the policy change.

Board members addressed the comments made by AUSD teachers and they stated they appreciate their feedback about this issue.

Board members stated there are safeguards in place to prevent the negative effects of this policy impacting students.

The Subcommittee was in agreement about referring this item to a future regular Board meeting in order for the full Board to weigh in on the subject matter.

2. Review and Discuss Potential Updates to Board Policy and Administrative Regulation 4311: Composition of Interview Panels

Superintendent Scuderi introduced Tim Erwin, Assistant Superintendent, Human Resources to help explain why this topic is coming up. Superintendent Scuderi explained that the policy should be updated to include school group members from one of the following groups: PTA, Parent Advisory Groups, School Site Council, and Parent Equity Groups.

Mr. Erwin stated the importance of parents on interview panels, especially for principal interview panels, was the reason this policy is being updated. Subcommittee members and staff discussed potential modifications to BP 4311 and accompanying administrative regulations. The policy articulates the recommended composition of interview panels, both staff and community, for the hiring processes of school site administrators.

Public Comments:

Anna Johnson, AUSD parent: Ms. Johnson stated she is in favor of the proposed language and policy change. Ms. Johnson asked to have language added for Special Education parents to participate in these interview panels.

Caroline Brossard, Alameda Mosaic: Ms. Brossard stated she is in favor of the proposed language and policy change. Ms. Brossard asked to have language added for Special Education parents to participate in these interview panels.

The Subcommittee was in agreement about referring this item to the Consent Calendar on a future regular Board meeting.

- E. **ADJOURNMENT** – Board Trustee Gary K. Lym adjourned the meeting at 5:38pm.
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Respectively Submitted,

Kerri Lonergan
Senior Executive Assistant
Alameda Unified School District

ALAMEDA UNIFIED SCHOOL DISTRICT
SPECIAL AGENDA ITEM

Item Title: Review CSBA Recommended Board Policy Updates (10 Mins/Action)

Item Type: Action

Background: Updates to Board Policies and Administrative Regulations are made by the California School Boards Association (CSBA) five times a year: March, May, July, October, and December. These updates are reviewed by the Executive Team prior to being presented to the Board Policy Subcommittee.

Below is a list of CSBA recommended updates for direct approval. The following only reflect changes made to legislative laws and are in keeping with education codes. No substantive changes have been made to these policies by staff.

- | | |
|------------------------------|-----------------------------------|
| • BP 0420.42 | Charter School Renewal |
| • BP 1312.3 | Uniform Complaint Procedures |
| • BP 1340 | Access to District Records |
| • BP 3230 | Federal Grant Funds |
| • BP 3452 | Student Activity Funds |
| • BP 3516.5 | Emergency Schedules |
| • BP 3530 | Risk Management/Insurance |
| • BP 3600 | Consultants |
| • BP 4112.2 | Certification |
| • BP 4112.9/4212/9/4312/9 | Employee Notifications |
| • BP 4119.25/4219.25/4319.25 | Political Activities of Employees |
| • BP 4131 | Staff Development |
| • BP 4140/4240/4340 | Bargaining Units |
| • BP 4157/4257/4357 | Employee Safety |
| • BP 5126 | Awards and Achievement |
| • BP 5131 | Conduct |
| • BP 5131.8 | Mobile Communication Devices |
| (NEW) | |
| • BP 5141.21 | Administering Medication and |
| Monitoring Health Conditions | |
| • BP 5141.4 | Child Abuse Prevention and |
| Reporting | |
| • BP 5141.52 | Suicide Prevention |
| • BP 5145.12 | Search and Seizure |
| • BP 5145.9 | Hate-Motivated Behavior |
| • BP 5148.3 | Preschool/Early Childhood |
| Education | |
| • BP 6115 | Ceremonies and Observances |
| • BP 6120 | Response to Instruction and |
| Intervention (NEW) | |
| • BP 6142.1 | Sexual health and HIV/AIDS |
| Prevention Instruction | |
| • BP 6142.5 | Environmental Education |

- BP 6142.8 Comprehensive Health Education
- BP 6143 Courses of Study
- BP 6146.1 High School Graduation Requirements
- BP 6158 Independent Study
- BP 6164.4 Identification and Evaluation of Individuals for Special Education
- BP 6164.41 Children with Disabilities Enrolled by their Parents in Private School
- BP 6164.5 Student Success teams
- BP 7210 Facilities Financing

Board Policies approved at the subcommittee meeting will be added to the Consent Calendar for approval by the Board of Education at a subsequent board meeting. Board Policies requiring further discussion prior to approval by the Board of Education will be included as a General Business item.

AUSD LCAP Goals: 1. Eliminate barriers to student success and maximize learning time.| 2a. Support all students in becoming college and career ready.| 2b. Support all English Learners (ELs) in becoming college and career ready.| 3. Support parent/guardian development as knowledgeable partners and effective advocates for student success.| 4. Ensure that all students have access to basic services.

Fiscal Analysis

Amount (Savings) (Cost): N/A

Recommendation: Approve as submitted.

AUSD Guiding Principle: #1 - All students have the ability to achieve academic and personal success.| #3 - Administrators must have the knowledge, leadership skills and ability to ensure student success.| #4 - Parental involvement and community engagement are integral to student success.| #5 - Accountability, transparency, and trust are necessary at all levels of the organization.

Submitted By: Kirsten Zazo, Assistant Superintendent of Educational Services

ATTACHMENTS:

Description	Upload Date	Type
□ CSBA Updates_3.3.22	2/24/2022	Backup Material

Policy 0420.42: Charter School Renewal

Status:
ADOPTED

~~Original Adopted Date: 11/27/2012 | Last Revised Date: 10/27/2020 | Last Reviewed Date: 10/27/2020~~

Philosophy, Goals, Objectives, and Comprehensive Plans

BP 0420.42(a)

CHARTER SCHOOL RENEWAL

The Governing Board believes that the ongoing operation of a charter school should be dependent on the school's effectiveness in achieving its mission and goals for student learning and other student outcomes. Whenever a charter school submits a petition for renewal of its charter, the Board shall review the petition thoroughly and in a timely manner, consistent with the timelines set out in the Education Code. The Board shall consider renewal petitions only of charters originally authorized by the Board itself or by the State Board of Education (SBE) on appeal after initial denial by the Board.

(cf. 0420.4 - Charter School Authorization)

(cf. 0420.41 - Charter School Oversight)

(cf. 0420.43 - Charter School Revocation)

(cf. 0500 - Accountability)

The Board shall deny the renewal petition of any charter school operated as or by a for-profit corporation, a for-profit educational management organization, or a for-profit charter management organization.-_____ (Education Code 47604)

When a charter school, concurrently with its renewal petition, proposes to expand operations to one or more additional sites or grade levels, the charter school shall request a material revision to its charter.- The material revision may be made only with the approval of the Board and in accordance with the standards and criteria in Education Code 47605 for material revisions.-_____ (Education Code 47607)

The Board recommends that a charter school submit its petition for renewal to the Board sufficiently early before the expiration of the term of the charter to allow the Board's deliberations and decision on the renewal petition to be completed with minimal disruption to the charter school's educational program in the renewal year.

The petition for renewal shall include a reasonably comprehensive description of how the charter school has met all new charter school requirements enacted into law after the charter was originally granted or last renewed.-_ (Education Code 47607; 5 CCR 11966.4)

Criteria for Granting or Denying Renewal

Renewals shall be governed by the same standards and criteria that apply to new charter petitions as set forth in Education Code 47605. However, a charter renewal shall not be denied based on the fiscal impact of the charter school on the district or a finding that the charter school is demonstrably unlikely to serve the interests of the entire community in which the school is located, as described in Education Code 47605. (Education Code 47607)

The signature requirement for charter authorization petitions is not applicable to petitions for renewal. (Education Code 47607)

; 5 CCR 11966.4)

BP 0420.42(b)

CHARTER SCHOOL RENEWAL (continued)

In determining whether to grant a charter renewal, the Board shall review both schoolwide performance and the performance of numerically significant student subgroups on the state and local indicators included in the California School Dashboard, giving greater weight to performance on measurements of academic performance. If the Dashboard indicators are not yet available for the most recently completed academic year before renewal, the Board shall consider verifiable data provided by the charter school related to the Dashboard indicators, such as data from the California Assessment of Student Performance and Progress, or any successor system, for the most recent academic year. The Board shall only consider data from sources adopted by SBE. (Education Code 47607)

, 47607.2)

Following the Board's review, a renewal of the charter petition may be granted in accordance with a three-tiered system based on school performance, as follows:

1. Renewal of Five to Seven Years

~~A renewal shall be granted for a period of five to seven years to a~~

4. a. A charter school that is not eligible for technical assistance pursuant to Education Code 47607.3 ~~and that~~ shall be granted renewal for a period of five

to seven years when, for two consecutive years immediately preceding the renewal, or for two of the most recent years for which state data is available preceding the renewal if the two consecutive years immediately preceding the renewal decision include the 2019-20 or 2020-21 school year, the charter school achieved either of the following:- (Education Code 47607)

~~a.~~ (1)Received the two highest performance levels schoolwide on all the state indicators included in the Dashboard for which the charter school receives performance levels
-, provided the charter school has schoolwide performance levels on at least two measurements of academic performance per year in each of the two years

~~b.~~ (2)For all measurements of academic performance, received performance levels schoolwide that are the same or higher than the state average and, for a majority of numerically significant student subgroups performing statewide below the state average in each respective year, received performance levels that are higher than the state average
-, provided that the charter school has performance levels on at least two measurements of academic performance for at least two subgroups

b. If the charter school satisfies the above criteria, it shall only be required to update the renewal petition to include a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed and, as necessary, to reflect the current program offered by the charter school. (Education Code 47607)

BP 0420.42(c)

CHARTER SCHOOL RENEWAL (continued)

~~2.~~ 2. _____ Renewal of Five Years

~~a.~~ a. A renewal shall be granted for five years if clear and convincing evidence, demonstrated by verified data, shows either of the following:- (Education Code 47607.2)

~~i.~~ (1)Measurable increases in academic achievement, as defined by at least one year's progress for each year in school

~~ii.~~ (2)Strong postsecondary outcomes, as defined by college enrollment, persistence, and completion rates equal to similar peers

- ~~b.~~ b. For any such charter school, the Board may deny the renewal petition only upon making written factual findings that the charter school failed to meet or make sufficient progress toward meeting standards that provide a benefit to students at the school, that the closure of the charter school is in the best interest of students, and that the Board's decision provided greater weight to performance on measurements of academic performance. – (Education Code 47607.2)
- ~~3.~~ 3. Denial ~~with Option for~~ Two-Year Renewal
- ~~a.~~ a. The Board shall generally not renew a charter if, for two consecutive years immediately preceding the renewal decision, or for two of the most recent years for which state data is available immediately preceding the renewal if the two consecutive years immediately preceding the renewal decision include the 2019-20 or 2020-21 school year, either of the following applies: – (Education Code 47607.2)
- ~~i.~~ i. (1)The charter school has received the two lowest performance levels schoolwide on all the state indicators included in the Dashboard for which it receives performance levels;
–, provided the charter school has schoolwide performance levels on at least two measurements of academic performance per year in each of the two years
- ~~ii.~~ ii. (2)For all measurements of academic performance, the charter school has received performance levels schoolwide that are the same or lower than the state average and, for a majority of numerically significant student subgroups performing statewide below the state average in each respective year, received performance levels that are lower than the state average;
–, provided that the charter school has performance levels on at least two measurements of academic performance for at least two subgroups
BP 0420.42(d)

CHARTER SCHOOL RENEWAL (continued)

- ~~b.~~ b. However, the Board may grant a two-year renewal to any such charter school if the Board makes written factual findings, setting forth specific facts to support the findings, that:
– (Education Code 47607.2)
- ~~i.~~ i. (1)The charter school is taking meaningful steps to address the underlying cause(s) of low performance, and those steps are reflected,

or will be reflected, in a written plan adopted by the governing body of the charter school.

- ii. (2) There is clear and convincing evidence, demonstrated by verified data, showing achievement of the criteria specified in item #2a above

In addition to all the grounds stated above for denial of a charter renewal, the Board may deny renewal of a charter upon a finding that the school is demonstrably unlikely to successfully implement the program set forth in the petition due to substantial fiscal or governance factors or a finding that the school is not serving all students who wish to attend. When denying a charter renewal for either of these reasons, the Board shall provide the charter school at least 30 days' notice of the alleged violation and a reasonable opportunity to cure the violation, including the submission of a proposed corrective action plan. The Board may deny the renewal ~~shall be denied if the Board finds~~ for these reasons only upon a finding that either ~~that~~ the corrective action proposed by the charter school has been unsuccessful or that the violations are sufficiently severe and pervasive as to render a corrective action plan unviable. -Any finding that a school is not serving all students who wish to attend shall specifically identify the evidence supporting the finding. -_____ (Education Code 47607)

A charter school that ~~is eligible~~ qualifies for the state's Dashboard Alternative School Status shall not be subject to any of the above criteria. Instead, in determining whether to grant a charter renewal for such a charter school, the Board shall consider, in addition to the charter school's performance on the state and local indicators included in the Dashboard, the charter school's performance on alternative metrics applicable to the charter school based on the student population served. The Board shall meet with the charter school during the first year of the charter school's term to mutually agree to discuss alternative metrics to be considered and shall notify the charter school of the alternative metrics to be used within 30 days of this meeting. The Board may deny a charter renewal only upon making written findings, setting forth specific facts to support the findings, that the closure of the charter school is in the best interest of students. -_____ (Education Code 47607)

Timelines for Board Action

Within 60 days of receiving the renewal petition, the Board shall hold a public hearing to review documentation submitted by the charter school, determine the level of support for the

BP 0420.42(e)

CHARTER SCHOOL RENEWAL (continued)

petition, and obtain public input. A petition is deemed received on the day the petitioner submits a petition to the district office, along with a signed certification that the petitioner deems the petition to be complete.-____ (Education Code 47605)

The Board shall either grant or deny the charter renewal within 90 days of receiving the petition,~~or within 120. The date may be extended by an additional 30 days with the consent of if~~ both the petitioner and the Board- agree to the extension. (Education Code 47605)

At least 15 days before the public hearing at which the Board will grant or deny the charter petition, the Board shall publish all staff recommendations and recommended findings regarding the petition.- During the public hearing, petitioners shall have equal time and opportunity to present evidence and testimony to respond to the staff recommendations and findings.-_____ (Education Code 47605)

If the Board fails to make a written factual finding when required for denial of the petition pursuant to the section "Criteria for Granting or Denying Renewal" above within the required time period, the absence of a written factual finding shall be deemed an approval of the renewal petition.-_____(5)_____~~CCR~~_____~~11966.4)~~

The Superintendent or designee shall provide notification to ~~CDE~~the California Department of Education, within 10 calendar days of the Board's action, whenever a renewal of the charter is granted or denied.-____ (Education Code 47604.32; 5 CCR 11962.1)

If the Board denies a renewal petition, the charter school may submit its application for renewal to the County Board of Education within 30 days of the Board's written factual findings supporting the denial.-_____ (Education Code 47605, 47607.5)

School

Closure

If a charter is not renewed and the charter school ceases operation,~~the Board and/or the charter school shall implement~~ the school closure procedures specified in the charter in accordance with Education Code 47605 and 5 CCR 11962- shall be implemented. (Education Code ~~47603~~47604.32, 47605)

Policy

Legal Reference-Disclaimer: (see next page)

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 11960-11969

Ed. Code 47600-47616.7

Ed. Code 52052

Ed. Code 56145-56146

Ed. Code 60600-60649

Federal

20 USC 7223-7225

Management Resources

CSBA Publication

CSBA Publication

Website

Website

Website

Website

Website

Description

Charter schools

Charter Schools Act of 1992

Accountability; numerically significant student subgroups

Special education services in charter schools

Assessment of academic achievement

Description

Charter schools

Description

Charter Schools: A Guide for Governance Teams, rev. 2016

The Role of the Charter School Authorizer, Online Course

National Association of Charter School Authorizers

California Charter Schools Association

California Department of Education, Charter Schools

CSBA

U.S. Department of Education

Cross References

Code

0420.4

0420.4

0420.41

0420.41 E(1)

0420.43

0500

6162.51

6162.51

Description

Charter School Authorization

Charter School Authorization

Charter School Oversight

Charter School Oversight

Charter School Revocation

Accountability

State Academic Achievement Tests

State Academic Achievement Tests

BP 0420.42(f)

CHARTER SCHOOL RENEWAL (continued)

Legal Reference:

EDUCATION CODE

47600-47616.7 Charter Schools Act of 1992

52052 Definition of numerically significant student subgroup
56145-56146 Special education services in charter schools
60600-60649 Assessment of academic achievement
CODE OF REGULATIONS, TITLE 5
11962-11962.1 Definitions
11966.4 Submission of charter renewal petition
11966.5 Charter petitions that have not been renewed; submission to county board of education
UNITED STATES CODE, TITLE 20
7221-7221j Expanding opportunity through quality charter schools

Management Resources:

CSBA PUBLICATIONS

Charter Schools: A Guide for Governance Teams, rev. June 2021

WEB SITES

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

California Charter Authorizing Professionals: <https://calauthorizers.org>

California Charter Schools Association: <https://www.ccsa.org>

California Department of Education, Charter Schools: <http://www.cde.ca.gov/sp/ch>

National Association of Charter School Authorizers: <https://www.qualitycharters.org>

U.S. Department of Education: <http://www.ed.gov>

Policy
adopted:

CSBA POLICY MANUAL UPDATE
December 2021

CHARTER SCHOOL RENEWAL

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(cf. 0420.4 - Charter School Authorization)

(cf. 0420.41 - Charter School Oversight)

(cf. 0420.43 - Charter School Revocation)

(cf. 0500 - Accountability)

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When a charter school, concurrently with its renewal petition, proposes to expand operations to one or more additional sites or grade levels, the charter school shall request a material revision to its charter. The material revision may be made only with the approval of the Board and in accordance with the standards and criteria in Education Code 47605 for material revisions. (Education Code 47607)

The Board recommends that a charter school submit its petition for renewal to the Board sufficiently early before the expiration of the term of the charter to allow the Board's deliberations and decision on the renewal petition to be completed with minimal disruption to the charter school's educational program in the renewal year.

The petition for renewal shall include a reasonably comprehensive description of how the charter school has met all new charter school requirements enacted into law after the charter was originally granted or last renewed. (Education Code 47607; 5 CCR 11966.4)

Criteria for Granting or Denying Renewal

Renewals shall be governed by the same standards and criteria that apply to new charter petitions as set forth in Education Code 47605. However, a charter renewal shall not be denied based on the fiscal impact of the charter school on the district or a finding that the charter school is demonstrably unlikely to serve the interests of the entire community in which the school is located, as described in Education Code 47605. (Education Code 47607)

The signature requirement for charter authorization petitions is not applicable to petitions for renewal. (Education Code 47607; 5 CCR 11966.4)

In determining whether to grant a charter renewal, the Board shall review both schoolwide performance and the performance of numerically significant student subgroups on the state and local indicators included in the California School Dashboard, giving greater weight to performance on measurements of academic performance. If the Dashboard indicators are not yet available for the most recently completed academic year before renewal, the Board shall consider verifiable data provided by the charter school related to the Dashboard indicators, such as data from the California Assessment of Student Performance and Progress, or any successor system, for the most recent academic year. The Board shall only consider data from sources adopted by SBE. (Education Code 47607, 47607.2)

Following the Board's review, a renewal of the charter petition may be granted in accordance with a three-tiered system based on school performance, as follows:

1. Renewal of Five to Seven Years

- a. A charter school that is not eligible for technical assistance pursuant to Education Code 47607.3 shall be granted renewal for a period of five to seven years when, for two consecutive years immediately preceding the renewal, or for two of the most recent years for which state data is available preceding the renewal if the two consecutive years immediately preceding the renewal decision include the 2019-20 or 2020-21 school year, the charter school achieved either of the following: (Education Code 47607)
 - (1) Received the two highest performance levels schoolwide on all the state indicators included in the Dashboard for which the charter school receives performance levels, provided the charter school has schoolwide performance levels on at least two measurements of academic performance per year in each of the two years
 - (2) For all measurements of academic performance, received performance levels schoolwide that are the same or higher than the state average and, for a majority of numerically significant student subgroups performing statewide below the state average in each respective year, received performance levels that are higher than the state average, provided that the charter school has performance levels on at least two measurements of academic performance for at least two subgroups
- b. If the charter school satisfies the above criteria, it shall only be required to update the renewal petition to include a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed and, as necessary, to reflect the current program offered by the charter school. (Education Code 47607)

2. Renewal of Five Years

- a. A renewal shall be granted for five years if clear and convincing evidence, demonstrated by verified data, shows either of the following: (Education Code 47607.2)

- (1) Measurable increases in academic achievement, as defined by at least one year's progress for each year in school
 - (2) Strong postsecondary outcomes, as defined by college enrollment, persistence, and completion rates equal to similar peers
 - b. For any such charter school, the Board may deny the renewal petition only upon making written factual findings that the charter school failed to meet or make sufficient progress toward meeting standards that provide a benefit to students at the school, that the closure of the charter school is in the best interest of students, and that the Board's decision provided greater weight to performance on measurements of academic performance. (Education Code 47607.2)
3. Denial/Two-Year Renewal
- a. The Board shall generally not renew a charter if, for two consecutive years immediately preceding the renewal decision, or for two of the most recent years for which state data is available immediately preceding the renewal if the two consecutive years immediately preceding the renewal decision include the 2019-20 or 2020-21 school year, either of the following applies: (Education Code 47607.2)
 - (1) The charter school has received the two lowest performance levels schoolwide on all the state indicators included in the Dashboard for which it receives performance levels, provided the charter school has schoolwide performance levels on at least two measurements of academic performance per year in each of the two years
 - (2) For all measurements of academic performance, the charter school has received performance levels schoolwide that are the same or lower than the state average and, for a majority of numerically significant student subgroups performing statewide below the state average in each respective year, received performance levels that are lower than the state average, provided that the charter school has performance levels on at least two measurements of academic performance for at least two subgroups
 - b. However, the Board may grant a two-year renewal to any such charter school if the Board makes written factual findings, setting forth specific facts to support the findings, that: (Education Code 47607.2)
 - (1) The charter school is taking meaningful steps to address the underlying cause(s) of low performance, and those steps are reflected, or will be reflected, in a written plan adopted by the governing body of the charter school.
 - (2) There is clear and convincing evidence, demonstrated by verified data, showing achievement of the criteria specified in item #2a above

In addition to all the grounds stated above for denial of a charter renewal, the Board may deny renewal of a charter upon a finding that the school is demonstrably unlikely to successfully implement the program set forth in the petition due to substantial fiscal or governance factors or a finding that the school is not serving all students who wish to attend. When denying a charter renewal for either of these reasons, the Board shall provide the charter school at least 30 days' notice of the alleged violation and a reasonable opportunity to cure the violation, including the submission of a proposed corrective action plan. The Board may deny the renewal for these reasons only upon a finding that either the corrective action proposed by the charter school has been unsuccessful or that the violations are sufficiently severe and pervasive as to render a corrective action plan unviable. Any finding that a school is not serving all students who wish to attend shall specifically identify the evidence supporting the finding. (Education Code 47607)

A charter school that qualifies for the state's Dashboard Alternative School Status shall not be subject to any of the above criteria. Instead, in determining whether to grant a charter renewal for such a charter school, the Board shall consider, in addition to the charter school's performance on the state and local indicators included in the Dashboard, the charter school's performance on alternative metrics applicable to the charter school based on the student population served. The Board shall meet with the charter school during the first year of the charter school's term to mutually agree to discuss alternative metrics to be considered and shall notify the charter school of the alternative metrics to be used within 30 days of this meeting. The Board may deny a charter renewal only upon making written findings, setting forth specific facts to support the findings, that the closure of the charter school is in the best interest of students. (Education Code 47607)

Timelines for Board Action

Within 60 days of receiving the renewal petition, the Board shall hold a public hearing to review documentation submitted by the charter school, determine the level of support for the petition, and obtain public input. A petition is deemed received on the day the petitioner submits a petition to the district office, along with a signed certification that the petitioner deems the petition to be complete. (Education Code 47605)

The Board shall either grant or deny the charter renewal within 90 days of receiving the petition. The date may be extended by an additional 30 days if both the petitioner and the Board agree to the extension. (Education Code 47605)

At least 15 days before the public hearing at which the Board will grant or deny the charter petition, the Board shall publish all staff recommendations and recommended findings regarding the petition. During the public hearing, petitioners shall have equal time and opportunity to present evidence and testimony to respond to the staff recommendations and findings. (Education Code 47605)

If the Board fails to make a written factual finding when required for denial of the petition pursuant to the section "Criteria for Granting or Denying Renewal" above within the required time period, the absence of a written factual finding shall be deemed an approval of the renewal petition.

The Superintendent or designee shall provide notification to the California Department of Education, within 10 calendar days of the Board's action, whenever a renewal of the charter is granted or denied. (Education Code 47604.32; 5 CCR 11962.1)

If the Board denies a renewal petition, the charter school may submit its application for renewal to the County Board of Education within 30 days of the Board's written factual findings supporting the denial. (Education Code 47605, 47607.5)

School Closure

If a charter is not renewed and the charter school ceases operation, the school closure procedures specified in the charter in accordance with Education Code 47605 and 5 CCR 11962 shall be implemented. (Education Code 47604.32, 47605)

Legal Reference:

EDUCATION CODE

47600-47616.7 *Charter Schools Act of 1992*

52052 *Definition of numerically significant student subgroup*

56145-56146 *Special education services in charter schools*

60600-60649 *Assessment of academic achievement*

CODE OF REGULATIONS, TITLE 5

11962-11962.1 *Definitions*

11966.4 *Submission of charter renewal petition*

11966.5 *Charter petitions that have not been renewed; submission to county board of education*

UNITED STATES CODE, TITLE 20

7221-7221j *Expanding opportunity through quality charter schools*

Management Resources:

CSBA PUBLICATIONS

Charter Schools: A Guide for Governance Teams, rev. June 2021

WEB SITES

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

California Charter Authorizing Professionals: <https://calauthorizers.org>

California Charter Schools Association: <https://www.ccsa.org>

California Department of Education, Charter Schools: <http://www.cde.ca.gov/sp/ch>

National Association of Charter School Authorizers: <https://www.qualitycharters.org>

U.S. Department of Education: <http://www.ed.gov>

Policy ALAMEDA UNIFIED SCHOOL DISTRICT

adopted: November 27, 2012 Alameda, California

revised: December 13, 2018

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revised:

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Community Relations

BP 1312.3(a)

UNIFORM COMPLAINT PROCEDURES

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)

(cf. 5146 - Married/Pregnant/Parenting Students)

2. 2. Adult education programs- (Education Code 8500-8538, 52334.7, 52500-52617)

(cf. 6200 - Adult Education)

3. After School Education and Safety programs- (Education Code 8482-8484.65)

(cf. 5148.2 - Before/After School Programs)

4. 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)

(cf. 6178 - Career Technical Education)

(cf. 6178.1 - Work-Based Learning)

- ~~6.~~ 6. _____ Child care and development programs- (Education Code 8200-~~8498~~-8488)

(cf. 5148 - Child Care and Development)

- ~~7.~~ 7. _____ Compensatory education- (Education Code 54400)
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(cf. 6171 - Title I Programs)

- ~~8.~~ 8. Consolidated categorical aid programs- (Education Code 33315; 34 CFR 299.10-299.12)
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BP 1312.3(b)

UNIFORM COMPLAINT PROCEDURES (continued)

- ~~9.~~ 9. Course periods without educational content, ~~when students in grades 9-12 are assigned to such courses more than one week in any semester or in a course the student has previously satisfactorily completed, unless specified conditions are met~~ (Education Code 51228.1-51228.3)
-

(cf. 6152 - Class Assignment)

- ~~10.~~ 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 ~~the~~ 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)
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(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.71 - Title IX Sexual Harassment Complaint Procedures)

- ~~11.~~ 11. Educational and graduation requirements for students in foster care, homeless students, students from military families, and students formerly in a juvenile court school, ~~migrant students, and immigrant students participating in a newcomer program~~ (Education Code 48645.7, 48853, 48853.5, 49069.5, 51225.1, 51225.2)

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

(cf. 6173.2 - Education of Children of Military Families)

(cf. 6173.3 - Education for Juvenile Court School Students)

- ~~12.~~ 12. Every Student Succeeds Act- (Education Code 52059.5; 20 USC 6301 et seq.)

- ~~13.~~ 13. Local control and accountability plan- (Education Code 52075)

(cf. 0460 - Local Control and Accountability Plan)

- ~~14.~~ 14. Migrant education- (Education Code 54440-54445)

(cf. 6175 - Migrant Education Program)

- ~~15.~~ 15. Physical education instructional minutes- (Education Code 51210, 51222, 51223)

(cf. 6142.7 - Physical Education and Activity)

BP 1312.3(c)

UNIFORM COMPLAINT PROCEDURES (continued)

- ~~16.~~ 16. Student fees- (Education Code 49010-49013)

(cf. 3260 - Fees and Charges)

- ~~17.~~ 17. Reasonable accommodations to a lactating student- (Education Code 222)

- ~~18.~~ 18. Regional occupational centers and programs- (Education Code 52300-52334.7)

(cf. 6178.2 - Regional Occupational Center/Program)

- ~~19.~~ 19. School plans for student achievement as required for the consolidated application for specified federal and/or state categorical funding- (Education Code 64001)
-

(cf. 0420 - School Plans/Site Councils)

- ~~20.~~ 20. School safety plans- (Education Code 32280-32289)
-

(cf. 0450 - Comprehensive Safety Plan)

- ~~21.~~ 21. School site councils as required for the consolidated application for specified federal and/or state categorical funding- (Education Code 65000)
-

(cf. 0420 - School Plans/Site Councils)

- ~~22.~~ 22. State preschool programs- (Education Code ~~8235-8239.1~~
~~-8207-8225~~)

(cf. 5148.3 - Preschool/Early Childhood Education)

- ~~23.~~ 23. State preschool health and safety issues in license-exempt programs- (Education Code ~~8235.5~~
~~-8212~~)

- ~~24.~~ 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
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- ~~25.~~ 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

BP 1312.3(d)

UNIFORM COMPLAINT PROCEDURES (continued)

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.

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 5125 - Student Records)
(cf. 9011 - Disclosure of Confidential/Privileged Information)

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.

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

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.

(cf. 3580 - District Records)

Non-UCP

Complaints

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

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services Protective Services Division or the appropriate law

(cf. 5141.4 - Child Abuse Prevention and Reporting)

BP 1312.3(e)

UNIFORM COMPLAINT PROCEDURES (continued)

- ~~2.~~ 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)
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- ~~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.

- ~~3.~~ 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.
-

- ~~4.~~ 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)
-

(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)

- ~~5.~~ 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)
-

- ~~6.~~ 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

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7. ~~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)

Policy_____

BP 1312.3(f)

UNIFORM COMPLAINT PROCEDURES (continued)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

Legal 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

2-CCR 11023

5-CCR 15580-15584

5-CCR 3200-3205

5-CCR 4600-4670

5-CCR 4680-4687

5-CCR 4690-4694

5-CCR 4900-4965

Ed. Code 200-262.4

Ed. Code 18100-18203

Ed. Code 32221.5

Ed. Code 32280-32289

Ed. Code 35186

Ed. Code 46015

Ed. Code 48853-48853.5

Ed. Code 48985

Ed. Code 49010-49014

Ed. code 49060-49079

Ed. Code 49069.5

Ed. Code 49490-49590

Ed. Code 49701

Ed. Code 51210

Ed. Code 51222

Description

Harassment and discrimination prevention and correction

Child nutrition programs complaint procedures

Special education compliance complaints

Uniform complaint procedures

Williams uniform complaint procedures

Complaints regarding health and safety issues in license-exempt preschool programs

Nondiscrimination in elementary and secondary education programs

Educational equity; prohibition of discrimination on the basis of sex

School libraries

Insurance for athletic team members

School safety plans

Williams uniform complaint procedures

Parental leave for students

Foster youth

Notices in language other than English

Student fees

Student records

Records of foster youth

Child nutrition programs

Interstate Compact on Educational Opportunity for Military Children

Courses of study grades 1-6

Physical education

Ed. Code 51223	Physical education, elementary schools
Ed. Code 51225.1-51225.2	Foster youth, homeless children, former juvenile court school students; course credits; graduation requirements
Ed. Code 51226-51226.1	Career technical education
Ed. Code 51228.1-51228.3	Course periods without educational content
Ed. Code 52059.5	Statewide system of support
Ed. Code 52060-52077	Local control and accountability plan
Ed. Code 52075	Complaint for lack of compliance with local control and accountability plan requirements
Ed. Code 52300-52462	Career technical education
Ed. Code 52500-52616.24	Adult schools
Ed. Code 54400-54425	Compensatory education programs
Ed. Code 54440-54445	Migrant education
Ed. Code 54460-54529	Compensatory education programs
Ed. Code 59000-59300	Special schools and centers
Ed. Code 64000-64001	Consolidated application process; school plan for student achievement
Ed. Code 65000-65001	School site councils
Ed. Code 8200-8498	Child care and development programs
Ed. Code 8500-8538	Adult basic education
Gov. Code 11135	Nondiscrimination in programs or activities funded by state
Gov. Code 11135	<u>Discrimination</u>
Gov. Code 12900-12996	Fair Employment and Housing Act
H&S Code 1596.792	California Child Day Care Act; general provisions and definitions
H&S Code 1596.7925	California Child Day Care Act; health and safety regulations
Pen. Code 422.55	Definition of hate crime
Pen. Code 422.6	Civil rights; crimes
Federal	Description
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
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	Designation of responsible employee for Section 504
34 CFR 106.1-106.82	Nondiscrimination on the basis of sex in education programs
34 CFR 106.8	Designation of responsible employee for Title IX
34 CFR 106.9	Notification of nondiscrimination on basis of sex
34 CFR 110.25	Notification of nondiscrimination on the basis of age
34 CFR 99.1-99.67	Family Educational Rights and Privacy Act
42 USC 11431-11435	McKinney-Vento Homeless Assistance Act
42 USC 12101-12213	Title II equal opportunity for individuals with disabilities
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
California Department of Education Publication	Uniform Complaint Procedure 2020-21 Program Instrument
California Department of Education Publication	Sample UCP Board Policies and Procedures
U.S. DOE, Office For Civil Rights Publication	Dear Colleague Letter, September 22, 2017
U.S. DOE, Office For Civil Rights Publication	Dear Colleague Letter: Title IX Coordinators, April 2015
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Harassment and Bullying, October 2010
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014
U.S. DOE, Office for Civil Rights Publication	Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001
U.S. DOJ Publication	Guidance to Federal Financial Assistance Recipients Regarding Title VI, 2002
Website	U.S. Department of Justice
Website	California Department of Education
Website	CSBA
Website	U.S. Department of Education, Office for Civil Rights

Cross References

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

1312.1	<u>Complaints Concerning District Employees</u>
1312.2	<u>Complaints Concerning Instructional Materials</u>
1312.2	<u>Complaints Concerning Instructional Materials</u>
1312.2-E(1)	<u>Complaints Concerning Instructional Materials</u>
1312.4	<u>Williams Uniform Complaint Procedures</u>
1312.4-E(1)	<u>Williams Uniform Complaint Procedures</u>
3260	<u>Fees And Charges</u>
3260	<u>Fees And Charges</u>
3580	<u>District Records</u>
3580	<u>District Records</u>
4030	<u>Nondiscrimination In Employment</u>
4030	<u>Nondiscrimination In Employment</u>
4112.23	<u>Special Education Staff</u>
4112.9	<u>Employee Notifications</u>
4112.9	<u>Employee Notifications</u>
4112.9-E(1)	<u>Employee Notifications</u>
4118	<u>Dismissal/Suspension/Disciplinary Action</u>
4118	<u>Dismissal/Suspension/Disciplinary Action</u>
4119.1	<u>Civil And Legal Rights</u>
4119.11	<u>Sexual Harassment</u>
4119.11	<u>Sexual Harassment</u>
4119.23	<u>Unauthorized Release Of Confidential/Privileged Information</u>
4212.9	<u>Employee Notifications</u>
4212.9	<u>Employee Notifications</u>
4212.9-E(1)	<u>Employee Notifications</u>
4218	<u>Dismissal/Suspension/Disciplinary Action</u>
4218	<u>Dismissal/Suspension/Disciplinary Action</u>
4219.1	<u>Civil And Legal Rights</u>
4219.11	<u>Sexual Harassment</u>
4219.11	<u>Sexual Harassment</u>
4219.23	<u>Unauthorized Release Of Confidential/Privileged Information</u>
4231	<u>Staff Development</u>
4231	<u>Staff Development</u>
4244	<u>Complaints</u>
4244	<u>Complaints</u>
4312.9	<u>Employee Notifications</u>
4312.9	<u>Employee Notifications</u>
4312.9-E(1)	<u>Employee Notifications</u>
4319.1	<u>Civil And Legal Rights</u>
4319.11	<u>Sexual Harassment</u>
4319.11	<u>Sexual Harassment</u>
4319.23	<u>Unauthorized Release Of Confidential/Privileged Information</u>
4331	<u>Staff Development</u>
4331	<u>Staff Development</u>
4344	<u>Complaints</u>
4344	<u>Complaints</u>
5116.1	<u>Intradistrict Open Enrollment</u>
5116.1	<u>Intradistrict Open Enrollment</u>
5117	<u>Interdistrict Attendance</u>

5117	<u>Interdistrict Attendance</u>
5125	<u>Student Records</u>
5125	<u>Student Records</u>
5131.62	<u>Tobacco</u>
5131.62	<u>Tobacco</u>
5137	<u>Positive School Climate</u>
5141.4	<u>Child Abuse Prevention And Reporting</u>
5144	<u>Discipline</u>
5144	<u>Discipline</u>
5144.1	<u>Suspension And Expulsion/Due Process</u>
5144.1	<u>Suspension And Expulsion/Due Process</u>
5145.3	<u>Nondiscrimination/Harassment</u>
5145.3	<u>Nondiscrimination/Harassment</u>
5145.6	<u>Parental Notifications</u>
5145.6 E(1)	<u>Parental Notifications</u>
5145.7	<u>Sexual Harassment</u>
5145.7	<u>Sexual Harassment</u>
5145.71	<u>Title IX Sexual Harassment Complaint Procedures</u>
5145.71 E(1)	<u>Title IX Sexual Harassment Complaint Procedures</u>
5146	<u>Married/Pregnant/Parenting Students</u>
5146	<u>Married/Pregnant/Parenting Students</u>
5148	<u>Child Care And Development</u>
5148	<u>Child Care And Development</u>
5148.2	<u>Before/After School Programs</u>
5148.2	<u>Before/After School Programs</u>
5148.3	<u>Preschool/Early Childhood Education</u>
5148.3	<u>Preschool/Early Childhood Education</u>
6142.1	<u>Sexual Health And HIV/AIDS Prevention Instruction</u>
6142.1	<u>Sexual Health And HIV/AIDS Prevention Instruction</u>
6142.7	<u>Physical Education And Activity</u>
6142.7	<u>Physical Education And Activity</u>
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6159.1	<u>Procedural Safeguards And Complaints For Special Education</u>
6159.1	<u>Procedural Safeguards And Complaints For Special Education</u>
6159.2	<u>Nonpublic, Nonsectarian School And Agency Services For Special Education</u>
6159.2	<u>Nonpublic, Nonsectarian School And Agency Services For Special Education</u>
6159.3	<u>Appointment Of Surrogate Parent For Special Education Students</u>

6159.3	<u>Appointment Of Surrogate Parent For Special Education Students</u>
6164.4	<u>Identification And Evaluation Of Individuals For Special Education</u>
6164.4	<u>Identification And Evaluation Of Individuals For Special Education</u>
6171	<u>Title I Programs</u>
6171	<u>Title I Programs</u>
6173	<u>Education For Homeless Children</u>
6173	<u>Education For Homeless Children</u>
6173-E(1)	<u>Education For Homeless Children</u>
6173.1	<u>Education For Foster Youth</u>
6173.1	<u>Education For Foster Youth</u>
6173.2	<u>Education Of Children Of Military Families</u>
6175	<u>Migrant Education Program</u>
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6178	<u>Career Technical Education</u>
6178	<u>Career Technical Education</u>
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6200	<u>Adult Education</u>
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6200-E(1)	<u>Adult Education</u>
9000	<u>Role Of The Board</u>
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9321	<u>Closed Session</u>
9322	<u>Agenda/Meeting Materials</u>

EDUCATION CODE

200-262.4 Prohibition of discrimination

8200-8488 Child care and development programs

8500-8538 Adult basic education

18100-18203 School libraries

32280-32289.5 School safety plan, uniform complaint procedures

35186 Williams uniform complaint procedures

46015 Parental leave for students

48645.7 Juvenile court schools

48853-48853.5 Foster youth

48985 Notices in language other than English

49010-49014 Student fees

49060-49079 Student records, especially:

49069.5 Records of foster youth

49490-49590 Child nutrition programs

49701 Interstate Compact on Educational Opportunity for Military Children

51210 Courses of study grades 1-6

51222 Physical education, secondary schools

51223 Physical education, elementary schools

51225.1-51225.2 Foster youth, homeless children, former juvenile court school students, military-connected students, migrant students, and newly arrived immigrant students; course credits; graduation requirements

51226-51226.1 Career technical education
51228.1-51228.3 Course periods without educational content
52059.5 Statewide system of support
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52075 Complaint for lack of compliance with local control and accountability plan requirements
52300-52462 Career technical education
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54460-54529 Compensatory education programs
59000-59300 Special schools and centers
64000-64001 Consolidated application process; school plan for student achievement
65000-65001 School site councils
GOVERNMENT CODE
11135 Nondiscrimination in programs or activities funded by state
12900-12996 Fair Employment and Housing Act

Legal Reference continued: (see next page)

BP 1312.3(g)

UNIFORM COMPLAINT PROCEDURES (continued)

Legal Reference: (continued)

HEALTH AND SAFETY CODE
1596.792 California Child Day Care Act; general provisions and definitions
1596.7925 California Child Day Care Act; health and safety regulations
PENAL CODE
422.55 Hate crime; definition
422.6 Interference with constitutional right or privilege
CODE OF REGULATIONS, TITLE 2
11023 Harassment and discrimination prevention and correction
CODE OF REGULATIONS, TITLE 5
3200-3205 Special education compliance complaints
4600-4670 Uniform complaint procedures
4680-4687 Williams uniform complaint procedures
4690-4694 Complaints regarding health and safety issues in license-exempt preschool programs
4900-4965 Nondiscrimination in elementary and secondary education programs
15580-15584 Child nutrition programs complaint procedures
UNITED STATES CODE, TITLE 20
1221 Application of laws
1232g Family Educational Rights and Privacy Act
1681-1688 Title IX of the Education Amendments of 1972
6301-6576 Title I Improving the academic achievement of the disadvantaged
6801-7014 Title III language instruction for English Learners and immigrant students
UNITED STATES CODE, TITLE 29
794 Section 504 of Rehabilitation Act of 1973
UNITED STATES CODE, TITLE 42
2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended
2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964

6101-6107 Age Discrimination Act of 1975
11431-11435 McKinney-Vento Homeless Assistance Act
12101-12213 Title II equal opportunity for individuals with disabilities
CODE OF FEDERAL REGULATIONS, TITLE 28
35.107 Nondiscrimination on basis of disability; complaints
CODE OF FEDERAL REGULATIONS, TITLE 34
99.1-99.67 Family Educational Rights and Privacy Act
100.3 Prohibition of discrimination on basis of race, color or national origin
104.7 Designation of responsible employee for Section 504
106.1-106.82 Nondiscrimination on the basis of sex in education programs, especially:
106.8 Designation of responsible employee and adoption of grievance procedures
106.30 Definitions
106.44 Response to notice of sexual harassment
106.45 Titles IX sexual harassment complaint procedures
110.25 Notification of nondiscrimination on the basis of age

Management Resources: (see next page)

BP 1312.3(h)

UNIFORM COMPLAINT PROCEDURES (continued)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Sample UCP Board Policies and Procedures
Uniform Complaint Procedure 2021-22 Program Instrument
U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS
Questions and Answers on the Title IX Regulations on Sexual Harassment, July 2021
Part I: Questions and Answers Regarding the Department's Title IX Regulations, January 2021
Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014
U.S. DEPARTMENT OF JUSTICE PUBLICATIONS
Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 2007
WEB SITES
CSBA: <http://www.csba.org>
California Department of Education: <http://www.cde.ca.gov>
California Department of Fair Employment and Housing: <https://www.dfeh.ca.gov>
California Department of Social Services: <https://www.cdss.ca.gov>
Student Privacy Policy Office: <http://www2.ed.gov/about/offices/list/opepd/sppo>
U.S. Department of Agriculture: <https://www.usda.gov>
U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/ocr>
U.S. Department of Justice: <http://www.justice.gov>

Policy	CSBA POLICY MANUAL UPDATE
adopted:	December 2021

UNIFORM COMPLAINT PROCEDURES

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)

(cf. 5146 - Married/Pregnant/Parenting Students)

2. Adult education programs (Education Code 8500-8538, 52334.7, 52500-52617)

(cf. 6200 - Adult Education)

3. After School Education and Safety programs (Education Code 8482-8484.65)

(cf. 5148.2 - Before/After School Programs)

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)

(cf. 6178 - Career Technical Education)

(cf. 6178.1 - Work-Based Learning)

6. Child care and development programs (Education Code 8200-8488)

(cf. 5148 - Child Care and Development)

7. Compensatory education (Education Code 54400)

(cf. 6171 - Title I Programs)

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)

(cf. 6152 - Class Assignment)

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)

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

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.71 - Title IX Sexual Harassment Complaint Procedures)

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)

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

(cf. 6173.2 - Education of Children of Military Families)

(cf. 6173.3 - Education for Juvenile Court School Students)

12. Every Student Succeeds Act (Education Code 52059.5; 20 USC 6301 et seq.)

13. Local control and accountability plan (Education Code 52075)

(cf. 0460 - Local Control and Accountability Plan)

14. Migrant education (Education Code 54440-54445)

(cf. 6175 - Migrant Education Program)

15. Physical education instructional minutes (Education Code 51210, 51222, 51223)

(cf. 6142.7 - Physical Education and Activity)

16. Student fees (Education Code 49010-49013)

(cf. 3260 - Fees and Charges)

17. Reasonable accommodations to a lactating student (Education Code 222)

18. Regional occupational centers and programs (Education Code 52300-52334.7)

(cf. 6178.2 - Regional Occupational Center/Program)

19. School plans for student achievement as required for the consolidated application for specified federal and/or state categorical funding (Education Code 64001)

(cf. 0420 - School Plans/Site Councils)

20. School safety plans (Education Code 32280-32289)

(cf. 0450 - Comprehensive Safety Plan)

21. School site councils as required for the consolidated application for specified federal and/or state categorical funding (Education Code 65000)

(cf. 0420 - School Plans/Site Councils)

22. State preschool programs (Education Code 8207-8225)

(cf. 5148.3 - Preschool/Early Childhood Education)

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.

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)

(cf. 5125 - Student Records)

(cf. 9011 - Disclosure of Confidential/Privileged Information)

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.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

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.

(cf. 3580 - District Records)

Non-UCP Complaints

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

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services Protective Services Division or the appropriate law enforcement agency. (5 CCR 4611)

(cf. 5141.4 - Child Abuse Prevention and Reporting)

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)

(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)

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)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination
 8200-8488 Child care and development programs
 8500-8538 Adult basic education
 18100-18203 School libraries
 32280-32289.5 School safety plan, uniform complaint procedures
 35186 Williams uniform complaint procedures
 46015 Parental leave for students
 48645.7 Juvenile court schools
 48853-48853.5 Foster youth
 48985 Notices in language other than English
 49010-49014 Student fees
 49060-49079 Student records, especially:
 49069.5 Records of foster youth
 49490-49590 Child nutrition programs
 49701 Interstate Compact on Educational Opportunity for Military Children
 51210 Courses of study grades 1-6
 51222 Physical education, secondary schools
 51223 Physical education, elementary schools
 51225.1-51225.2 Foster youth, homeless children, former juvenile court school students, military-connected students, migrant students, and newly arrived immigrant students; course credits; graduation requirements
 51226-51226.1 Career technical education
 51228.1-51228.3 Course periods without educational content
 52059.5 Statewide system of support
 52060-52077 Local control and accountability plan, especially:
 52075 Complaint for lack of compliance with local control and accountability plan requirements
 52300-52462 Career technical education
 52500-52617 Adult schools
 54400-54425 Compensatory education programs
 54440-54445 Migrant education
 54460-54529 Compensatory education programs
 59000-59300 Special schools and centers

64000-64001 Consolidated application process; school plan for student achievement
65000-65001 School site councils
GOVERNMENT CODE
11135 Nondiscrimination in programs or activities funded by state
12900-12996 Fair Employment and Housing Act
HEALTH AND SAFETY CODE
1596.792 California Child Day Care Act; general provisions and definitions
1596.7925 California Child Day Care Act; health and safety regulations
PENAL CODE
422.55 Hate crime; definition
422.6 Interference with constitutional right or privilege
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CODE OF REGULATIONS, TITLE 5
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4690-4694 Complaints regarding health and safety issues in license-exempt preschool programs
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UNITED STATES CODE, TITLE 20
1221 Application of laws
1232g Family Educational Rights and Privacy Act
1681-1688 Title IX of the Education Amendments of 1972
6301-6576 Title I Improving the academic achievement of the disadvantaged
6801-7014 Title III language instruction for English Learners and immigrant students
UNITED STATES CODE, TITLE 29
794 Section 504 of Rehabilitation Act of 1973
UNITED STATES CODE, TITLE 42
2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended
2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964
6101-6107 Age Discrimination Act of 1975
11431-11435 McKinney-Vento Homeless Assistance Act
12101-12213 Title II equal opportunity for individuals with disabilities
CODE OF FEDERAL REGULATIONS, TITLE 28
35.107 Nondiscrimination on basis of disability; complaints
CODE OF FEDERAL REGULATIONS, TITLE 34
99.1-99.67 Family Educational Rights and Privacy Act
100.3 Prohibition of discrimination on basis of race, color or national origin
104.7 Designation of responsible employee for Section 504
106.1-106.82 Nondiscrimination on the basis of sex in education programs, especially:
106.8 Designation of responsible employee and adoption of grievance procedures
106.30 Definitions
106.44 Response to notice of sexual harassment
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110.25 Notification of nondiscrimination on the basis of age

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Sample UCP Board Policies and Procedures
Uniform Complaint Procedure 2021-22 Program Instrument
U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS
Questions and Answers on the Title IX Regulations on Sexual Harassment, July 2021
Part 1: Questions and Answers Regarding the Department's Title IX Regulations, January 2021
Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014
U.S. DEPARTMENT OF JUSTICE PUBLICATIONS

Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 2007

WEB SITES

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

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

California Department of Fair Employment and Housing: <https://www.dfeh.ca.gov>

California Department of Social Services: <https://www.cdss.ca.gov>

Student Privacy Policy Office: <http://www2.ed.gov/about/offices/list/oepd/sppo>

U.S. Department of Agriculture: <https://www.usda.gov>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/ocr>

U.S. Department of Justice: <http://www.justice.gov>

Policy ALAMEDA UNIFIED SCHOOL DISTRICT

approved: November 15, 2016 Alameda, California

revised: May 8, 2018

revised: May 14, 2019

revised

ACCESS TO DISTRICT RECORDS

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

(cf. 3553 - Free and Reduced Price Meals)

(cf. 3580 - District Records)

(cf. 4112.5/4212.5/4312.5 - Criminal Record Check)

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

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 5125 - Student Records)

(cf. 5125.1 - Release of Directory Information)

(cf. 6162.5 - Student Assessment)

(cf. 9011 - Disclosure of Confidential/Privileged Information)

(cf. 9321 - Closed Session)

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

(cf. 4040 - Employee Use of Technology)

(cf. 9012 - Board Member Electronic Communications)

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

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

Legal Reference:

EDUCATION CODE

35145-234.7 Student protections relating to immigration and citizenship status

35145 Public meetings

35170-35170 Authority to secure copyrights

35250-35250 Duty to keep certain records and reports

~~41020-41020~~ *Requirement for annual audit*
~~42103-42103~~ *Publication of proposed budget; hearing*
~~44031-44031~~ *Personnel file contents and inspections*
~~44839-44839~~ *Medical certificates; periodic medical examination*

~~49060-49079~~ *Pupil records*

~~49091.10-49060-49079~~ *Student records*
~~49091.10~~ *Parental review of curriculum and instruction*

~~52850~~ *Applicability of article (School Based Program Coordination Plan availability)*

GOVERNMENT CODE

~~3547-3547~~ *Proposals relating to representation*
~~6250-6270-6250-6270~~ *California Public Records Act*

~~6275-6276.48~~ *Other exemptions from disclosure*

~~53262-6275-6276.48~~ *California Public Records Act; other exemptions from disclosure*
~~8310.3~~ *California Religious Freedom Act*
~~53262~~ *Employment contracts*
~~54957.2-54957.2~~ *Minute book record of closed sessions*
~~54957.5-54957.5~~ *Agendas and other writings distributed for discussion or consideration*
~~81008-81008~~ *Political Reform Act, public records; inspection and reproduction*
CALIFORNIA CONSTITUTION

Article 1, Section 3 *Right of access to governmental information*
CODE OF REGULATIONS, TITLE 5

~~430-438~~ *Individual pupil records*

~~430-438~~ *Individual student records*

COURT DECISIONS

City of San Jose v. Superior Court (2017) 2 Cal.5th 608
Los Angeles County Board of Supervisors v. Superior Court (2016) 2 Cal.5th 282
Sacramento County Employees' Retirement System v. Superior Court (2011) 195 Cal. App. 4th 440
International Federation of Professional and Technical Engineers v. The Superior Court of Alameda County, (2007) 42 Cal.4th 319
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Fairley v. Superior Court, (1998) 66 Cal.App. 4th 1414
North County Parents Organization for Children with Special Needs v. Department of Education, (1994) 23 Cal.App. 4th 144
ATTORNEY GENERAL OPINIONS
71 *Ops.Cal.Atty.Gen.* 235 (1988)
64 *Ops.Cal.Atty.Gen.* 186 (1981)

Management Resources:

CSBA PUBLICATIONS

Legal Alert: Tips for Governing Boards in Response to Public Records Act Ruling on Electronic Communications, March 2017

CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS

~~Summary of the~~ *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 Justice Guidelines for Access to Public Records Act, 2004, October 2017

LEAGUE OF CALIFORNIA CITIES PUBLICATIONS

The People's Business: A Guide to the California Public Records Act, 2008 rev. April 2017
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CSBA: <http://www.csba.org>

California Office of the Attorney General's Office: <http://www.caag.state.ca.us> General:
<https://oag.ca.gov>

Institute for Local Government: <http://www.cacities.org/index.jsp?zone=ilsg>
<http://www.cacities.org>

State Bar of California: <http://www.calbar.ca.gov> <http://www.calbar.ca.gov>

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

adopted: ~~August 25, 2009~~ Alameda, California May 2020

ACCESS TO DISTRICT RECORDS

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

(cf. 3553 - Free and Reduced Price Meals)

(cf. 3580 - District Records)

(cf. 4112.5/4212.5/4312.5 - Criminal Record Check)

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

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 5125 - Student Records)

(cf. 5125.1 - Release of Directory Information)

(cf. 6162.5 - Student Assessment)

(cf. 9011 - Disclosure of Confidential/Privileged Information)

(cf. 9321 - Closed Session)

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

(cf. 4040 - Employee Use of Technology)

(cf. 9012 - Board Member Electronic Communications)

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

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

*Legal Reference:*EDUCATION CODE

234.7 Student protections relating to immigration and citizenship status

35145 Public meetings

35170 Authority to secure copyrights

35250 Duty to keep certain records and reports

41020 Requirement for annual audit

42103 Publication of proposed budget; hearing

44031 Personnel file contents and inspections

44839 Medical certificates; periodic medical examination

49060-49079 Student records

49091.10 Parental review of curriculum and instruction

GOVERNMENT CODE

3547 Proposals relating to representation

6250-6270 California Public Records Act

6275-6276.48 California Public Records Act; other exemptions from disclosure

8310.3 California Religious Freedom Act

53262 Employment contracts

54957.2 Minute book record of closed sessions

54957.5 Agendas and other writings distributed for discussion or consideration

81008 Political Reform Act, public records; inspection and reproduction

CALIFORNIA CONSTITUTION

Article 1, Section 3 Right of access to governmental information

CODE OF REGULATIONS, TITLE 5

430-438 Individual student records

COURT DECISIONS

City of San Jose v. Superior Court (2017) 2 Cal.5th 608

Los Angeles County Board of Supervisors v. Superior Court (2016) 2 Cal.5th 282

Sacramento County Employees' Retirement System v. Superior Court (2011) 195 Cal. App. 4th 440

International Federation of Professional and Technical Engineers v. The Superior Court of Alameda County, (2007) 42 Cal.4th 319

Los Angeles Times v. Alameda Corridor Transportation Authority, (2001) 88 Cal.App.4th 1381

Kleitman v. Superior Court, (1999) 74 Cal.App. 4th 324

Fairley v. Superior Court, (1998) 66 Cal.App. 4th 1414

North County Parents Organization for Children with Special Needs v. Department of Education, (1994) 23 Cal.App. 4th 144

ATTORNEY GENERAL OPINIONS

71 Ops.Cal.Atty.Gen. 235 (1988)

64 Ops.Cal.Atty.Gen. 186 (1981)

Management Resources:

CSBA PUBLICATIONS

Legal Alert: Tips for Governing Boards in Response to Public Records Act Ruling on Electronic Communications, March 2017

CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS

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 Justice Guidelines for Access to Public Records, October 2017

LEAGUE OF CALIFORNIA CITIES PUBLICATIONS

The People's Business: A Guide to the California Public Records Act, rev. April 2017

WEB SITES

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

California Office of the Attorney General: <https://oag.ca.gov>

Institute for Local Government: <http://www.cacities.org>

State Bar of California: <http://www.calbar.ca.gov>

Policy ALAMEDA UNIFIED SCHOOL DISTRICT

adopted: August 25, 2009 Alameda, California

revised:

◀ ~~Previous~~ | ~~Next~~ ▶

FEDERAL GRANT FUNDS

The Governing Board recognizes the district's responsibility to maintain fiscal integrity and transparency in the use of all funds awarded through federal grants. The district shall comply with all requirements detailed in any grant agreement with an awarding agency and with the federal Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards specified in ~~72~~ CFR 200.0-200.521 and any stricter state laws and district policy.

Any goods or services purchased with federal funds shall be reasonable in cost and necessary for the proper and efficient performance or administration of the program.

The Superintendent or designee shall ensure that the district's financial management systems and procedures provide for the following: 2 CFR 200.302)

- 1.- Identification in district accounts of each federal award received and expended and the federal program under which it was received

~~(cf. 3100 - Budget)~~

~~(cf. 3100 - Budget)~~

- 2.- Accurate, current, and complete disclosure of the financial ~~and performance~~ results of each federal award or program in accordance with the reporting requirements of 2 CFR 200.~~327~~328 and 200.~~328~~329

~~(cf. 3460 - 3460 - Financial Reports and Accountability)~~

- 3.- Records and supporting documentation that adequately identify the source and application of funds for federally funded activities, including information pertaining to federal awards, authorizations, financial obligations, unobligated balances, assets, expenditures, income, and interest

~~(cf. 1340 - 1340 - Access to District Records)~~

~~(cf. 3580 - 3580 - District Records)~~

- 4.- Effective ~~controls~~control over and accountability for all funds, property, and other assets and assurance that all assets are used solely for authorized purposes
- 5.- Comparison of actual expenditures with budgeted amounts for each federal award
- 6.- Written procedures to implement provisions governing payments as specified in 2 CFR 200.305

7.- Written procedures for determining the allowability of costs in accordance with 2 CFR 200.400-200.475 and the terms and conditions of the federal grant award

(cf. ~~3400~~ 3400 - *Management of District Assets/Accounts*)

BP 3230(b)

FEDERAL GRANT FUNDS (continued)

The Superintendent or designee shall develop and implement appropriate internal control processes to reasonably assure that transactions are properly executed, recorded, and accounted for so that the district can prepare reliable financial statements and federal reports, maintain accountability over assets, and demonstrate compliance with federal laws, regulations, and conditions of the federal award. (2 CFR 200.61, 200.62, 200.303)

Equipment purchased with federal funds shall be properly inventoried and adequately maintained to safeguard against loss, damage, or theft of the property.

(cf. ~~3270~~ 3270 - *Sale and Disposal of Books, Equipment and Supplies*)

(cf. ~~3440~~ 3440 - *Inventories*)

(cf. ~~3512~~ 3512 - *Equipment*)

All staff involved in the administration or implementation of programs and activities supported by federal funds shall receive information and training on the allowable use of federal funds, purchasing procedures, and reporting processes commensurate with their duties.

(cf. ~~4131~~ 4131 - *Staff Development*)

(cf. ~~4231~~ 4231 - *Staff Development*)

(cf. ~~4331~~ 4331 - *Staff Development*)

The district shall submit financial and performance reports to the awarding agency in accordance with the schedule and indicators required for that federal grant by law and the awarding agency. As required, such reports may include a comparison of actual accomplishments to the objectives of the federal award, the relationship between financial data and performance accomplishments, the reasons that established goals were not met if applicable, cost information to demonstrate cost-effective practices, analysis and explanation of any cost overruns or high unit costs, and other relevant information. The final performance report shall be submitted ~~within 90~~ no later than 120 calendar days after the ending date of the grant. (2 CFR 200.301, 200.328, 200.329)

(cf. ~~0500~~ 0500 - *Accountability*)

(cf. ~~6190~~ 6190 - *Evaluation of the Instructional Program*)

Legal Reference: (see next page)

FEDERAL GRANT FUNDS (continued)

Legal Reference:

EDUCATION CODE

42122-42129 Budget requirements

42122-42129 Budget requirements

64001 School plan for student achievement, consolidated application programs

CODE OF FEDERAL REGULATIONS, TITLE 2

180.220 Amount of contract subject to suspension and debarment rules

200.0-200.521 Federal uniform grant guidance, especially:

200.1-200.99 Definitions

200.100-200.113 General provisions

200.317-200.326 Procurement standards

200.327-200.329 Monitoring and reporting

200.333-200.337 Record retention

200.400-200.475 Cost principles

200.500-200.521 Audit requirements

CODE OF FEDERAL REGULATIONS, TITLE 34

76.730-76.731 Records related to federal grant programs

CODE OF FEDERAL REGULATIONS, TITLE 48

2.101 Federal acquisition regulation; definitions

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California Department of Education Audit Guide

California School Accounting Manual

EDUCATION AUDIT APPEALS PANEL PUBLICATIONS

Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Questions and Answers Regarding 2 CFR Part 200

WEB SITES

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

Education Audit Appeals Panel: <http://www.eaap.ca.gov>

Office of Management and Budget, Uniform Guidance: <https://www.whitehouse.gov/omb>

State Controller's Office: <http://www.sco.ca.gov>

System for Award Management (SAM): <http://www.sam.gov/SAM>

U.S. Department of Education: <http://www.ed.gov>

U.S. Government Accountability Office: <http://www.gao.gov>

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

adopted: ~~November 15, 2016 Alameda, California~~ March 2021

FEDERAL GRANT FUNDS

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1. Identification in district accounts of each federal award received and expended and the federal program under which it was received

(cf. 3100 - Budget)

2. Accurate, current, and complete disclosure of the financial results of each federal award or program in accordance with the reporting requirements of 2 CFR 200.328 and 200.329

(cf. 3460 - Financial Reports and Accountability)

3. Records and supporting documentation that adequately identify the source and application of funds for federally funded activities, including information pertaining to federal awards, authorizations, financial obligations, unobligated balances, assets, expenditures, income, and interest

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

4. Effective control over and accountability for all funds, property, and other assets and assurance that all assets are used solely for authorized purposes
5. Comparison of actual expenditures with budgeted amounts for each federal award
6. Written procedures to implement provisions governing payments as specified in 2 CFR 200.305
7. Written procedures for determining the allowability of costs in accordance with 2 CFR 200.400-200.475 and the terms and conditions of the federal grant award

(cf. 3400 - Management of District Assets/Accounts)

The Superintendent or designee shall develop and implement appropriate internal control processes to reasonably assure that transactions are properly executed, recorded, and accounted for so that the district can prepare reliable financial statements and federal reports, maintain accountability over assets, and demonstrate compliance with federal laws, regulations, and conditions of the federal award. (2 CFR 200.61, 200.62, 200.303)

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(cf. 3440 - Inventories)

(cf. 3512 - Equipment)

All staff involved in the administration or implementation of programs and activities supported by federal funds shall receive information and training on the allowable use of federal funds, purchasing procedures, and reporting processes commensurate with their duties.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

The district shall submit financial and performance reports to the awarding agency in accordance with the schedule and indicators required for that federal grant by law and the awarding agency. As required, such reports may include a comparison of actual accomplishments to the objectives of the federal award, the relationship between financial data and performance accomplishments, the reasons that established goals were not met if applicable, cost information to demonstrate cost-effective practices, analysis and explanation of any cost overruns or high unit costs, and other relevant information. The final performance report shall be submitted no later than 120 calendar days after the ending date of the grant. (2 CFR 200.301, 200.328, 200.329)

(cf. 0500 - Accountability)

(cf. 6190 - Evaluation of the Instructional Program)

Legal Reference:

EDUCATION CODE

42122-42129 *Budget requirements*

64001 *School plan for student achievement, consolidated application programs*

CODE OF FEDERAL REGULATIONS, TITLE 2

180.220 *Amount of contract subject to suspension and debarment rules*

200.0-200.521 *Federal uniform grant guidance, especially:*

200.1-200.99 *Definitions*

200.100-200.113 *General provisions*

200.317-200.326 *Procurement standards*

200.327-200.329 *Monitoring and reporting*

200.333-200.337 *Record retention*

200.400-200.475 *Cost principles*

200.500-200.521 *Audit requirements*

CODE OF FEDERAL REGULATIONS, TITLE 34

76.730-76.731 *Records related to federal grant programs*

CODE OF FEDERAL REGULATIONS, TITLE 48

2.101 Federal acquisition regulation; definitions

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California Department of Education Audit Guide

California School Accounting Manual

EDUCATION AUDIT APPEALS PANEL PUBLICATIONS

Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Questions and Answers Regarding 2 CFR Part 200

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Education Audit Appeals Panel: <http://www.eaap.ca.gov>

Office of Management and Budget, Uniform Guidance: <https://www.whitehouse.gov/omb>

State Controller's Office: <http://www.sco.ca.gov>

System for Award Management (SAM): <http://www.sam.gov/SAM>

U.S. Department of Education: <http://www.ed.gov>

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Policy ALAMEDA UNIFIED SCHOOL DISTRICT

adopted: November 15, 2016 Alameda, California

revised:

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STUDENT ACTIVITY FUNDS

The Governing Board ~~of Education~~ recognizes that student organizations can provide students with an opportunity to conduct worthwhile cocurricular activities ~~beyond those provided by the district and can also help~~ while helping students learn about effective financial practices, ~~and develop leadership and management skills.~~ To that end, the Board may approve the formation of associated student body organizations which are composed entirely of students, operate under the oversight of the principal or other district-employed advisor, and are subject to the control and regulation of the Board. Student organizations may raise and spend funds to support activities that promote the general welfare, morale, and educational experiences of the student body.

(cf. 1230 - School Connected Organizations)

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.5 - Student Organizations and Equal Access)

Fundraising

At the beginning of each school year, each principal or designee shall submit to the Superintendent or designee a list of the fundraising events that each student organization proposes to hold that year. The Superintendent or designee shall review the proposed events and determine whether the events contribute to the educational experience and do not conflict with or detract from the school's educational program. When reviewing proposed events, the Superintendent or designee shall consider the effects of the activities on student health and safety, evaluate the risk of liability to the district, and ensure that the proposed activities are in compliance with law, Board policy, and administrative regulation.

(cf. 1321 - Solicitation of Funds from and by Students)

(cf. 3290 - Gifts, Grants and Bequests)

(cf. 3530 - Risk Management ~~of Funds~~/Insurance)

(cf. 5030 - Student Wellness)

(cf. 5142 - Safety)

(cf. 5143 - Insurance)

Fundraising events that involve the sale of food and/or beverages shall comply with applicable state and/or federal nutrition standards and BP/AR 3554 - Other Food Sales. If the fundraising event involves the sale of noncompliant food and/or beverages, it shall not take place from midnight until at least one-half hour after the end of the school day, or not be conducted on school premises.

(cf. 3554 - Other Food Sales)

Management and Reporting of Funds

Student body funds shall be managed in accordance with law, regulations, Board policies, and sound business procedures designed to encourage the largest possible educational return to students without sacrificing the security of funds.

BP 3452(b)

STUDENT ACTIVITY FUNDS (continued)

The Superintendent or designee shall develop internal control procedures to safeguard the organization's assets, promote the success of ~~fund-raising~~fundraising ventures, provide reliable financial information, protect employees and volunteers from accusations of impropriety, and reduce the risk and promote the detection of fraud and abuse. These procedures shall detail the oversight of activities and funds including, but not limited to, the appropriate role and provision of training for staff and students, parameters for events on campus, appropriate and prohibited uses of funds, and accounting and record-keeping processes, including procedures for handling questionable expenditures.

(cf. 3400 - Management of District Assets/Accounts)

The principal or designee shall be responsible for the proper conduct of all student organization financial activities. The budget adopted by the student body organization should serve as the financial plan for the school year and shall be submitted to the Superintendent or designee at the beginning of each school year. The Superintendent or designee shall monitor the budget and periodically review the organization's use of funds to ensure compliance with the district's internal control procedures.

Funds derived from the student body shall be ~~disbursed~~expended according to procedures established by the student organization. All ~~disbursements~~expenditures must be approved by a Board-designated employee or official, the certificated employee who is the designated student organization advisor, and a student organization representative. (Education Code ~~48933~~48933)

When student body funds are expended for equipment, supplies, or activities that support the district's athletic program, the Superintendent or designee shall ensure that the expenditures are aligned with the district's commitment to provide equitable opportunities for males and females.

(cf. 6145.2 - Athletic Competition)

Because of the district's administrative and/or direct financial involvement in the assets of the student organization, the student activity fund shall be reported within the district's fund in accordance with Governmental Accounting Standards Board Statement 84.

The Board shall provide an annual audit of student organization accounts by a certified public accountant or licensed public accountant. The cost of the audit shall be paid from district funds. (Education Code ~~41020~~41020)

(cf. 3460 - Financial Reports and Accountability)

Legal Reference: (see next page)

BP 3452(c)

STUDENT ACTIVITY FUNDS (continued)

Legal Reference:

EDUCATION CODE

~~35182.5~~ 35182.5 Non-nutritious foods and beverages, vending machines

~~35564~~ 35564 Funds, ~~obligation~~ obligations of the student body

~~41020~~ 41020 Requirement for annual audit

~~48930~~ 48938 Student body organization

~~49431~~ 48930-48938 Student body organization

49431 Sale of food ~~and beverages~~, elementary school

~~49431.5~~ 49431.2 Sale of food ~~and beverages~~, middle and high schools

~~51520~~ 49431.5 Sale of beverages, elementary, middle, and high schools

51520 School premise, prohibited solicitations

~~51521~~ Fund-raising projects

51521 Fundraising projects

CODE OF REGULATIONS, TITLE 5

~~15500~~ 4922 Nondiscrimination in intramural, interscholastic, and club activities

15500 Food sales, elementary schools

~~15501~~ 15501 Food sales, ~~middle~~ high schools and junior high schools

CODE OF FEDERAL REGULATIONS, TITLE 34

106.41 Nondiscrimination in athletic programs

COURT DECISIONS

Prince v. Jacoby, (2002) 303 F.3d 1074

Management Resources:

FISCAL CRISIS MANAGEMENT & ASSISTANCE TEAM PUBLICATIONS

Fiscal Alert: GASB 84 and Its Impact on Associated Student Body Accounts, May 2020

Associated Student Body Accounting Manual ~~&~~ Fraud Prevention Guide and Desk Reference, 2005 2015

GOVERNMENTAL ACCOUNTING STANDARDS BOARD PUBLICATIONS

Implementation Guide No. 2019-2, Fiduciary Activities, June 2019

Statement No. 84, January 2017

WEB SITES

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

Fiscal Crisis Management ~~&~~ and Assistance Team: ~~http://www.fcmat.org~~ <http://www.fcmat.org>

Governmental Accounting Standards Board: www.gasb.org

Policy ~~ALAMEDA UNIFIED SCHOOL DISTRICT~~ CSBA MANUAL MAINTENANCE
SERVICE
adopted: ~~August 25, 2009 Alameda, California~~ March 2021

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(cf. 3530 - Risk Management/Insurance)

(cf. 5030 - Student Wellness)

(cf. 5142 - Safety)

(cf. 5143 - Insurance)

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(cf. 3460 - Financial Reports and Accountability)

Legal Reference:

EDUCATION CODE

35182.5 Non-nutritious foods and beverages, vending machines

35564 Funds, obligations of the student body

41020 Requirement for annual audit

48930-48938 Student body organization

49431 Sale of food, elementary school

49431.2 Sale of food, middle and high schools

49431.5 Sale of beverages, elementary, middle, and high schools

51520 School premise, prohibited solicitations
51521 Fundraising projects
CODE OF REGULATIONS, TITLE 5
4922 Nondiscrimination in intramural, interscholastic, and club activities
15500 Food sales, elementary schools
15501 Food sales, ~~middle~~ high schools and junior high schools
CODE OF FEDERAL REGULATIONS, TITLE 34
106.41 Nondiscrimination in athletic programs
COURT DECISIONS
Prince v. Jacoby, (2002) 303 F.3d 1074

Management Resources:

FISCAL CRISIS MANAGEMENT AND ASSISTANCE TEAM PUBLICATIONS
Fiscal Alert: GASB 84 and Its Impact on Associated Student Body Accounts, May 2020
Associated Student Body Accounting Manual, Fraud Prevention Guide and Desk Reference, 2015
GOVERNMENTAL ACCOUNTING STANDARDS BOARD PUBLICATIONS
Implementation Guide No. 2019-2, Fiduciary Activities, June 2019
Statement No. 84, January 2017
WEB SITES
California Department of Education: <http://www.cde.ca.gov>
Fiscal Crisis Management and Assistance Team: <http://www.fcmat.org>
Governmental Accounting Standards Board: www.gasb.org

Policy ALAMEDA UNIFIED SCHOOL DISTRICT

adopted: August 25, 2009 Alameda, California

revised:

Policy 3516.5: Emergency Schedules

**Status:
ADOPTED**

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

Business and Noninstructional Operations

BP 3516.5(a)

EMERGENCY SCHEDULES

In order to provide for the safety of students and staff, the Governing Board ~~of Education~~ authorizes the Superintendent or designee to close a school site, change the regular school day schedule, or take any necessary action when hazardous environmental or weather conditions or other emergencies warrant.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 4157/4257/4357 - Employee Safety)

(cf. 5142 - Safety)

(cf. 6112 - School Day)

When an emergency condition causes a school closure, reduction in attendance, or change in schedule pursuant to Education Code 41422 or 46392, thereby preventing the district from complying with the minimum number of instructional days or minutes required by law, the Superintendent or designee shall complete and submit to the Superintendent of Public Instruction (SPI) the necessary forms and/or affidavits for obtaining approval of apportionment credit for the days of the closure, reduction in attendance, or change in schedule. The Superintendent or designee shall submit other relevant district records as may be required.

(cf. 3580 - District Records)

(cf. 6111 - School Calendar)

For school closures due to emergency events occurring after September 1, 2021, the Superintendent or designee shall develop a plan for offering independent study within 10 days of school closure to any student impacted by the emergency condition. The plan shall also address the establishment, within a reasonable time, of independent study master agreements as specified in BP 6158 - Independent Study. The plan shall require reopening in person as soon as possible once allowable under the direction from the city or county health officer. The Superintendent or designee shall certify that the district has a plan for independent study in the affidavit submitted to the SPI pursuant to Education Code 46392. (Education Code 46393)

(cf. 6158 - Independent Study)

The Superintendent or designee shall establish a system for informing students and parents/guardians when school buses are not operating as scheduled, the school day schedule is changed, or the school is closed. The district's notification system shall include, but is not limited to, notifying local television and radio stations, posting on district web site(s), sending email and text messages, and/or making telephone calls.

(cf. 1112 - Media Relations)

(cf. 1113 - District and School Web Sites)
(cf. 3542 - School Bus Drivers)
(cf. 3543 - Transportation Safety and Emergencies)

BP 3516.5(b)

EMERGENCY SCHEDULES (continued)

Whenever the school day schedule changes after students have arrived at school, the Superintendent or designee shall ensure that students are supervised in accordance with the procedures specified in the district's emergency and disaster preparedness plan.

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

The Superintendent or designee may provide a means to make up lost instructional time later during the year. Students and parents/guardians shall receive timely ~~advanced~~ notice in advance of any resulting changes in the school calendar or school day schedule.

Policy

Legal 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

Ed. Code 41420

Ed. Code 41422

Ed. Code 46010

Ed. Code 46100-46192

Ed. Code 46390

Ed. Code 46391

Ed. Code 46392

Veh. Code 34501.6

Management Resources

CA DOE Correspondence

Website

Description

~~Apportionment withholding, schools not maintained for 175 days~~

Schools not maintained for 175 days

Total days of attendance

Attendance; maximum credit; minimum day

Calculation of ADA in emergency

Lost or destroyed ADA records

Emergency conditions; ADA estimate

School buses; reduced visibility

Description

90-01 Average Daily Attendance Credit During Periods of Emergency, February 10, 2005

California Department of Education

Cross References

Code

0450

0450

1112

1113

1113

1113-E(1)

Description

Comprehensive Safety Plan

Comprehensive Safety Plan

Media Relations

District And School Web Sites

District And School Web Sites

District And School Web Sites

2210	<u>Administrative Discretion Regarding Board Policy</u>
3511	<u>Energy And Water Management</u>
3511	<u>Energy And Water Management</u>
3514	<u>Environmental Safety</u>
3514	<u>Environmental Safety</u>
3516	<u>Emergencies And Disaster Preparedness Plan</u>
3516	<u>Emergencies And Disaster Preparedness Plan</u>
3516.2	<u>Bomb Threats</u>
3542	<u>School Bus Drivers</u>
3543	<u>Transportation Safety And Emergencies</u>
3580	<u>District Records</u>
3580	<u>District Records</u>
4157	<u>Employee Safety</u>
4157	<u>Employee Safety</u>
4257	<u>Employee Safety</u>
4257	<u>Employee Safety</u>
4357	<u>Employee Safety</u>
4357	<u>Employee Safety</u>
5142	<u>Safety</u>
5142	<u>Safety</u>
6111	<u>School Calendar</u>
6112	<u>School Day</u>
6112	<u>School Day</u>

EDUCATION CODE

41420 Required length of school term

41422 Schools not maintained for 175 days

46010 Total days of attendance

46100- 46208 Attendance; maximum credit; minimum day

46390 Calculation of ADA in emergency

46391 Lost or destroyed ADA records

46392 Decreased attendance in emergency situation

46393 Certification of plan for independent study

VEHICLE CODE

34501.6 School buses; reduced visibility

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION CORRESPONDENCE

90-01 Average Daily Attendance Credit During Periods of Emergency, February 10, 2005

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Frequently Asked Questions - Form J-13A

WEB SITES

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

Policy
adopted:

CSBA POLICY MANUAL UPDATE
September 2021

EMERGENCY SCHEDULES

In order to provide for the safety of students and staff, the Governing Board authorizes the Superintendent or designee to close a school site, change the regular school day schedule, or take any necessary action when hazardous environmental or weather conditions or other emergencies warrant.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 4157/4257/4357 - Employee Safety)

(cf. 5142 - Safety)

(cf. 6112 - School Day)

When an emergency condition causes a school closure, reduction in attendance, or change in schedule pursuant to Education Code 41422 or 46392, thereby preventing the district from complying with the minimum number of instructional days or minutes required by law, the Superintendent or designee shall complete and submit to the Superintendent of Public Instruction (SPI) the necessary forms and/or affidavits for obtaining approval of apportionment credit for the days of the closure, reduction in attendance, or change in schedule. The Superintendent or designee shall submit other relevant district records as may be required.

(cf. 3580 - District Records)

(cf. 6111 - School Calendar)

For school closures due to emergency events occurring after September 1, 2021, the Superintendent or designee shall develop a plan for offering independent study within 10 days of school closure to any student impacted by the emergency condition. The plan shall also address the establishment, within a reasonable time, of independent study master agreements as specified in BP 6158 - Independent Study. The plan shall require reopening in person as soon as possible once allowable under the direction from the city or county health officer. The Superintendent or designee shall certify that the district has a plan for independent study in the affidavit submitted to the SPI pursuant to Education Code 46392. (Education Code 46393)

(cf. 6158 - Independent Study)

The Superintendent or designee shall establish a system for informing students and parents/guardians when school buses are not operating as scheduled, the school day schedule is changed, or the school is closed. The district's notification system shall include, but is not limited to, notifying local television and radio stations, posting on district web site(s), sending email and text messages, and/or making telephone calls.

(cf. 1112 - Media Relations)

(cf. 1113 - District and School Web Sites)

(cf. 3542 - School Bus Drivers)

(cf. 3543 - Transportation Safety and Emergencies)

Whenever the school day schedule changes after students have arrived at school, the Superintendent or designee shall ensure that students are supervised in accordance with the procedures specified in the district's emergency and disaster preparedness plan.

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

The Superintendent or designee may provide a means to make up lost instructional time later during the year. Students and parents/guardians shall receive timely notice in advance of any resulting changes in the school calendar or school day schedule.

Legal Reference:

EDUCATION CODE

41420 Required length of school term

41422 Schools not maintained for 175 days

46010 Total days of attendance

46100- 46208 Attendance; maximum credit; minimum day

46390 Calculation of ADA in emergency

46391 Lost or destroyed ADA records

46392 Decreased attendance in emergency situation

46393 Certification of plan for independent study

VEHICLE CODE

34501.6 School buses; reduced visibility

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION CORRESPONDENCE

90-01 Average Daily Attendance Credit During Periods of Emergency, February 10, 2005

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Policy ALAMEDA UNIFIED SCHOOL DISTRICT
adopted: September 28, 2010 Alameda, California
revised:

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RISK MANAGEMENT/INSURANCE

The Governing Board of Education ~~strongly supports a risk management program that protects district resources and promotes~~ desires to promote the safety of students, staff, and the public.

while protecting district resources. The Superintendent or designee shall establish a risk management program that uses effective safety and loss control practices.

The district shall strive to keep its liability at a minimum and its insurance premiums as low as possible while maintaining adequate protection- against loss which may occur due to hazards facing the district.

To determine the most economical means of insuring the district consistent with required services, the Superintendent or designee shall annually review the district's options for obtaining coverage, including qualified insurance agents, a joint powers agency, self-insurance ~~or a combination of these means, or a combination of these means.~~ Decisions regarding the means of insuring the district shall be based on a careful analysis of past claims records indicating the frequency and magnitude of losses and a prediction of future losses.

~~The Board reserves the right to remove an insurance agent of record or a participating agent whenever, in the judgment of the Board, such action becomes desirable for the best interests of the district.~~

To ~~attempt to~~ minimize the district's exposure to liability, the Board shall adopt clear policies related to discrimination, harassment, safety procedures, and the timely handling of claims. The Superintendent or designee shall ~~ensure that~~ enforce these policies and related procedures ~~are enforced~~ fairly and consistently. The Superintendent or designee shall provide safety-related training and protective equipment to staff as appropriate for their position.

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

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3320 - Claims and Actions Against the District)

(cf. 4030 - Nondiscrimination in Employment)

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

(cf. 4157/4257/4357 - Employee Safety)

(cf. 4157.1/4257.1/4357.1 - Work-Related Injuries)

(cf. 5142 - Safety)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 9260 - Legal Protection)

The Superintendent or designee shall periodically report to the Board on the district's risk management activities, including, but not limited to, the district's property and liability risks and exposures and the effectiveness of the district's risk management and loss control practices.

Legal Reference: (see next page)

BP 3530(b)

RISK MANAGEMENT/INSURANCE (continued)

Legal Reference:

EDUCATION CODE

~~17029.5~~ 17029.5 Contract funding; board liability

~~17565~~ ~~17592~~ 17565-17592 Board duties re property maintenance and control

~~32350~~ 32350 Liability on equipment loaned to district

~~35162~~ 35162 Power to sue, be sued, hold and convey property

~~35200~~ ~~35214~~ Liabilities, especially:

~~35208~~ 35200-35214 Liabilities, especially:

~~35208~~ 35208 Liability insurance

~~35211~~ 35211 Driver training civil liability insurance

~~35213~~ 35213 Reimbursement for loss, destruction, or damage of personal property

~~35214~~ 35214 Liability self-insurance

~~35331~~ 35331 Medical or hospital service for students on field trip

~~39837~~ 39837 Transportation of ~~pupils~~ students to places of summer employment

~~41021~~ 41021 Requirement for employees' indemnity bonds

~~44873~~ 44873 Qualifications for physician (liability coverage)

~~49470~~ ~~49474~~ ~~49470-49474~~ District medical services and insurance

GOVERNMENT CODE

~~820.9~~ 820.9 Board members not vicariously liable for injuries caused by district

~~989~~ ~~991.2~~ 831.7 Hazardous recreational activities

~~989-991.2~~ Local public entity insurance

LABOR CODE

~~3200~~ ~~4855~~ Workers' compensation

3200-4855 Workers' compensation

Management Resources:

WEB SITES

California Association of Joint Powers Authorities: <https://www.cajpa.org>

California Association of School Business Officials: <https://www.casbo.org>

California Department of Industrial Relations, Division of Occupational Safety and Health:
<https://www.dir.ca.gov/dosh>
Public Agency Risk Management Association: <https://www.parma.com>

Policy ~~ALAMEDA UNIFIED SCHOOL DISTRICT~~ CSBA MANUAL MAINTENANCE
SERVICE
adopted: ~~August 25, 2009 Alameda, California~~ October 2020

RISK MANAGEMENT/INSURANCE

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The district shall strive to keep its liability at a minimum and its insurance premiums as low as possible while maintaining adequate protection against loss which may occur due to hazards facing the district.

To determine the most economical means of insuring the district consistent with required services, the Superintendent or designee shall annually review the district's options for obtaining coverage, including qualified insurance agents, a joint powers agency, self-insurance, or a combination of these means. Decisions regarding the means of insuring the district shall be based on a careful analysis of past claims records indicating the frequency and magnitude of losses and a prediction of future losses.

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

(cf. 4157/4257/4357 - Employee Safety)

(cf. 4157.1/4257.1/4357.1 - Work-Related Injuries)

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(cf. 5145.3 - Nondiscrimination/Harassment)

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17029.5 Contract funding; board liability

17565-17592 Board duties re property maintenance and control

32350 Liability on equipment loaned to district

35162 Power to sue, be sued, hold and convey property

35200-35214 Liabilities, especially:

35208 Liability insurance

35211 Driver training civil liability insurance
35213 Reimbursement for loss, destruction, or damage of personal property
35214 Liability self-insurance
35331 Medical or hospital service for students on field trip
39837 Transportation of students to places of summer employment
41021 Requirement for employees' indemnity bonds
44873 Qualifications for physician (liability coverage)
49470-49474 District medical services and insurance
GOVERNMENT CODE
820.9 Board members not vicariously liable for injuries caused by district
831.7 Hazardous recreational activities
989-991.2 Local public entity insurance
LABOR CODE
3200-4855 Workers' compensation

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WEB SITES

California Association of Joint Powers Authorities: <https://www.cajpa.org>
California Association of School Business Officials: <https://www.casbo.org>
California Department of Industrial Relations, Division of Occupational Safety and Health:
<https://www.dir.ca.gov/dosh>
Public Agency Risk Management Association: <https://www.parma.com>

Policy ALAMEDA UNIFIED SCHOOL DISTRICT

adopted: August 25, 2009 Alameda, California

revised:

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CONSULTANTS

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

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

As part of the contract process, the Superintendent or designee shall determine that the individual, firm, or organization is properly classified as an independent contractor.

A person, ~~firm~~, providing labor or ~~organization~~ services for remuneration shall be considered an employee rather than an independent contractor unless the district is able to demonstrate that all of the following conditions have been met: (Labor Code ~~2750.3~~ 2775)

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

Specific statutory exceptions to this analysis for the

The determination of whether an individual acting as a person, sole proprietor or a firm, or other business organization is an independent contractor may apply. (shall be made in accordance with Labor Code 2750.3) 2775-2785, as applicable.

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

(cf. 3311 — Bids)

(cf. 3311 - Bids)

(cf. ~~3312~~ 3312 - Contracts)

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

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

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

BP 3600(b)

CONSULTANTS (continued)

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

(cf. ~~0415~~ Equity)

(cf. 0415 - Equity)

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

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

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

(cf. ~~9270~~ 9270 - Conflict of Interest)

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

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

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

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

(cf. 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures)

Legal Reference: (see next page)

BP 3600(c)

CONSULTANTS (continued)

Legal Reference:

EDUCATION CODE

220 Prohibition of discrimination

10400-10407 Cooperative improvement programs

17596 Limit on continuing contracts

35010 Control of districts; prescription and enforcement of rules

35172 Promotional activities

35204 Contract with attorney

44925 Part-time readers employed as independent contractors

45103 Classified service in districts not incorporating the merit system

45103.5 Contracts for food service consulting services

45134-45135 Employment of retired classified employee

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

GOVERNMENT CODE

12940 Unlawful employment practices

53060 Contract for special services and advice

82019 Designated employee; *definition*

87302 Conflict of interest code

LABOR CODE

~~2750.3 ABC three-part test; 2775-2787 Worker status; employees and independent contractors~~

UNEMPLOYMENT INSURANCE CODE

606.5 Determination of employment status

621 ~~Employer and employee~~ *Employee* defined

CODE OF REGULATIONS, TITLE 2

18700.3 Consultant

COURT DECISIONS

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

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

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

adopted: ~~August 25, 2009 Alameda, California~~ March 2021

~~revised: February 11, 2020~~

CONSULTANTS

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

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

As part of the contract process, the Superintendent or designee shall determine that the individual, firm, or organization is properly classified as an independent contractor.

A person providing labor or services for remuneration shall be considered an employee rather than an independent contractor unless the district is able to demonstrate that all of the following conditions have been met: (Labor Code 2775)

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

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(cf. 3311 - Bids)

(cf. 3312 - Contracts)

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

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

(cf. 0415 - Equity)

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

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

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12940 Unlawful employment practices

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82019 Designated employee; definition

87302 Conflict of interest code

LABOR CODE

2775-2787 Worker status: employees

UNEMPLOYMENT INSURANCE CODE

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621 *Employee defined*

CODE OF REGULATIONS, TITLE 2

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Policy ALAMEDA UNIFIED SCHOOL DISTRICT

adopted: August 25, 2009 Alameda, California

revised: February 11, 2020

revised:

Certification—

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Certificated Personnel

BP 4112.2(a)

CERTIFICATION

The Governing Board recognizes that the district's ability to provide a high-quality educational program is dependent upon the employment of certificated staff who are adequately prepared and have demonstrated proficiency in basic skills and in the subject matter to be taught. The Superintendent or designee shall ensure that persons employed to fill positions requiring certification qualifications possess the appropriate credential, permit, or other certification document from the Commission on Teacher Credentialing (CTC) and fulfill any additional state, federal, or district requirements for the position.

(cf. ~~4111/4211/4311~~ Recruitment and Selection)

(cf. ~~4112.21~~ Interns)

(cf. ~~4111/4211/4311~~ Recruitment and Selection)

(cf. ~~4112.21~~ Interns)

(cf. ~~4112.22~~ 4112.22 - Staff Teaching English ~~Language~~ Learners)

(cf. ~~4112.23~~ 4112.23 - Special Education Staff)

(cf. ~~4112.5/4212.5/4312.5~~ Criminal Record Check)

(cf. ~~4112.5/4212.5/4312.5~~ Criminal Record Check)

(cf. ~~4113~~ 4113 - Assignment)

(cf. ~~4121~~ 4121 - Temporary/Substitute Personnel)

(cf. ~~5148~~ 5148 - Child Care and Development)

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

(cf. ~~6200~~ 6200 - Adult Education)

The Superintendent or designee shall provide assistance and support to teachers holding preliminary credentials to enable them to meet the qualifications required for the clear credential.

(cf. ~~4131~~ 4131 - Staff Development)

(cf. ~~4131.1~~ 4131.1 - Teacher Support and Guidance)

Priorities for Hiring Based on Unavailability of Credentialed Teacher

The Superintendent or designee shall make reasonable efforts to recruit a fully prepared teacher who is authorized in the subject or setting for each assignment or, when necessary, a fully prepared teacher serving on a local assignment option. Whenever a teacher with a clear or preliminary credential is not available, the Superintendent or designee shall make reasonable

efforts to recruit an individual for the assignment in the following order: ~~(Education Code 44225.7)~~ (Education Code 44225.7)

- 1.- A candidate who enrolls in an approved intern program in the region of the district and possesses an intern credential
- 2.- A candidate who is scheduled to complete preliminary credential requirements within six months and who ~~holds~~ is granted a provisional internship permit (PIP) or short-term staff permit issued by the CTC

The Board shall approve, as an action item at a ~~public~~ open Board meeting, a notice of its intent to employ a PIP applicant for a specific position. ~~(5 CCR 80021.1)~~ (5 CCR 80021.1)

BP 4112.2(b)

CERTIFICATION (continued)

- 3.- An individual who ~~holds an emergency permit or for whom~~ has been granted a credential waiver ~~has been granted~~ by the CTC

Prior to requesting that the CTC issue an emergency permit ~~pursuant to item #3 above~~ or a limited assignment permit ~~which allows a fully credentialed teacher to teach outside of his/her area of certification while working toward an added or supplementary authorization~~, the Board shall annually approve a Declaration of Need for Fully Qualified Educators. The Declaration of Need shall be approved by the Board as an action item at a regularly scheduled ~~public~~ open Board meeting, with the entire Declaration of Need being included in the Board agenda. ~~(Education Code 44225, 44225.7; 5 CCR 80023.2, 80026, 80027, 80027.1)~~ 44225, 44225.7; 5 CCR 80023.2, 80026, 80027, 80027.1)

The Declaration of Need shall certify that there is an insufficient number of certificated persons who meet the district's specified employment criteria for the position(s) and that the district has made reasonable efforts to recruit individuals who meet the qualifications specified in items #1-2 above. The Declaration of Need shall also indicate the number and type of emergency permits that the district estimates it will need during the valid period of the Declaration of Need, based on the previous year's actual needs and projections of enrollment. Whenever the actual number of permits needed exceeds the estimate by 10 percent, the Board shall revise and resubmit the Declaration of Need. ~~(5 CCR 80026)~~ (5 CCR 80026)

Whenever it is necessary to employ noncredentialed teachers to fill a position requiring certification qualifications, the Superintendent or designee shall provide support and guidance in accordance with law to ensure the quality of the instructional program.

National Board for Professional Teaching Standards Certification

~~The Board encourages~~

The Superintendent or designee shall promote a career continuum that includes participation of district teachers to voluntarily complete the requirements for their professional learning that

supports their completion of advanced certification awarded by the National Board for Professional Teaching Standards.

(NBPTS). The Superintendent or designee shall inform all may coordinate a cohort of teachers about the program through school or district programs or other available networks.

With Board approval and how to acquire the necessary application funding, and information materials. In accordance consistent with the collective bargaining agreement and the district budget applicable law, the Superintendent may provide an incentive program for teacher participation in NBPTS certification, which may include:

1. Defraying, subsidizing, or reimbursing the registration, certification, or maintenance fees for NBPTS certification
2. Providing bonuses, step increases, or differential pay for teachers who maintain their certification and continue to teach in the district, with priority given to teachers at Title I schools and schools serving a majority of low-income students

BP 4112.2(c)

CERTIFICATION (continued)

3. Providing substitute teachers to provide release time for participating teachers
4. Providing stipends for teacher participation that match other professional development stipends
5. Compensating mentor teachers who support other teachers' professional learning aligned to NBPTS standards

(cf. ~~4161.3~~ 4161.3 - Professional Leaves)

Parental Notifications

At the beginning of each school year, the Superintendent or designee shall notify the parents/guardians of each student attending a school receiving Title I funds that they may request information regarding the professional qualifications of their child's classroom teacher including, but not limited to, whether the teacher: ~~(20 USC 6312)~~ (20 USC 6312)

- 1.- Has met state qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction
- 2.- Is teaching under emergency or other provisional status through which state qualification or licensing criteria have been waived
- 3.- Is teaching in the field of discipline of his/her the teacher's certification

(cf. ~~5145.6~~ 5145.6 - Parental Notifications)

In addition, the Superintendent or designee shall notify parents/guardians in a timely manner whenever their child has been assigned, or has been taught for four or more consecutive weeks by, a teacher who does not meet applicable state certification or licensure requirements at the grade level and subject area to which the teacher has been assigned. (~~20 USC 6312~~) (20 USC 6312)

Legal Reference: (see next page)

BP 4112.2(d)

CERTIFICATION (continued)

Legal Reference:

EDUCATION CODE

~~8360-8370~~ 8360-8370 *Qualifications of child care personnel*

~~32340-32341~~ 32340-32341 *Unlawful issuance of a credential*

~~35186~~ 35186 *Complaints regarding teacher vacancy or misassignment*

~~44066~~ 44066 *Limitations on certification requirements*

~~44200-44399.1~~ 44200-44399.1 *Teacher credentialing, especially:*

~~44250-44277~~ 44250-44277 *Credential types; minimum requirements*

~~44300-44302~~ Emergency permit

~~44325-44328~~ District interns

~~44330-44355~~ Certificates and credentials

~~44420-44440~~ 44300-44302 *Emergency permit*

~~44325-44328~~ *District interns*

~~44330-44355~~ *Certificates and credentials*

~~44420-44440~~ *Revocation and suspension of credentials*

~~44450-44468~~ University intern program

~~44830-44929~~ 44450-44468 *University intern program*

~~44830-44929~~ *Employment of certificated persons; requirement of proficiency in basic skills*

~~56060-56063~~ 56060-56063 *Substitute teachers in special education*

CODE OF REGULATIONS, TITLE 5

~~80001-80674.6~~ 80001-80674.6 *Commission on Teacher Credentialing*

UNITED STATES CODE, TITLE 20

~~6312-6312~~ Title I *local educational agency plans; notifications regarding teacher qualifications*

CODE OF FEDERAL REGULATIONS, TITLE 34

~~200.61~~ 200.48 Parent notification regarding teacher qualifications

COURT DECISIONS

Association of Mexican-American Educators et al. v. State of California and the Commission on Teacher Credentialing, (1993) 836 F.Supp. 1534

Management Resources:

COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS

CL-667 Basic Skills Requirement

CL-856 Provisional Internship Permit

CL 858 Short-Term Staff Permit

Credential Information Guide

Approved Addition and Amendments to Title 5 of the California Code of Regulations Pertaining to Teaching Permit for Statutory Leave (TPSL), Coded Correspondence 16-10, August 23, 2016

Waiver Requests Guidebook, 2015

Hiring Hierarchy in Education Code 44225.7, Coded Correspondence 13-01, January 30, 2013

Subject Matter Authorization Guideline Book, 2012

Management Resources continued: (see next page)

BP 4112.2(e)

CERTIFICATION (continued)

Management Resources: (continued)

COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS (continued)

Supplementary Authorization Guideline Book, 2012

California Standards for the Teaching Profession, 2009

The Administrator's Assignment Manual, rev. September 2007

NATIONAL BOARD FOR PROFESSIONAL TEACHING STANDARDS PUBLICATIONS

Considerations for Using Federal Funds to Support National Board Certification, 2018

WEB SITES

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

Commission on Teacher Credentialing: <http://www.ctc.ca.gov>

Commission on Teacher Credentialing, Credential Information Guide (for employers' use only): <http://www.ctc.ca.gov/credentials/cig>

National Board for Professional Teaching Standards: <http://www.nbpts.org>

National Board Resource Center: nbc.strong.net

U.S. Department of Education: <http://www.ed.gov>

Policy ~~ALAMEDA UNIFIED SCHOOL DISTRICT~~ CSBA MANUAL MAINTENANCE
SERVICE
adopted: ~~November 15, 2016 Alameda, California~~ March 2020

CERTIFICATION

The Governing Board recognizes that the district's ability to provide a high-quality educational program is dependent upon the employment of certificated staff who are adequately prepared and have demonstrated proficiency in basic skills and in the subject matter to be taught. The Superintendent or designee shall ensure that persons employed to fill positions requiring certification qualifications possess the appropriate credential, permit, or other certification document from the Commission on Teacher Credentialing (CTC) and fulfill any additional state, federal, or district requirements for the position.

(cf. 4111/4211/4311 - Recruitment and Selection)
(cf. 4112.21 - Interns)
(cf. 4112.22 - Staff Teaching English Learners)
(cf. 4112.23 - Special Education Staff)
(cf. 4112.5/4212.5/4312.5 - Criminal Record Check)
(cf. 4113 - Assignment)
(cf. 4121 - Temporary/Substitute Personnel)
(cf. 5148 - Child Care and Development)
(cf. 6178 - Career Technical Education)
(cf. 6200 - Adult Education)

The Superintendent or designee shall provide assistance and support to teachers holding preliminary credentials to enable them to meet the qualifications required for the clear credential.

(cf. 4131 - Staff Development)
(cf. 4131.1 - Teacher Support and Guidance)

Priorities for Hiring Based on Unavailability of Credentialed Teacher

The Superintendent or designee shall make reasonable efforts to recruit a fully prepared teacher who is authorized in the subject or setting for each assignment or, when necessary, a fully prepared teacher serving on a local assignment option. Whenever a teacher with a clear or preliminary credential is not available, the Superintendent or designee shall make reasonable efforts to recruit an individual for the assignment in the following order: (Education Code 44225.7)

1. A candidate who enrolls in an approved intern program in the region of the district and possesses an intern credential
2. A candidate who is scheduled to complete preliminary credential requirements within six months and who is granted a provisional internship permit (PIP) or short-term staff permit issued by the CTC

The Board shall approve, as an action item at an open Board meeting, a notice of its intent to employ a PIP applicant for a specific position. (5 CCR 80021.1)

3. An individual who has been granted a credential waiver by the CTC prior to requesting that the CTC issue an emergency permit or a limited assignment permit, the Board shall

annually approve a Declaration of Need for Fully Qualified Educators. The Declaration of Need shall be approved by the Board as an action item at a regularly scheduled open Board meeting, with the entire Declaration of Need being included in the Board agenda. (Education Code 44225, 44225.7; 5 CCR 80023.2, 80026, 80027, 80027.1)

The Declaration of Need shall certify that there is an insufficient number of certificated persons who meet the district's specified employment criteria for the position(s) and that the district has made reasonable efforts to recruit individuals who meet the qualifications specified in items #1-2 above. The Declaration of Need shall also indicate the number and type of emergency permits that the district estimates it will need during the valid period of the Declaration of Need, based on the previous year's actual needs and projections of enrollment. Whenever the actual number of permits needed exceeds the estimate by 10 percent, the Board shall revise and resubmit the Declaration of Need. (5 CCR 80026)

Whenever it is necessary to employ noncredentialed teachers to fill a position requiring certification qualifications, the Superintendent or designee shall provide support and guidance in accordance with law to ensure the quality of the instructional program.

National Board for Professional Teaching Standards Certification

The Superintendent or designee shall promote a career continuum that includes participation of district teachers in professional learning that supports their completion of advanced certification awarded by the National Board for Professional Teaching Standards (NBPTS). The Superintendent or designee may coordinate a cohort of teachers through school or district programs or other available networks.

With Board approval and funding, and consistent with the collective bargaining agreement and applicable law, the Superintendent may provide an incentive program for teacher participation in NBPTS certification, which may include:

1. Defraying, subsidizing, or reimbursing the registration, certification, or maintenance fees for NBPTS certification
2. Providing bonuses, step increases, or differential pay for teachers who maintain their certification and continue to teach in the district, with priority given to teachers at Title I schools and schools serving a majority of low-income students
3. Providing substitute teachers to provide release time for participating teachers
4. Providing stipends for teacher participation that match other professional development stipends
5. Compensating mentor teachers who support other teachers' professional learning aligned to NBPTS standards

(cf. 4161.3 - Professional Leaves)

Parental Notifications

At the beginning of each school year, the Superintendent or designee shall notify the parents/guardians of each student attending a school receiving Title I funds that they may request information regarding the professional qualifications of their child's classroom teacher including, but not limited to, whether the teacher: (20 USC 6312)

1. Has met state qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction
2. Is teaching under emergency or other provisional status through which state qualification or licensing criteria have been waived
3. Is teaching in the field of discipline of the teacher's certification

(cf. 5145.6 - Parental Notifications)

In addition, the Superintendent or designee shall notify parents/guardians in a timely manner whenever their child has been assigned, or has been taught for four or more consecutive weeks by, a teacher who does not meet applicable state certification or licensure requirements at the grade level and subject area to which the teacher has been assigned. (20 USC 6312)

Legal Reference:

EDUCATION CODE

8360-8370 *Qualifications of child care personnel*

32340-32341 *Unlawful issuance of a credential*

35186 *Complaints regarding teacher vacancy or misassignment*

44066 *Limitations on certification requirements*

44200-44399.1 *Teacher credentialing, especially:*

44250-44277 *Credential types; minimum requirements*

44300-44302 *Emergency permit*

44325-44328 *District interns*

44330-44355 *Certificates and credentials*

44420-44440 *Revocation and suspension of credentials*

44450-44468 *University intern program*

44830-44929 *Employment of certificated persons; requirement of proficiency in basic skills*

56060-56063 *Substitute teachers in special education*

CODE OF REGULATIONS, TITLE 5

80001-80674.6 *Commission on Teacher Credentialing*

UNITED STATES CODE, TITLE 20

6312 *Title I local educational agency plans; notifications regarding teacher qualifications*

CODE OF FEDERAL REGULATIONS, TITLE 34

200.48 *Parent notification regarding teacher qualifications*

COURT DECISIONS

Association of Mexican-American Educators et al. v. State of California and the Commission on Teacher Credentialing, (1993) 836 F.Supp. 1534

Management Resources:

COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS

CL-667 *Basic Skills Requirement*

CL-856 *Provisional Internship Permit*

CL 858 *Short-Term Staff Permit*

Credential Information Guide

Approved Addition and Amendments to Title 5 of the California Code of Regulations Pertaining to Teaching Permit for Statutory Leave (TPSL), Coded Correspondence 16-10, August 23, 2016

Waiver Requests Guidebook, 2015

Hiring Hierarchy in Education Code 44225.7, Coded Correspondence 13-01, January 30, 2013

Subject Matter Authorization Guideline Book, 2012

Supplementary Authorization Guideline Book, 2012

California Standards for the Teaching Profession, 2009

The Administrator's Assignment Manual, rev. September 2007

NATIONAL BOARD FOR PROFESSIONAL TEACHING STANDARDS PUBLICATIONS

Considerations for Using Federal Funds to Support National Board Certification, 2018

WEB SITES

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

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Policy ALAMEDA UNIFIED SCHOOL DISTRICT

adopted: November 15, 2016 Alameda, California

revised:

Employee Notifications

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<u>All Personnel</u>	BP 4112.9
	4212.9
<u>EMPLOYEE NOTIFICATIONS</u>	4312.9

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(cf. ~~3580~~ 3580 - District Records)

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

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~~37616~~ 37616 Notice of public hearing on year-round schedule

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~~44949~~ Cause, notice and right to hearing

~~44951-44951~~ Continuation in position unless notified, administrative or supervisory personnel
~~44954-44954~~ Nonreelection of temporary employees
~~44955-44955~~ Reduction in number of employees
~~45113-45113~~ Notification of charges, classified employees

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~~45117~~ Notice of layoff, classified employees
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~~49414~~ Epinephrine auto-injectors
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~~1798.29~~ District records, breach of security
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~~3100-3109~~ Oath or affirmation of allegiance

~~8355-8355~~ Certification of drug-free workplace, including notification
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~~54957-21029~~ Retirement credit for period of military service
~~54957~~ Complaints against employees; right to open session
~~54963-54963~~ Unauthorized disclosure of confidential information
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~~1797.196-1797.196~~ Automated external defibrillators; notification of use and locations
~~104420-104420~~ Tobacco-free schools
~~120875-120875~~ Information on AIDS, AIDS-related conditions, and hepatitis B
~~120880-120880~~ Notification to employees re AIDS, AIDS-related conditions, and hepatitis B
LABOR CODE
~~2800.2-245-249~~ Healthy Workplaces, Healthy Families Act of 2014
~~1034~~ Lactation accommodation
~~2800.2~~ Notification of availability of continuation health coverage
~~3550-3553-2810.7~~ Notice to participate in flexible spending account
~~3550-3553~~ Notifications re: workers' compensation benefits
~~5401-5401~~ Workers' compensation; claim form and notice of potential eligibility
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~~11165.7-11105~~ Access to criminal history information
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~~11165.7~~ Child Abuse and Neglect Reporting Act; notification requirement
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~~2613-2613~~ Disability insurance; notice of rights and benefits
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~~11049~~ Notice of right to request pregnancy disability leave or transfer
~~11091~~ California Family Rights Act, designation notice
~~11096~~ Notice of right to request family care leave

CODE OF REGULATIONS, TITLE 5

~~4622-4622~~ *Uniform complaint procedures*

~~80303-80303~~ *Reports of change in employment status, alleged misconduct*

CODE OF REGULATIONS, TITLE 8

~~3204-3204~~ *Employees exposed to bloodborne pathogens, access to exposure and medical records*

~~5193 California bloodborne pathogens standard~~

~~5191~~ *Chemical hygiene plan*

~~5194~~ *Hazard communication program*

CODE OF REGULATIONS, TITLE 13

~~1234-1234~~ *Reports regarding school buses and bus drivers*

~~2480-2480~~ *Vehicle idling, limitations*

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~~6316 School improvement~~

UNITED STATES CODE, TITLE 38

~~4344-4334~~ *Uniformed Services Employment and Reemployment Rights Act, notice requirement*

UNITED STATES CODE, TITLE 41

~~8101-8106~~ *Drug-Free Workplace Act*

CODE OF FEDERAL REGULATIONS, TITLE 29

~~825.300-825.300~~ *Family and Medical Leave Act; notice requirement*

CODE OF FEDERAL REGULATIONS, TITLE 34

~~104.8-84.205-84.210~~ *Drug-free workplace statement*

~~104.8~~ *Nondiscrimination*

~~106.9-106.9~~ *Dissemination of policy, nondiscrimination on basis of sex*

CODE OF FEDERAL REGULATIONS, TITLE 40

~~763.84-763.84~~ *Asbestos inspections, response actions and post-response actions*

~~763.93-763.93~~ *Asbestos management plans*

CODE OF FEDERAL REGULATIONS, TITLE 49

~~382.601-382.113~~ *Controlled substance and alcohol use and testing notifications*

~~382.303~~ *Post-accident information, procedures, and instructions*

~~382.601~~ *Controlled substance and alcohol use and testing notifications*

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

adopted: ~~November 27, 2012 Alameda, California~~ May 2020

EMPLOYEE NOTIFICATIONS

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54957 Complaints against employees; right to open session

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104420 Tobacco-free schools

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245-249 Healthy Workplaces, Healthy Families Act of 2014

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2800.2 Notification of availability of continuation health coverage

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5194 Hazard communication program

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UNITED STATES CODE, TITLE 41

8101-8106 Drug-Free Workplace Act

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825.300 Family and Medical Leave Act; notice requirement

CODE OF FEDERAL REGULATIONS, TITLE 34

84.205-84.210 Drug-free workplace statement

104.8 Nondiscrimination

106.9 Dissemination of policy, nondiscrimination on basis of sex

CODE OF FEDERAL REGULATIONS, TITLE 40

763.84 Asbestos inspections, response actions and post-response actions

763.93 Asbestos management plans

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382.113 Controlled substance and alcohol use and testing notifications

382.303 Post-accident information, procedures, and instructions

382.601 Controlled substance and alcohol use and testing notifications

Policy ALAMEDA UNIFIED SCHOOL DISTRICT

adopted: November 27, 2012 Alameda, California

revised:

Employee Notifications—

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11105.2 Subsequent arrest notification

11165.7 Child Abuse and Neglect Reporting Act; notification requirement

11166.5 Employment; statement of knowledge of duty to report child abuse or neglect

UNEMPLOYMENT INSURANCE CODE

2613 Disability insurance; notice of rights and benefits

CODE OF REGULATIONS, TITLE 2

11023 Nondiscrimination in employment

11049 Notice of right to request pregnancy disability leave or transfer

11091 California Family Rights Act, designation notice

11096 Notice of right to request family care leave

CODE OF REGULATIONS, TITLE 5

4622 Uniform complaint procedures

80303 Reports of change in employment status, alleged misconduct

CODE OF REGULATIONS, TITLE 8

3204 Employees exposed to bloodborne pathogens, access to exposure and medical records

5191 Chemical hygiene plan

5194 Hazard communication program

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1234 Reports regarding school buses and bus drivers

2480 Vehicle idling, limitations

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4334 Uniformed Services Employment and Reemployment Rights Act, notice requirement

UNITED STATES CODE, TITLE 41

8101-8106 Drug-Free Workplace Act

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825.300 Family and Medical Leave Act; notice requirement

CODE OF FEDERAL REGULATIONS, TITLE 34

84.205-84.210 Drug-free workplace statement

104.8 Nondiscrimination

106.9 Dissemination of policy, nondiscrimination on basis of sex

CODE OF FEDERAL REGULATIONS, TITLE 40

763.84 Asbestos inspections, response actions and post-response actions

763.93 Asbestos management plans

CODE OF FEDERAL REGULATIONS, TITLE 49

382.113 Controlled substance and alcohol use and testing notifications

382.303 Post-accident information, procedures, and instructions

382.601 Controlled substance and alcohol use and testing notifications

Policy ALAMEDA UNIFIED SCHOOL DISTRICT

adopted: November 27, 2012 Alameda, California

revised:

Employee Notifications

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<u>All Personnel</u>	BP 4112.9
	4212.9
<u>EMPLOYEE NOTIFICATIONS</u>	4312.9

The Governing Board of Education believes that providing clear communications to staff is essential to establishing a professional, positive work environment and enhancing their job performance. The Superintendent or designee shall provide district employees all notifications required by law and any other notifications ~~he/she~~ the Superintendent or designee believes will promote staff knowledge of the district's policies, programs, activities, and operations.

When required by law, Board policy, or administrative regulation, district employees shall be asked to sign an acknowledgment indicating receipt of the notification. Such acknowledgments shall be retained in each employee's personnel file.

(cf. ~~3580~~ 3580 - District Records)

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

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

Legal Reference:

EDUCATION CODE

~~231.5~~ 231.5 Sexual harassment policy

~~17612~~ 17612 Notification of pesticide use

~~22455.5~~ 22455.5 STRS information to potential members

~~22461~~ 22461 Postretirement compensation limitation

~~35031~~ 35031 Nonreelection of superintendent, assistant superintendent, or manager of classified services

~~35171~~ 35171 Notice of regulations pertaining to certificated employee evaluations

~~37616~~ 37616 Notice of public hearing on year-round schedule

~~44031~~ 44031 Personnel file contents, inspection

~~44663~~ 44664 ~~44663~~ 44664 Evaluation of certificated employees

~~44842~~ 44842 Reemployment notices, certificated employees

~~44896~~ 44896 Transfer of administrator or supervisor to teaching position

~~44916~~ 44916 Written statement of employment status

~~44929.21~~ 44929.21 Reelection or nonreelection of probationary employee after second year

~~44934~~ 44929.23 Reelection notice, districts with less than 250 ADA

~~44934~~ Notice of disciplinary action for cause

~~44938~~ 44934.1 Suspension or dismissal for egregious misconduct

~~44936~~ Notice of suspension or dismissal

~~44938~~ Notice of unprofessional conduct and opportunity to correct

~~44940.5~~ 44941 ~~44940.5~~ 44941 Notification of suspension and intent to dismiss

~~44948.3~~ 44948.5 ~~44948.3~~ Dismissal of probationary employees

~~44949~~ 44948.5 Nonreelection procedures, districts under 250 ADA

~~44949~~ Cause, notice and right to hearing

~~44951-44951~~ Continuation in position unless notified, administrative or supervisory personnel
~~44954-44954~~ Nonreelection of temporary employees
~~44955-44955~~ Reduction in number of employees
~~45113-45113~~ Notification of charges, classified employees

~~45117-~~

EDUCATION CODE (continued)

~~45117~~ Notice of layoff, classified employees
~~45169-45169~~ Employee salary data, classified employees
~~45192-45192~~ Industrial and accident leave
~~45195-45195~~ Additional leave
~~46162-46162~~ Notice of public hearing on block schedule
~~49013-49013~~ Complaints regarding student fees
~~49079-49079~~ Notification to teacher; student who has engaged in acts re: grounds suspension or expulsion
~~49414~~ Epinephrine auto-injectors
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~~1798.29~~ District records, breach of security
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~~1126-1126~~ Incompatible activities of employees

~~3100-3109~~ Oath or affirmation of allegiance

~~8355-8355~~ Certification of drug-free workplace, including notification
~~12950-12950~~ Sexual harassment
~~54957-21029~~ Retirement credit for period of military service
~~54957~~ Complaints against employees; right to open session
~~54963-54963~~ Unauthorized disclosure of confidential information
HEALTH AND SAFETY CODE
~~1797.196-1797.196~~ Automated external defibrillators; notification of use and locations
~~104420-104420~~ Tobacco-free schools
~~120875-120875~~ Information on AIDS, AIDS-related conditions, and hepatitis B
~~120880-120880~~ Notification to employees re AIDS, AIDS-related conditions, and hepatitis B
LABOR CODE
~~2800.2-245-249~~ Healthy Workplaces, Healthy Families Act of 2014
~~1034~~ Lactation accommodation
~~2800.2~~ Notification of availability of continuation health coverage
~~3550-3553-2810.7~~ Notice to participate in flexible spending account
~~3550-3553~~ Notifications re: workers' compensation benefits
~~5401-5401~~ Workers' compensation; claim form and notice of potential eligibility
PENAL CODE
~~11165.7-11105~~ Access to criminal history information
~~11105.2~~ Subsequent arrest notification
~~11165.7~~ Child Abuse and Neglect Reporting Act; notification requirement
~~11166.5-11166.5~~ Employment; statement of knowledge of duty to report child abuse or neglect
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~~2613-2613~~ Disability insurance; notice of rights and benefits
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~~7288.0~~ Sexual harassment training, provision of district policy

~~11023~~ Nondiscrimination in employment
~~11049~~ Notice of right to request pregnancy disability leave or transfer
~~11091~~ California Family Rights Act, designation notice
~~11096~~ Notice of right to request family care leave

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~~3204-3204~~ Employees exposed to bloodborne pathogens, access to exposure and medical records

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~~5194~~ Hazard communication program

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~~825.300-825.300~~ Family and Medical Leave Act; notice requirement

CODE OF FEDERAL REGULATIONS, TITLE 34

~~104.8-84.205-84.210~~ Drug-free workplace statement

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~~106.9-106.9~~ Dissemination of policy, nondiscrimination on basis of sex

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~~763.84-763.84~~ Asbestos inspections, response actions and post-response actions

~~763.93-763.93~~ Asbestos management plans

CODE OF FEDERAL REGULATIONS, TITLE 49

~~382.601-382.113~~ Controlled substance and alcohol use and testing notifications

~~382.303~~ Post-accident information, procedures, and instructions

~~382.601~~ Controlled substance and alcohol use and testing notifications

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SERVICE

adopted: ~~November 27, 2012 Alameda, California~~ May 2020

EMPLOYEE NOTIFICATIONS

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(cf. 3580 - District Records)

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

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 44663-44664 Evaluation of certificated employees
 44842 Reemployment notices, certificated employees
 44896 Transfer of administrator or supervisor to teaching position
 44916 Written statement of employment status
 44929.21 Reelection or nonreelection of probationary employee after second year
 44929.23 Reelection notice, districts with less than 250 ADA
 44934 Notice of disciplinary action for cause
 44934.1 Suspension or dismissal for egregious misconduct
 44936 Notice of suspension or dismissal
 44938 Notice of unprofessional conduct and opportunity to correct
 44940.5-44941 Notification of suspension and intent to dismiss
 44948.3 Dismissal of probationary employees
 44948.5 Nonreelection procedures, districts under 250 ADA
 44949 Cause, notice and right to hearing
 44951 Continuation in position unless notified, administrative or supervisory personnel
 44954 Nonreelection of temporary employees
 44955 Reduction in number of employees
 45113 Notification of charges, classified employees

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45117 Notice of layoff, classified employees
 45169 Employee salary data, classified employees
 45192 Industrial and accident leave
 45195 Additional leave
 46162 Notice of public hearing on block schedule
 49013 Complaints regarding student fees

49079 Notification to teacher; student who has engaged in acts re: grounds suspension or expulsion
49414 Epinephrine auto-injectors
49414.3 Administration of opioid antagonist

CIVIL CODE

1798.29 District records, breach of security

GOVERNMENT CODE

1126 Incompatible activities of employees
8355 Certification of drug-free workplace, including notification
12950 Sexual harassment
21029 Retirement credit for period of military service
54957 Complaints against employees; right to open session
54963 Unauthorized disclosure of confidential information

HEALTH AND SAFETY CODE

1797.196 Automated external defibrillators; notification of use and locations
104420 Tobacco-free schools
120875 Information on AIDS, AIDS-related conditions, and hepatitis B
120880 Notification to employees re AIDS, AIDS-related conditions, and hepatitis B

LABOR CODE

245-249 Healthy Workplaces, Healthy Families Act of 2014
1034 Lactation accommodation
2800.2 Notification of availability of continuation health coverage
2810.7 Notice to participate in flexible spending account
3550-3553 Notifications re: workers' compensation benefits
5401 Workers' compensation; claim form and notice of potential eligibility

PENAL CODE

11105 Access to criminal history information
11105.2 Subsequent arrest notification
11165.7 Child Abuse and Neglect Reporting Act; notification requirement
11166.5 Employment; statement of knowledge of duty to report child abuse or neglect

UNEMPLOYMENT INSURANCE CODE

2613 Disability insurance; notice of rights and benefits

CODE OF REGULATIONS, TITLE 2

11023 Nondiscrimination in employment
11049 Notice of right to request pregnancy disability leave or transfer
11091 California Family Rights Act, designation notice
11096 Notice of right to request family care leave

CODE OF REGULATIONS, TITLE 5

4622 Uniform complaint procedures
80303 Reports of change in employment status, alleged misconduct

CODE OF REGULATIONS, TITLE 8

3204 Employees exposed to bloodborne pathogens, access to exposure and medical records
5191 Chemical hygiene plan
5194 Hazard communication program

CODE OF REGULATIONS, TITLE 13

1234 Reports regarding school buses and bus drivers
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UNITED STATES CODE, TITLE 38

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382.113 Controlled substance and alcohol use and testing notifications

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382.601 Controlled substance and alcohol use and testing notifications

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All Personnel	BP 4119.25(a)
	4219.25
POLITICAL ACTIVITIES OF EMPLOYEES	4319.25

The Governing Board of Education recognizes the importance of political activity, voting, and civic engagement, and respects the right of ~~school~~district employees to engage in political discussions and activities as individuals on their own time and at their own expense. ~~On~~When engaging in such ~~occasions~~activities, employees shall make it clear that they are acting ~~as individuals on their own behalf~~ and not as representatives of the district.

~~Like other~~

(cf. 1160 - Political Processes)

(cf. 6144 - Controversial Issues)

District employees, as members of the community~~members, employees,~~ may use school facilities for meetings, including political activities, as permitted under the Civic Center Act, and district policy.

(cf. 1330 - Use of School Facilities)

Employees shall refrain from prohibited political activities identified in law, Board policy, and administrative regulations. Employees who engage in these activities shall be subject to disciplinary action and/or criminal penalties.

(cf. 1325 - Advertising and Promotion)

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Legal Reference: (see next page)

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	4319.25

POLITICAL ACTIVITIES OF EMPLOYEES (continued)

Legal Reference:

EDUCATION CODE

~~7050~~ ~~7057~~ ~~7050-7058~~ *Political activities of school officers and employees*

~~38130~~ ~~38139~~ *Civic Center Act*

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~~8314~~ *Prohibition against use of public resources for campaign activity*

~~82041.5~~ *Definition of mass mailing*

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~~424~~ *Punishment for misuse of public funds*

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Diquisto v. County of Santa Clara, (2010) 181 Cal. App. 4th 236

San Leandro Teachers Association v. Governing Board of the San Leandro Unified School District, (2010) 46 Cal. 4th 822

Downs v. Los Angeles Unified School District, (9th Cir. 2000) 228 F.3d 1003

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L.A. Teachers Union v. L.A. City Board of Education, (1969) 71 Cal.2d 551

Pickering v. Board of Education Township High School District, (1968) 88 S. Ct. 1731

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84 Ops.Cal.Atty.Gen. 106 (2001)

84 Ops.Cal.Atty.Gen. 52 (2001)

77 Ops.Cal.Atty.Gen. 56 (1994)

PERB-PUBLIC EMPLOYMENT RELATIONS BOARD RULINGS

~~California Federation of Teachers, Local 1931 v. Sacramento, (2019) PERB Dec. No. 2702m~~

~~Conejo Valley Unified School District, (2009) PERB Dec. No. 2054~~

~~East Whittier School District, (2004) PERB Dec. No. 1727~~

~~Turlock Joint Elementary School District, (2004) PERB Dec. No. 1490a~~

~~San Diego Community College District, (2001) PERB Order #Dec. No. 1467-(26 PERC 33014)~~

Management Resources:

CSBA PUBLICATIONS

~~Political Activities of School Districts: Legal Issues, 1998, revised 2001~~

WEB SITES

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

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

~~California Office of the Attorney General, Dept. of Justice: <http://eaag.state.ca.us/>;
<http://oag.ca.gov>~~

~~Public Employment Relations Board: <http://www.perb.ca.gov> <http://www.perb.ca.gov>~~

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

December 2020

POLITICAL ACTIVITIES OF EMPLOYEES

The Governing Board recognizes the importance of political activity, voting, and civic engagement, and respects the right of district employees to engage in political discussions and activities as individuals on their own time and at their own expense. When engaging in such activities, employees shall make it clear that they are acting on their own behalf and not as representatives of the district.

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7050-7058 Political activities of school officers and employees

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L.A. Teachers Union v. L.A. City Board of Education, (1969) 71 Cal.2d 551

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Turlock Joint Elementary School District, (2004) PERB Dec. No. 1490a

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Management Resources:

WEB SITES

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

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District employees, as members of the community~~members, employees,~~ may use school facilities for meetings, including political activities, as permitted under the Civic Center Act, and district policy.

(cf. 1330 - Use of School Facilities)

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(cf. 1325 - Advertising and Promotion)

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Legal Reference: (see next page)

	BP 4119.25(b)
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	4319.25

POLITICAL ACTIVITIES OF EMPLOYEES (continued)

Legal Reference:

EDUCATION CODE

~~7050~~ ~~7057~~ ~~7050-7058~~ *Political activities of school officers and employees*

~~38130~~ ~~38139~~ *Civic Center Act*

~~51520~~ ~~38130-38139~~ *Civic Center Act*

~~51520~~ *Prohibited solicitations on school premises*

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GOVERNMENT CODE

~~3543.1~~ ~~3543.1~~ *Rights of employee organizations*

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Policy ~~ALAMEDA UNIFIED SCHOOL DISTRICT~~ CSBA MANUAL MAINTENANCE
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adopted: ~~August 25, 2009 Alameda, California~~

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(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

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38130-38139 Civic Center Act

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18304 Prohibition against use of district seal in campaign literature

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84 *Ops.Cal.Atty.Gen.* 106 (2001)

84 Ops.Cal.Atty.Gen. 52 (2001)

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Policy ALAMEDA UNIFIED SCHOOL DISTRICT

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(cf. 1325 - Advertising and Promotion)

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Legal Reference: (see next page)

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POLITICAL ACTIVITIES OF EMPLOYEES (continued)

Legal Reference:

EDUCATION CODE

7050-7057-7050-7058 *Political activities of school officers and employees*

38130-38139 Civic Center Act

51520-38130-38139 Civic Center Act

51520 *Prohibited solicitations on school premises*

ELECTIONS CODE

18304 *Prohibition against use of district seal in campaign literature*

GOVERNMENT CODE

3543.1-3543.1 *Rights of employee organizations*

8314 *Prohibition against use of public resources for campaign activity*

82041.5 *Definition of mass mailing*

PENAL CODE

424 *Punishment for misuse of public funds*

COURT DECISIONS

Heffernan v. City of Paterson, (2016) 136 S. Ct. 1412

Diquisto v. County of Santa Clara, (2010) 181 Cal. App. 4th 236

San Leandro Teachers Association v. Governing Board of the San Leandro Unified School District, (2010) 46 Cal. 4th 822

Downs v. Los Angeles Unified School District, (9th Cir. 2000) 228 F.3d 1003

California Teachers Association v. Governing Board of San Diego Unified School District, (1996) 45 Cal.App. 4th 1383

L.A. Teachers Union v. L.A. City Board of Education, (1969) 71 Cal.2d 551

Pickering v. Board of Education Township High School District, (1968) 88 S. Ct. 1731

ATTORNEY GENERAL OPINIONS

84 Ops.Cal.Atty.Gen. 106 (2001)

84 Ops.Cal.Atty.Gen. 52 (2001)

77 Ops.Cal.Atty.Gen. 56 (1994)

PERB-PUBLIC EMPLOYMENT RELATIONS BOARD RULINGS

California Federation of Teachers, Local 1931 v. Sacramento, (2019) PERB Dec. No. 2702m

Conejo Valley Unified School District, (2009) PERB Dec. No. 2054

East Whittier School District, (2004) PERB Dec. No. 1727

Turlock Joint Elementary School District, (2004) PERB Dec. No. 1490a

San Diego Community College District, (2001) PERB Order #Dec. No. 1467-(26 PERC 33014)

Management Resources:

CSBA PUBLICATIONS

~~Political Activities of School Districts: Legal Issues, 1998, revised 2001~~

WEB SITES

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

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

California Office of the Attorney General, ~~Dept. of Justice:~~ <http://eaag.state.ca.us/>:
<http://oag.ca.gov>

Public Employment Relations Board: ~~<http://www.perb.ca.gov>~~ <http://www.perb.ca.gov>

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

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

December 2020

POLITICAL ACTIVITIES OF EMPLOYEES

The Governing Board recognizes the importance of political activity, voting, and civic engagement, and respects the right of district employees to engage in political discussions and activities as individuals on their own time and at their own expense. When engaging in such activities, employees shall make it clear that they are acting on their own behalf and not as representatives of the district.

(cf. 1160 - Political Processes)
(cf. 6144 - Controversial Issues)

District employees, as members of the community, may use school facilities for meetings, including political activities, as permitted under the Civic Center Act and district policy.

(cf. 1330 - Use of School Facilities)

Employees shall refrain from prohibited political activities identified in law, Board policy, and administrative regulations. Employees who engage in these activities shall be subject to disciplinary action and/or criminal penalties.

(cf. 1325 - Advertising and Promotion)
(cf. 4118 - Dismissal/Suspension/Disciplinary Action)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

*Legal Reference:*EDUCATION CODE

7050-7058 Political activities of school officers and employees

38130-38139 Civic Center Act

51520 Prohibited solicitations on school premises

ELECTIONS CODE

18304 Prohibition against use of district seal in campaign literature

GOVERNMENT CODE

3543.1 Rights of employee organizations

8314 Prohibition against use of public resources for campaign activity

82041.5 Definition of mass mailing

PENAL CODE

424 Punishment for misuse of public funds

COURT DECISIONS

Heffernan v. City of Paterson, (2016) 136 S. Ct. 1412

Diquisto v. County of Santa Clara, (2010) 181 Cal. App. 4th 236

San Leandro Teachers Association v. Governing Board of the San Leandro Unified School District, (2010) 46 Cal. 4th 822

Downs v. Los Angeles Unified School District, (9th Cir. 2000) 228 F.3d 1003

California Teachers Association v. Governing Board of San Diego Unified School District, (1996) 45 Cal.App. 4th 1383

L.A. Teachers Union v. L.A. City Board of Education, (1969) 71 Cal.2d 551

Pickering v. Board of Education Township High School District, (1968) 88 S. Ct. 1731

ATTORNEY GENERAL OPINIONS

84 Ops.Cal.Atty.Gen. 106 (2001)

84 Ops.Cal.Atty.Gen. 52 (2001)
77 Ops.Cal.Atty.Gen. 56 (1994)
PUBLIC EMPLOYMENT RELATIONS BOARD RULINGS
City of Sacramento, (2019) PERB Dec. No. 2702m
Conejo Valley Unified School District, (2009) PERB Dec. No. 2054
East Whittier School District, (2004) PERB Dec. No. 1727
Turlock Joint Elementary School District, (2004) PERB Dec. No. 1490a
San Diego Community College District, (2001) PERB Dec. No. 1467

Management Resources:

WEB SITES

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

California Office of the Attorney General: <http://oag.ca.gov>

Public Employment Relations Board: <http://www.perb.ca.gov>

Policy ALAMEDA UNIFIED SCHOOL DISTRICT

adopted: August 25, 2009 Alameda, California

revised:

Policy 4131: Staff Development

Status:
ADOPTED

Original Adopted Date: 08/25/2009 | Last Revised Date: 02/23/2016 | Last Reviewed Date: 02/23/2016

Certificated Personnel

BP 4131(a)

STAFF DEVELOPMENT

The Governing Board believes that, in order to maximize student learning ~~and~~, achievement, and well-being, certificated staff members must be continuously learning and improving ~~their relevant~~ skills. The Superintendent or designee shall develop a program of ongoing professional development which includes opportunities for teachers to enhance their instructional and classroom management skills ~~and~~, become informed about changes in pedagogy and subject matter, and strengthen practices related to social-emotional development and learning.

(cf. 6111 - School Calendar)

The Superintendent or designee shall involve teachers, site and district administrators, and others, as appropriate, ~~in the development of~~ when creating, reviewing, and amending the district's staff development program. ~~He/she~~ The Superintendent or designee shall ensure that the district's staff development program is aligned with district priorities for student learning, achievement and well-being, school improvement objectives, the local control and accountability plan, and other district and school plans.

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 0420 - School Plans/Site Councils)

(cf. 0460 - Local Control and Accountability Plan)

The district's staff development program shall assist certificated staff in developing knowledge and skills, including, but not limited to:

1. Mastery of subject-matter knowledge, including current state and district academic standards

-

(cf. 6011 - Academic Standards)

(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)

(cf. 6142.2 - World Language Instruction)

(cf. 6142.3 - Civic Education)

(cf. 6142.5 - Environmental Education)

(cf. 6142.6 - Visual and Performing Arts Education)

(cf. 6142.7 - Physical Education and Activity)

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6142.91 - Reading/Language Arts Instruction)

(cf. 6142.92 - Mathematics Instruction)

(cf. 6142.93 - Science Instruction)
(cf. 6142.94 - History-Social Science Instruction)

2. 2. Use of effective, subject-specific teaching methods, strategies, and skills
-
3. 3. Use of technologies to enhance instruction
- and learning, including face-to-face, remote, or hybrid instruction

BP 4131(b)

STAFF DEVELOPMENT (continued)

(cf. 0440 - District Technology Plan)
(cf. 4040 - Employee Use of Technology)
(cf. 4113.5/4213.5/4313.5 - Working Remotely)
(cf. 6158 - Independent Study)
(cf. 6163.4 - Student Use of Technology)

4. 4. Sensitivity to and ability to meet the needs of diverse student populations, including, but not limited to, students ~~of various racial and ethnic groups, students with disabilities, English learners, economically disadvantaged students, foster youth, gifted and talented students, and at risk students~~ -with characteristics specified in Education Code 200 and/or 220, Government Code 11135, and/or Penal Code 422.55


(cf. 0410 - Nondiscrimination/Harassment)
(cf. 0415 - Equity)
(cf. 4112.22 - Staff Teaching English Learners)
(cf. 4112.23 - Special Education Staff)
(cf. 5146 - Married/Pregnant/Parenting Students)
(cf. 5147 - Dropout Prevention)
(cf. 6141.5 - Advanced Placement)
(cf. 6171 - Title I Programs)
(cf. 6172 - Gifted and Talented Student Program)
(cf. 6173 - Education for Homeless Children)
(cf. 6173.1 - Education for Foster Youth)
(cf. 6174 - Education for English Learners)
(cf. 6175 - Migrant Education Program)

5. 5. Understanding of how academic and career technical instruction can be integrated and implemented to increase student learning
-

(cf. 6178 - Career Technical Education)

6. 6. Knowledge of strategies that encourage parents/guardians to participate fully and effectively in their children's education
-

(cf. 1240 - Volunteer Assistance)
(cf. 5020 - Parent Rights and Responsibilities)
(cf. 6020 - Parent Involvement)

7. 7.Effective classroom management skills and strategies for establishing a climate that promotes respect, fairness, ~~tolerance~~acceptance, and ~~discipline~~civility, including conflict resolution ~~and~~ and  hatred prevention -, and positive behavioral interventions and supports

(cf. 1313 - Civility)
(cf. 5131 - Conduct)
(cf. 5131.2 - Bullying)
(cf. 5137 - Positive School Climate)
(cf. 5138 - Conflict Resolution/Peer Mediation)
(cf. 5144 - Discipline)
(cf. 5145.9 - Hate-Motivated Behavior)

BP 4131(c)

STAFF DEVELOPMENT (continued)

8. 8.Ability to relate to students, understand their various stages of growth and development, and motivate them to learn
-

9. 9.Ability to interpret and use data and assessment results to guide instruction
-

(cf. 5121 - Grades/Evaluation of Student Achievement)
(cf. 6162.5 - Student Assessment)

10. 10.Knowledge of topics related to student mental and physical health, safety, and welfare
-, which may include social-emotional learning and trauma-informed practices

(cf. 0450 - Comprehensive Safety Plan)
(cf. 5030 - Student Wellness)
(cf. 5131.6 - Alcohol and Other Drugs)
(cf. 5131.63 - Steroids)
(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)
(cf. 5141.22 - Infectious Diseases)
(cf. 5141.4 - Child Abuse Prevention and Reporting)
(cf. 5141.5 - Mental Health)
(cf. 5141.52 - Suicide Prevention)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)
(cf. 5145.71 - Title IX Sexual Harassment Complaint Procedures)

11. 11.Knowledge of topics related to employee health, safety, and security

(cf. 3514.1 - Hazardous Substances)
(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)
(cf. 4119.12 - Title IX Sexual Harassment Complaint Procedures)
(cf. 4119.41/4219.41/4319.41 - Employees with Infectious Disease)
(cf. 4119.42/4219.42/4319.42- Exposure Control Plan for Bloodborne Pathogens)
(cf. 4119.43/4219.43/4319.43 - Universal Precautions)
(cf. 4157/4257/4357 - Employee Safety)
(cf. 4158/4258/4358 - Employee Security)

++

The Superintendent or designee shall, in conjunction with teachers, interns, and administrators, as appropriate, develop an individualized program of professional growth to increase competence, performance, and effectiveness in teaching and classroom management and, as necessary, to assist them in meeting state or federal requirements to be fully qualified for their positions.

(cf. 4112.2 - Certification)
(cf. 4112.21 - Interns)
(cf. 4131.1 - Teacher Support and Guidance)

BP 4131(d)

STAFF DEVELOPMENT (continued)

Professional learning opportunities offered by the district shall be evaluated based on the criteria specified in Education Code 44277. Such opportunities may be part of a coherent plan that combines school activities within a school, including lesson study or co-teaching, and external learning opportunities that are related to academic subjects taught, provide time to meet and work with other teachers, and support instruction and student learning. Learning activities may include, but are not limited to, mentoring projects for new teachers, extra support for teachers to improve practice, and collaboration time for teachers to develop new instructional lessons, select or develop common formative assessments, or analyze student data. (Education Code 44277)

The district's staff evaluation process may be used to recommend additional individualized staff development for individual employees.

(cf. 4115 - Evaluation/Supervision)

The Board may budget funds for actual and reasonable expenses incurred by staff who participate in staff development activities.

(cf. 3100 - Budget)
(cf. 3350 - Travel Expenses)

The Superintendent or designee shall provide a means for continual evaluation of the benefit of staff development activities to both staff and students and shall regularly report to the Board regarding the effectiveness of the staff development program. Based on the

Superintendent's report, the Board may revise the program as necessary to ensure that the staff development program supports the district's priorities for student achievement and well-being.

Policy(cf. 0500 - Accountability)

Legal Reference-Disclaimer: (see next page)

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 13025-13044~~

~~5-CCR 80021~~

~~5-CCR 80021.1~~

~~5-CCR 80023-80026.6~~

~~Ed. Code 44032~~

~~Ed. Code 44259.5~~

~~Ed. Code 44277~~

~~Ed. Code 44300~~

~~Ed. Code 44325-44328~~

~~Ed. Code 44450-44468~~

~~Ed. Code 44570-44578~~

~~Ed. Code 44830.3~~

~~Ed. Code 45028~~

~~Ed. Code 48980~~

~~Ed. Code 52060-52077~~

~~Ed. Code 56240-56245~~

~~Ed. Code 99200-99206~~

~~Gov. Code 3543.2~~

Federal

~~20- USC 6601-6702~~

Management Resources

~~Commission on Teacher Credentialing California Standards for the Teaching Profession, 2009 Publication~~

~~CSBA Publication~~

~~Public Employment Relations Board Decision~~

~~Website~~

~~Website~~

~~Website~~

~~Website~~

Description

~~Professional development and program improvement~~

~~Short-term staff permit~~

~~Provisional internship permit~~

~~Emergency permits~~

~~Travel expense payment~~

~~Standards for teacher preparation~~

~~Professional growth programs for individual teachers~~

~~Emergency permits~~

~~District interns~~

~~University intern program~~

~~Inservice training, secondary education~~

~~Employing district interns~~

~~Salary schedule and exceptions~~

~~Parental notifications~~

~~Local control and accountability plan~~

~~Staff development; service to persons with disabilities~~

~~Subject matter projects~~

~~Scope of representation~~

Description

~~Preparing, Training and Recruiting High Quality Teachers and Principals~~

Description

~~Governing to the Core: Professional Development for~~

~~Common Core, Governance Brief, May 2013~~

~~United Faculty of Contra Costa Community College District v. Contra Costa Community College District, (1990) PERB Order No. 804, 14 PERC P21, 085~~

~~California Department of Education, Professional Learning California Subject Matter Projects~~

~~Commission on Teacher Credentialing~~

~~CSBA~~

~~CSBA~~

~~CSBA~~

~~CSBA~~

Cross References

Code

Description

0000	<u>Vision</u>
0000	<u>Vision</u>
0100	<u>Philosophy</u>
0200	<u>Goals For The School District</u>
0415	<u>Equity</u>
0420	<u>School Plans/Site Councils</u>
0420	<u>School Plans/Site Councils</u>
0440	<u>District Technology Plan</u>
0450	<u>Comprehensive Safety Plan</u>
0450	<u>Comprehensive Safety Plan</u>
0460	<u>Local Control And Accountability Plan</u>
0460	<u>Local Control And Accountability Plan</u>
0500	<u>Accountability</u>
1100	<u>Communication With The Public</u>
1100	<u>Communication With The Public</u>
1113	<u>District And School Web Sites</u>
1113	<u>District And School Web Sites</u>
1113-E(1)	<u>District And School Web Sites</u>
1114	<u>District Sponsored Social Media</u>
1240	<u>Volunteer Assistance</u>
1240	<u>Volunteer Assistance</u>
3100	<u>Budget</u>
3100	<u>Budget</u>
3230	<u>Federal Grant Funds</u>
3230	<u>Federal Grant Funds</u>
3260	<u>Fees And Charges</u>
3260	<u>Fees And Charges</u>
3350	<u>Travel Expenses</u>
3511.1	<u>Integrated Waste Management</u>
3511.1	<u>Integrated Waste Management</u>
3514	<u>Environmental Safety</u>
3514	<u>Environmental Safety</u>
3514.1	<u>Hazardous Substances</u>
3514.1	<u>Hazardous Substances</u>
3515	<u>Campus Security</u>
3515	<u>Campus Security</u>
3515.2	<u>Disruptions</u>
3515.2	<u>Disruptions</u>
3516	<u>Emergencies And Disaster Preparedness Plan</u>
3516	<u>Emergencies And Disaster Preparedness Plan</u>
3516.2	<u>Bomb Threats</u>
3516.3	<u>Earthquake Emergency Procedure System</u>
3542	<u>School Bus Drivers</u>
3550	<u>Food Service/Child Nutrition Program</u>
3550	<u>Food Service/Child Nutrition Program</u>
3580	<u>District Records</u>
3580	<u>District Records</u>
4000	<u>Concepts And Roles</u>
4030	<u>Nondiscrimination In Employment</u>

4030	<u>Nondiscrimination In Employment</u>
4040	<u>Employee Use Of Technology</u>
4040	<u>Employee Use Of Technology</u>
4100	<u>Certificated Personnel</u>
4112.2	<u>Certification</u>
4112.2	<u>Certification</u>
4112.21	<u>Interns</u>
4112.21	<u>Interns</u>
4112.22	<u>Staff Teaching English Learners</u>
4112.23	<u>Special Education Staff</u>
4113	<u>Assignment</u>
4113	<u>Assignment</u>
4115	<u>Evaluation/Supervision</u>
4115	<u>Evaluation/Supervision</u>
4116	<u>Probationary/Permanent Status</u>
4116	<u>Probationary/Permanent Status</u>
4119.11	<u>Sexual Harassment</u>
4119.11	<u>Sexual Harassment</u>
4119.21	<u>Professional Standards</u>
4119.21-E(1)	<u>Professional Standards</u>
4119.41	<u>Employees With Infectious Disease</u>
4119.42	<u>Exposure Control Plan For Bloodborne Pathogens</u>
4119.42	<u>Exposure Control Plan For Bloodborne Pathogens</u>
4119.42-E(1)	<u>Exposure Control Plan For Bloodborne Pathogens</u>
4119.43	<u>Universal Precautions</u>
4119.43	<u>Universal Precautions</u>
4131.1	<u>Teacher Support And Guidance</u>
4157	<u>Employee Safety</u>
4157	<u>Employee Safety</u>
4158	<u>Employee Security</u>
4158	<u>Employee Security</u>
4161	<u>Leaves</u>
4161	<u>Leaves</u>
4219.11	<u>Sexual Harassment</u>
4219.11	<u>Sexual Harassment</u>
4219.21	<u>Professional Standards</u>
4219.21-E(1)	<u>Professional Standards – Code Of Ethics Classified Employees</u>
4219.41	<u>Employees With Infectious Disease</u>
4219.42	<u>Exposure Control Plan for Bloodborne Pathogens</u>
4219.42	<u>Exposure Control Plan for Bloodborne Pathogens</u>
4219.42-E(1)	<u>Exposure Control Plan for Bloodborne Pathogens</u>
4219.43	<u>Universal Precautions</u>
4219.43	<u>Universal Precautions</u>
4222	<u>Teacher Aides/Paraprofessionals</u>
4222	<u>Teacher Aides/Paraprofessionals</u>
4257	<u>Employee Safety</u>
4257	<u>Employee Safety</u>
4258	<u>Employee Security</u>
4258	<u>Employee Security</u>

4261	<u>Leaves</u>
4261	<u>Leaves</u>
4319.11	<u>Sexual Harassment</u>
4319.11	<u>Sexual Harassment</u>
4319.21	<u>Professional Standards</u>
4319.21-E(1)	<u>Professional Standards</u>
4319.41	<u>Employees With Infectious Disease</u>
4319.42	<u>Exposure Control Plan for Bloodborne Pathogens</u>
4319.42	<u>Exposure Control Plan for Bloodborne Pathogens</u>
4319.42-E(1)	<u>Exposure Control Plan for Bloodborne Pathogens</u>
4319.43	<u>Universal Precautions</u>
4319.43	<u>Universal Precautions</u>
4357	<u>Employee Safety</u>
4357	<u>Employee Safety</u>
4358	<u>Employee Security</u>
4358	<u>Employee Security</u>
4361	<u>Leaves</u>
4361	<u>Leaves</u>
5020	<u>Parent Rights And Responsibilities</u>
5020	<u>Parent Rights And Responsibilities</u>
5030	<u>Student Wellness</u>
5121	<u>Grades/Evaluation Of Student Achievement</u>
5121	<u>Grades/Evaluation Of Student Achievement</u>
5131	<u>Conduct</u>
5131.2	<u>Bullying</u>
5131.2	<u>Bullying</u>
5131.6	<u>Alcohol And Other Drugs</u>
5131.6	<u>Alcohol And Other Drugs</u>
5131.63	<u>Steroids</u>
5131.63	<u>Steroids</u>
5131.63-E(1)	<u>Steroids</u>
5137	<u>Positive School Climate</u>
5138	<u>Conflict Resolution/Peer Mediation</u>
5141.21	<u>Administering Medication And Monitoring Health Conditions</u>
5141.21	<u>Administering Medication And Monitoring Health Conditions</u>
5141.4	<u>Child Abuse Prevention And Reporting</u>
5141.52	<u>Suicide Prevention</u>
5141.52	<u>Suicide Prevention</u>
5141.52-E(1)	<u>Suicide Prevention</u>
5145.3	<u>Nondiscrimination/Harassment</u>
5145.3	<u>Nondiscrimination/Harassment</u>
5145.9	<u>Hate-Motivated Behavior</u>
5147	<u>Dropout Prevention</u>
6000	<u>Concepts And Roles</u>
6011	<u>Academic Standards</u>
6020	<u>Parent Involvement</u>
6020	<u>Parent Involvement</u>
6111	<u>School Calendar</u>
6116	<u>Classroom Interruptions</u>

6141	<u>Curriculum Development And Evaluation</u>
6141	<u>Curriculum Development And Evaluation</u>
6141.5	<u>Advanced Placement</u>
6141.5	<u>Advanced Placement</u>
6142.1	<u>Sexual Health And HIV/AIDS Prevention Instruction</u>
6142.1	<u>Sexual Health And HIV/AIDS Prevention Instruction</u>
6142.2	<u>World Language Instruction</u>
6142.2	<u>World Language Instruction</u>
6142.3	<u>Civic Education</u>
6142.5	<u>Environmental Education</u>
6142.6	<u>Visual And Performing Arts Education</u>
6142.7	<u>Physical Education And Activity</u>
6142.7	<u>Physical Education And Activity</u>
6142.8	<u>Comprehensive Health Education</u>
6142.91	<u>Reading/Language Arts Instruction</u>
6142.91	<u>Reading/Language Arts Instruction</u>
6142.92	<u>Mathematics Instruction</u>
6142.93	<u>Science Instruction</u>
6142.94	<u>History-Social Science Instruction</u>
6152.1	<u>Placement In Mathematics Courses</u>
6152.1	<u>Placement In Mathematics Courses</u>
6154	<u>Homework/Makeup Work</u>
6154	<u>Homework/Makeup Work</u>
6154-E(1)	<u>Homework/Makeup Work</u>
6158	<u>Independent Study</u>
6158	<u>Independent Study</u>
6162.5	<u>Student Assessment</u>
6162.6	<u>Use Of Copyrighted Materials</u>
6162.6	<u>Use Of Copyrighted Materials</u>
6163.1	<u>Library Media Centers</u>
6163.4	<u>Student Use Of Technology</u>
6163.4	<u>Student Use Of Technology</u>
6164.2	<u>Guidance/Counseling Services</u>
6164.2	<u>Guidance/Counseling Services</u>
6171	<u>Title I Programs</u>
6171	<u>Title I Programs</u>
6173	<u>Education For Homeless Children</u>
6173	<u>Education For Homeless Children</u>
6173-E(1)	<u>Education For Homeless Children</u>
6173.1	<u>Education For Foster Youth</u>
6173.1	<u>Education For Foster Youth</u>
6173.2	<u>Education Of Children Of Military Families</u>
6174	<u>Education For English Learners</u>
6174	<u>Education For English Learners</u>
6174-E(1)	<u>Education For English Learners</u>
6175	<u>Migrant Education Program</u>
6175	<u>Migrant Education Program</u>
6178	<u>Career Technical Education</u>
6178	<u>Career Technical Education</u>

6184	<u>Continuation Education</u>
6184	<u>Continuation Education</u>
6200	<u>Adult Education</u>
6200	<u>Adult Education</u>
6200-E(1)	<u>Adult Education</u>

BP 4131(e)

STAFF DEVELOPMENT (continued)

Legal Reference:

EDUCATION CODE

200 Educational equity

218 Lesbian, gay, bisexual, transgender, queer, and questioning student resources

220 Prohibition of discrimination

44032 Travel expense payment

44259.5 Standards for teacher preparation

44277 Professional growth programs for individual teachers

44300 Emergency permits

44325-44328 District interns

44450-44468 University internship program

44830.3 District interns45028 Salary schedule and exceptions

48980 Notification of parents/guardians; schedule of minimum days

51745-51749.6 Independent study

52060-52077 Local control and accountability plan

56240-56245 Staff development; service to persons with disabilities

99200-99204 Subject matter projects

GOVERNMENT CODE

3543.2 Scope of representation of employee organization

11135 Discrimination

PENAL CODE

422.55 Hate crime

CODE OF REGULATIONS, TITLE 5

13025-13044 Professional development and program improvement

80021 Short-term staff permit

80021.1 Provisional internship permit

80023-80026.6 Emergency permits

UNITED STATES CODE, TITLE 20

1681-1688 Discrimination based on sex or blindness, Title IX

6601-6692 Preparing, training, and recruiting high quality teachers and principals

UNITED STATES CODE TITLE 29

794 Rehabilitation Act of 1973, Section 504

UNITED STATES CODE TITLE 42

2000d-2000d-7 Title VI, Civil Rights Act of 1964
12101-12213 Americans with Disabilities Act
PUBLIC EMPLOYMENT RELATIONS BOARD DECISIONS
United Faculty of Contra Costa Community College District v. Contra Costa Community College District, (1990) PERB Dec. No. 804, 14 PERC P21085

Management Resources: (see next page)

BP 4131(f)

STAFF DEVELOPMENT (continued)

Management Resources:

CSBA PUBLICATIONS

Governing to the Core: Professional Development for Common Core, Governance Brief, May 2013

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California Digital Learning Integration and Standards Guidance, June 2021

Social and Emotional Learning in California, A Guide to Resources, October 2018

COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS

California Standards for the Teaching Profession (CSTP), 2009

WEB SITES

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

California Department of Education, Professional Learning: <http://www.cde.ca.gov/pd>

California Department of Education, Supporting LGBTQ+ Students:

<https://www.cde.ca.gov/pd/ee/supportlgbtq.asp>

California Subject Matter Project: <http://csmp.ucop.edu>

Collaborative for Academic, Social, and Emotional Learning: <https://casel.org>

Commission on Teacher Credentialing: <http://www.ctc.ca.gov>

Public Employment Relations Board: <https://perb.ca.gov>

Policy	CSBA POLICY MANUAL UPDATE
adopted:	September 2021

STAFF DEVELOPMENT

The Governing Board believes that, in order to maximize student learning, achievement, and well-being, certificated staff members must be continuously learning and improving relevant skills. The Superintendent or designee shall develop a program of ongoing professional development which includes opportunities for teachers to enhance their instructional and classroom management skills, become informed about changes in pedagogy and subject matter, and strengthen practices related to social-emotional development and learning.

(cf. 6111 - School Calendar)

The Superintendent or designee shall involve teachers, site and district administrators, and others, as appropriate, when creating, reviewing, and amending the district's staff development program. The Superintendent or designee shall ensure that the district's staff development program is aligned with district priorities for student learning, achievement and well-being, school improvement objectives, the local control and accountability plan, and other district and school plans.

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 0420 - School Plans/Site Councils)

(cf. 0460 - Local Control and Accountability Plan)

The district's staff development program shall assist certificated staff in developing knowledge and skills, including, but not limited to:

1. Mastery of subject-matter knowledge, including current state and district academic standards

(cf. 6011 - Academic Standards)

(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)

(cf. 6142.2 - World Language Instruction)

(cf. 6142.3 - Civic Education)

(cf. 6142.5 - Environmental Education)

(cf. 6142.6 - Visual and Performing Arts Education)

(cf. 6142.7 - Physical Education and Activity)

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6142.91 - Reading/Language Arts Instruction)

(cf. 6142.92 - Mathematics Instruction)

(cf. 6142.93 - Science Instruction)

(cf. 6142.94 - History-Social Science Instruction)

2. Use of effective, subject-specific teaching methods, strategies, and skills
3. Use of technologies to enhance instruction and learning, including face-to-face, remote, or hybrid instruction

(cf. 0440 - District Technology Plan)
(cf. 4040 - Employee Use of Technology)
(cf. 4113.5/4213.5/4313.5 - Working Remotely)
(cf. 6158 - Independent Study)
(cf. 6163.4 - Student Use of Technology)

4. Sensitivity to and ability to meet the needs of diverse student populations, including, but not limited to, students with characteristics specified in Education Code 200 and/or 220, Government Code 11135, and/or Penal Code 422.55

(cf. 0410 - Nondiscrimination/Harassment)
(cf. 0415 - Equity)
(cf. 4112.22 - Staff Teaching English Learners)
(cf. 4112.23 - Special Education Staff)
(cf. 5146 - Married/Pregnant/Parenting Students)
(cf. 5147 - Dropout Prevention)
(cf. 6141.5 - Advanced Placement)
(cf. 6171 - Title I Programs)
(cf. 6172 - Gifted and Talented Student Program)
(cf. 6173 - Education for Homeless Children)
(cf. 6173.1 - Education for Foster Youth)
(cf. 6174 - Education for English Learners)
(cf. 6175 - Migrant Education Program)

5. Understanding of how academic and career technical instruction can be integrated and implemented to increase student learning

(cf. 6178 - Career Technical Education)

6. Knowledge of strategies that encourage parents/guardians to participate fully and effectively in their children's education

(cf. 1240 - Volunteer Assistance)
(cf. 5020 - Parent Rights and Responsibilities)
(cf. 6020 - Parent Involvement)

7. Effective classroom management skills and strategies for establishing a climate that promotes respect, fairness, acceptance, and civility, including conflict resolution, hatred prevention, and positive behavioral interventions and supports

(cf. 1313 - Civility)
(cf. 5131 - Conduct)
(cf. 5131.2 - Bullying)
(cf. 5137 - Positive School Climate)
(cf. 5138 - Conflict Resolution/Peer Mediation)
(cf. 5144 - Discipline)
(cf. 5145.9 - Hate-Motivated Behavior)

8. Ability to relate to students, understand their various stages of growth and development, and motivate them to learn

9. Ability to interpret and use data and assessment results to guide instruction

(cf. 5121 - Grades/Evaluation of Student Achievement)
(cf. 6162.5 - Student Assessment)

10. Knowledge of topics related to student mental and physical health, safety, and welfare, which may include social-emotional learning and trauma-informed practices

(cf. 0450 - Comprehensive Safety Plan)
(cf. 5030 - Student Wellness)
(cf. 5131.6 - Alcohol and Other Drugs)
(cf. 5131.63 - Steroids)
(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)
(cf. 5141.22 - Infectious Diseases)
(cf. 5141.4 - Child Abuse Prevention and Reporting)
(cf. 5141.5 - Mental Health)
(cf. 5141.52 - Suicide Prevention)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)
(cf. 5145.71 - Title IX Sexual Harassment Complaint Procedures)

11. Knowledge of topics related to employee health, safety, and security

(cf. 3514.1 - Hazardous Substances)
(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)
(cf. 4119.12 - Title IX Sexual Harassment Complaint Procedures)
(cf. 4119.41/4219.41/4319.41 - Employees with Infectious Disease)
(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)
(cf. 4119.43/4219.43/4319.43 - Universal Precautions)
(cf. 4157/4257/4357 - Employee Safety)
(cf. 4158/4258/4358 - Employee Security)

The Superintendent or designee shall, in conjunction with teachers, interns, and administrators, as appropriate, develop an individualized program of professional growth to increase competence, performance, and effectiveness in teaching and classroom management and, as necessary, to assist them in meeting state or federal requirements to be fully qualified for their positions.

(cf. 4112.2 - Certification)
(cf. 4112.21 - Interns)
(cf. 4131.1 - Teacher Support and Guidance)

Professional learning opportunities offered by the district shall be evaluated based on the criteria specified in Education Code 44277. Such opportunities may be part of a coherent plan that combines school activities within a school, including lesson study or co-teaching, and external learning opportunities that are related to academic subjects taught, provide time to meet and work with other teachers, and support instruction and student learning. Learning activities may include, but are not limited to, mentoring projects for new teachers, extra support for teachers to improve practice, and collaboration time for teachers to develop new instructional lessons, select or develop common formative assessments, or analyze student data. (Education Code 44277)

The district's staff evaluation process may be used to recommend additional individualized staff development for individual employees.

(cf. 4115 - Evaluation/Supervision)

The Board may budget funds for actual and reasonable expenses incurred by staff who participate in staff development activities.

(cf. 3100 - Budget)

(cf. 3350 - Travel Expenses)

The Superintendent or designee shall provide a means for continual evaluation of the benefit of staff development activities to both staff and students and shall regularly report to the Board regarding the effectiveness of the staff development program. Based on the

Superintendent's report, the Board may revise the program as necessary to ensure that the staff development program supports the district's priorities for student achievement and well-being.

(cf. 0500 - Accountability)

Legal Reference:

EDUCATION CODE

200 Educational equity

218 Lesbian, gay, bisexual, transgender, queer, and questioning student resources

220 Prohibition of discrimination

44032 Travel expense payment

44259.5 Standards for teacher preparation

44277 Professional growth programs for individual teachers

44300 Emergency permits

44325-44328 District interns

44450-44468 University internship program

44830.3 District interns 45028 Salary schedule and exceptions

48980 Notification of parents/guardians; schedule of minimum days

51745-51749.6 Independent study

52060-52077 Local control and accountability plan

56240-56245 Staff development; service to persons with disabilities

99200-99204 Subject matter projects

GOVERNMENT CODE

3543.2 Scope of representation of employee organization

11135 Discrimination

PENAL CODE

422.55 Hate crime

CODE OF REGULATIONS, TITLE 5

13025-13044 Professional development and program improvement

80021 Short-term staff permit

80021.1 Provisional internship permit

80023-80026.6 Emergency permits

UNITED STATES CODE, TITLE 20

1681-1688 Discrimination based on sex or blindness, Title IX

6601-6692 Preparing, training, and recruiting high quality teachers and principals

UNITED STATES CODE TITLE 29

794 Rehabilitation Act of 1973, Section 504

UNITED STATES CODE TITLE 42

2000d-2000d-7 Title VI, Civil Rights Act of 1964

12101-12213 Americans with Disabilities Act

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Collaborative for Academic, Social, and Emotional Learning: <https://casel.org>

Commission on Teacher Credentialing: <http://www.ctc.ca.gov>

Public Employment Relations Board: <https://perb.ca.gov>

Policy ALAMEDA UNIFIED SCHOOL DISTRICT

adopted: August 25, 2009 Alameda, California

revised: February 23, 2016

revised:

Bargaining Units—

◀ [Previous](#) | [Next](#) ▶

<u>All Personnel</u>	BP 4140(a)
	<u>4240</u>
<u>BARGAINING UNITS</u>	<u>4340</u>

The Governing Board recognizes the right of district employees to form a bargaining unit, select an employee organization as their exclusive representative, and be represented by that organization in their employment relationship with the district. The Board is committed to negotiating in good faith with recognized employee organizations and respecting the rights of employees and employee organizations.

(cf. ~~4141/4241~~ 4141/4241 - *Collective Bargaining Agreement*)

(cf. ~~4143/4243~~ 4143/4243 - *Negotiations/Consultation*)

(cf. ~~9000~~ 9000 - *Role of the Board*)

The district shall not dominate or interfere with the formation or administration of any employee organization or contribute financial or other support to it. (Government Code ~~3543.5~~ 3543.5)

Employees shall not be prohibited from wearing union buttons or other items that favor or oppose the formation of a bargaining unit or any matter that is the subject of negotiations.

(cf. 4119.25/4219.25/4319.25 - *Political Activities of Employees*)

Formation of Bargaining Units

Certificated and classified employees shall not be included in the same bargaining unit. (Government Code ~~3545~~ 3545)

The district may recognize a bargaining unit of supervisory employees if: (Government Code ~~3545~~ 3545)

- 1.- The bargaining unit includes all supervisory employees.
- 2.- The supervisors are not represented by the same organization that represents employees whom the supervisory employees supervise.

(cf. ~~4300~~ 4300 - *Administrative and Supervisory Personnel*)

(cf. ~~4301~~ 4301 - *Administrative Staff Organization*)

(cf. ~~4312.1~~ 4312.1 - *Contracts*)

For this purpose, *supervisory employee* means any employee, regardless of job description, having the authority, in the interest of the district, to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, discipline, assign work, direct, adjust grievance of other employees, or effectively recommend that action. The exercise of this authority shall not be

merely routine or clerical in nature, but shall require the use of independent judgment. (Government Code ~~3540.1~~ 3540.1)

	BP 4140(b)
	4240
	4340

BARGAINING UNITS (continued)

Employees serving in management, senior management, or confidential positions shall not be represented by an exclusive representative. Such employees may represent themselves individually ~~or~~. For purposes other than negotiations and bargaining, such employees may be represented by an employee organization whose membership is composed entirely of employees designated as holding those positions. ~~When represented by an employee organization, that organization shall not meet and negotiate with the district. For this purpose: (Government Code 3540.1, 3543.4)~~ For this purpose: (Government Code 3540.1, 3543.4)

- 1.- Management employee means any employee who has significant responsibilities for formulating district policies or administering district programs, and whose position is designated as a management position by the Board.
- 2.- Confidential employee means any employee who is required to develop or present management positions with respect to employer-employee relations or whose duties normally require access to confidential information that is used to contribute significantly to the development of management positions.

Membership

The district shall not deter or discourage employees or job applicants from becoming or remaining members of an employee organization, authorizing representation by an employee organization, or authorizing dues or fee deductions to an employee organization. In addition, the district shall not impose or threaten to impose reprisals on employees, discriminate or threaten to discriminate against employees, or otherwise interfere with, restrain, or coerce employees because of their membership or nonmembership in an employee organization. (Government Code ~~3543.5~~, 3543.5, 3550)

(cf. 4119.1/4219.1/4319.1 - Civil and Legal Rights)

~~(cf. 4119.1/4219.1/4319.1 - Civil and Legal Rights)~~

The Superintendent or designee may communicate with district employees regarding their rights under the law. Such communications shall be factual and accurate, and may not promise a benefit, threaten a reprisal, or in any way deter or discourage employees from joining an employee organization or paying dues.

However, before disseminating to multiple employees any mass communication concerning employees' right to join or support an employee organization or to refrain from joining or supporting an employee organization, such as a written document or script for oral or recorded presentation or message, the Superintendent or designee shall meet and confer with the employees' exclusive representative regarding the content of the communication. If the

BP 4140(c)

4240

4340

BARGAINING UNITS (continued)

district and exclusive representative do not come to agreement on the content of the mass communication, the Superintendent or designee may disseminate the district's mass communication provided that, at the same time, copies of the exclusive representative's communication, which shall be of reasonable length, are also distributed. (Government Code 3553)

Access to Employee Orientations ~~and Contact Information~~

The district shall permit employee organizations access to new employee orientations where newly hired employees are advised, whether in person, online, or through other means or mediums, of their employment status, rights, benefits, duties, responsibilities, or any other employment-related matters. The district shall provide employee organizations at least 10 days' notice in advance of an orientation. However, in any specific instance where an unforeseeable, urgent need critical to the district's operation prevents the required 10 days' notice, a shorter notice may be provided. ~~(Government Code 3555.5, 3556)~~ (Government Code 3555.5, 3556)

The structure, time, and manner of the access to new employee orientations shall be determined by mutual agreement of the district and the exclusive representative, following a request to negotiate by either party. If the district and exclusive representative fail to reach an agreement, matters related to the access to new employee orientation shall be subject to compulsory interest arbitration. The district and employee organization may mutually agree to submit any dispute to compulsory interest arbitration at any time. In addition, if any dispute arises during negotiations and is not resolved within 45 days after the first meeting or within 60 days after the initial request to negotiate, whichever is earlier, either party may make a demand for compulsory interest arbitration. When any such dispute arises during the summer when the district's administrative office is closed, the timeline shall commence on the first day the administrative office reopens. The decision of the arbitrator shall be final and binding on the parties. ~~(Government Code 3556, 3557)~~ (Government Code 3556, 3557)

The date, time, and place of the orientation shall not be disclosed to anyone other than employees, the exclusive representative, or a vendor that is contracted to provide a service for purposes of the orientation. ~~(Government Code 3556)~~ 3556)

Access to Employee Contact Information

The Superintendent or designee shall provide an exclusive representative with the name, job title, department, work location, telephone numbers (work, home, and personal cell phone), personal email address(es) on file with the district, and home address of any newly hired employee in the bargaining unit, within 30 days of hire or by the first pay period of the month following hire. In addition, the Superintendent or designee shall provide the same

BP 4140(d)

4240

4340

BARGAINING UNITS (continued)

information in regard to all employees in the bargaining unit to an exclusive representative at least every 120 days, unless more frequent or detailed lists are required by agreement with the exclusive representative. ~~(Government Code 3558, 6254.3)~~ (Government Code 3558, 6254.3)

However, the Superintendent or designee shall not disclose the home address and any phone numbers on file for employees performing law enforcement-related functions, nor ~~shall he/she~~ disclose the home address, home or personal cell phone number(s), or personal email address(es) of any employee who is a participant in the Safe at Home address confidentiality program pursuant to Government Code ~~6207, 6207~~ or ~~of~~ any employee who provides a written request that the information not be disclosed for this purpose. Following receipt of a written request, the district shall remove the employee's home address, home and personal cell phone numbers, and personal email address from any mailing list maintained by the district unless the list is only used by the district to contact the employee. ~~(Government Code 3558, 6207, 6254.3)~~ (Government Code 3558, 6207, 6254.3)

(cf. ~~1340, 1340~~ - Access to District Records)

Communications with Employees

Employee organizations may have access at reasonable times to areas in which employees work and may use district facilities at reasonable times for the purpose of meetings. Subject to reasonable regulation, employee organizations may also use institutional bulletin boards, mailboxes, and other means of communication to communicate with employees. (Government Code 3543.1)

Access to district means of communication shall be limited in cases where such access would be disruptive to district operations.

Membership Dues or Other Payments to an Employee Organization

When drawing an order for the salary or wage payment of a bargaining unit employee of an employee organization, the district shall deduct any amount which has been requested by the

employee in a revocable written authorization for the purpose of paying dues or other payments for any service, program, or committee provided or sponsored by the employee organization. ~~(Education Code 45060, 45168)~~ (Education Code 45060, 45168)

An employee organization that certifies that it has and will maintain individual employee authorizations shall handle and process employee written authorizations for payroll deductions. When an employee organization provides such a certification to the district, the district shall rely on information from the employee organization regarding the amounts of such payroll deductions and from which employees. The employee organization shall not be

BP 4140(e)

4240

4340

BARGAINING UNITS (continued)

required to submit to the district a copy of the written authorization in order for the payroll deductions to be effective. However, when there is a dispute about the existence or terms of the written authorization, a copy of the employee's written authorization shall be submitted to the district. The employee organization shall indemnify the district for any employee claims regarding payroll deductions made by the district in reliance on notification from the employee organization. ~~(Education Code 45060, 45168)~~ (Education Code 45060, 45168)

When an employee organization which has declined to certify that it will handle and process employee written authorizations makes a request for payroll deductions, the district shall request a copy of the employee's written authorization before making the payroll deductions. ~~(Education Code 45060, 45168)~~ (Education Code 45060, 45168)

A written authorization shall remain in effect until expressly revoked in writing by the employee and pursuant to the terms of the written authorization. Employee requests to cancel or change authorizations for payroll deductions for employee organizations shall be directed to the employee organization rather than the district. The employee organization shall be responsible for processing these requests. The district shall rely on the information provided by the employee organization regarding whether deductions for an employee organization were properly canceled or changed. The employee organization shall be required to indemnify the district for any claims made by an employee for deductions made by the district in reliance on information from the employee organization. ~~(Education Code 45060, 45168)~~ (Education Code 45060, 45168)

Legal Reference: (see next page)

BP 4140(f)

4240

4340

BARGAINING UNITS (continued)

Legal Reference:

EDUCATION CODE

45060-45061.5 Deduction of fees from salary or wage payment, certificated employees

45100.5 Senior management positions

45104.5 Abolishment of senior classified management positions

45108.5 Definition of senior classified management employees

45108.7 Waiver of provisions of 45108.5

45168 Deduction of fees from salary or wage payment, classified employees

45220-45320 Merit system, classified employees

GOVERNMENT CODE

3540-3549.3 Educational Employment Relations Act, especially:

3540.1 Definitions

3543.4 Management position; representation

3545 Appropriateness of unit; basis

3550-3552 Prohibition on public employers deterring or discouraging union membership

3555-3559 Public employee communication, information and orientation

6205-6210 Confidentiality of addresses for victims of domestic violence, sexual assault or stalking

6254.3 Disclosure of employee contact information to employee organization

6503.5 Joint powers agencies

53260-53264 Employment contracts

CODE OF REGULATIONS, TITLE 8

33015-33490 Recognition of exclusive representative; proceedings

33700-33710 Severance of established unit

34020 Petition to rescind organizational security arrangement

34055 Reinstatement of organizational security arrangement

COURT DECISIONS

Janus v. American Federation of State, County and Municipal Employees, Council 31, (2018) 138

S.Ct. 2448

Friedrichs v. California Teachers Association, et al., (2016) 136 S.Ct. 1083

County of Los Angeles v. Service Employees International Union, Local 721, (2013) 56 Cal. 4th 905

PUBLIC EMPLOYMENT RELATIONS BOARD RULINGS

City of Sacramento, (2019) PERB Dec. No. 2702m

East Whittier School District, (2004) PERB Dec. No. 1727

Management Resources:

WEB SITES

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

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

Association of California School Administrators: <http://www.acsa.org> <http://www.acsa.org>

California Federation of Teachers: <http://www.cft.org> <http://www.cft.org>

California School Employees Association: <http://www.csea.com> <http://www.csea.com>

California Teachers Association: <http://www.cta.org> <http://www.cta.org>

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

adopted: ~~June 26, 2012 Alameda, California~~ December 2020

~~revised: May 8, 2018~~

~~revised: October 9, 2018~~

BARGAINING UNITS

The Governing Board recognizes the right of district employees to form a bargaining unit, select an employee organization as their exclusive representative, and be represented by that organization in their employment relationship with the district. The Board is committed to negotiating in good faith with recognized employee organizations and respecting the rights of employees and employee organizations.

(cf. 4141/4241 - Collective Bargaining Agreement)

(cf. 4143/4243 - Negotiations/Consultation)

(cf. 9000 - Role of the Board)

The district shall not dominate or interfere with the formation or administration of any employee organization or contribute financial or other support to it. (Government Code 3543.5)

Employees shall not be prohibited from wearing union buttons or other items that favor or oppose the formation of a bargaining unit or any matter that is the subject of negotiations.

(cf. 4119.25/4219.25/4319.25 - Political Activities of Employees)

Formation of Bargaining Units

Certificated and classified employees shall not be included in the same bargaining unit. (Government Code 3545)

The district may recognize a bargaining unit of supervisory employees if: (Government Code 3545)

1. The bargaining unit includes all supervisory employees.
2. The supervisors are not represented by the same organization that represents employees whom the supervisory employees supervise.

(cf. 4300 - Administrative and Supervisory Personnel)

(cf. 4301 - Administrative Staff Organization)

(cf. 4312.1 - Contracts)

For this purpose, *supervisory employee* means any employee, regardless of job description, having the authority, in the interest of the district, to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, discipline, assign work, direct, adjust grievance of other employees, or effectively recommend that action. The exercise of this authority shall not be merely routine or clerical in nature, but shall require the use of independent judgment. (Government Code 3540.1)

Employees serving in management, senior management, or confidential positions shall not be represented by an exclusive representative. Such employees may represent themselves

individually. For purposes other than negotiations and bargaining, such employees may be represented by an employee organization whose membership is composed entirely of employees designated as holding those positions. For this purpose: (Government Code 3540.1, 3543.4)

1. *Management employee* means any employee who has significant responsibilities for formulating district policies or administering district programs, and whose position is designated as a management position by the Board.
2. *Confidential employee* means any employee who is required to develop or present management positions with respect to employer-employee relations or whose duties normally require access to confidential information that is used to contribute significantly to the development of management positions.

Membership

The district shall not deter or discourage employees or job applicants from becoming or remaining members of an employee organization, authorizing representation by an employee organization, or authorizing dues or fee deductions to an employee organization. In addition, the district shall not impose or threaten to impose reprisals on employees, discriminate or threaten to discriminate against employees, or otherwise interfere with, restrain, or coerce employees because of their membership or nonmembership in an employee organization. (Government Code 3543.5, 3550)

(*cf.* 4119.1/4219.1/4319.1 - *Civil and Legal Rights*)

The Superintendent or designee may communicate with district employees regarding their rights under the law. Such communications shall be factual and accurate, and may not promise a benefit, threaten a reprisal, or in any way deter or discourage employees from joining an employee organization or paying dues.

However, before disseminating to multiple employees any mass communication concerning employees' right to join or support an employee organization or to refrain from joining or supporting an employee organization, such as a written document or script for oral or recorded presentation or message, the Superintendent or designee shall meet and confer with the employees' exclusive representative regarding the content of the communication. If the district and exclusive representative do not come to agreement on the content of the mass communication, the Superintendent or designee may disseminate the district's mass communication provided that, at the same time, copies of the exclusive representative's communication, which shall be of reasonable length, are also distributed. (Government Code 3553)

Access to Employee Orientations

The district shall permit employee organizations access to new employee orientations where newly hired employees are advised, whether in person, online, or through other means or mediums, of their employment status, rights, benefits, duties, responsibilities, or any other employment-related matters. The district shall provide employee organizations at least 10 days' notice in advance of an orientation. However, in any specific instance where an unforeseeable,

urgent need critical to the district's operation prevents the required 10 days' notice, a shorter notice may be provided. (Government Code 3555.5, 3556)

The structure, time, and manner of the access to new employee orientations shall be determined by mutual agreement of the district and the exclusive representative, following a request to negotiate by either party. If the district and exclusive representative fail to reach an agreement, matters related to the access to new employee orientation shall be subject to compulsory interest arbitration. The district and employee organization may mutually agree to submit any dispute to compulsory interest arbitration at any time. In addition, if any dispute arises during negotiations and is not resolved within 45 days after the first meeting or within 60 days after the initial request to negotiate, whichever is earlier, either party may make a demand for compulsory interest arbitration. When any such dispute arises during the summer when the district's administrative office is closed, the timeline shall commence on the first day the administrative office reopens. The decision of the arbitrator shall be final and binding on the parties. (Government Code 3556, 3557)

The date, time, and place of the orientation shall not be disclosed to anyone other than employees, the exclusive representative, or a vendor that is contracted to provide a service for purposes of the orientation. (Government Code 3556)

Access to Employee Contact Information

The Superintendent or designee shall provide an exclusive representative with the name, job title, department, work location, telephone numbers (work, home, and personal cell phone), personal email address(es) on file with the district, and home address of any newly hired employee in the bargaining unit, within 30 days of hire or by the first pay period of the month following hire. In addition, the Superintendent or designee shall provide the same information in regard to all employees in the bargaining unit to an exclusive representative at least every 120 days, unless more frequent or detailed lists are required by agreement with the exclusive representative. (Government Code 3558, 6254.3)

However, the Superintendent or designee shall not disclose the home address and any phone numbers on file for employees performing law enforcement-related functions, nor disclose the home address, home or personal cell phone number(s), or personal email address(es) of any employee who is a participant in the Safe at Home address confidentiality program pursuant to Government Code 6207 or of any employee who provides a written request that the information not be disclosed for this purpose. Following receipt of a written request, the district shall remove the employee's home address, home and personal cell phone numbers, and personal email address from any mailing list maintained by the district unless the list is only used by the district to contact the employee. (Government Code 3558, 6207, 6254.3)

(cf. 1340 - Access to District Records)

Communications with Employees

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mailboxes, and other means of communication to communicate with employees. (Government Code 3543.1)

Access to district means of communication shall be limited in cases where such access would be disruptive to district operations.

Membership Dues or Other Payments to an Employee Organization

When drawing an order for the salary or wage payment of a bargaining unit employee of an employee organization, the district shall deduct any amount which has been requested by the employee in a revocable written authorization for the purpose of paying dues or other payments for any service, program, or committee provided or sponsored by the employee organization. (Education Code 45060, 45168)

An employee organization that certifies that it has and will maintain individual employee authorizations shall handle and process employee written authorizations for payroll deductions. When an employee organization provides such a certification to the district, the district shall rely on information from the employee organization regarding the amounts of such payroll deductions and from which employees. The employee organization shall not be required to submit to the district a copy of the written authorization in order for the payroll deductions to be effective. However, when there is a dispute about the existence or terms of the written authorization, a copy of the employee's written authorization shall be submitted to the district. The employee organization shall indemnify the district for any employee claims regarding payroll deductions made by the district in reliance on notification from the employee organization. (Education Code 45060, 45168)

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45168 *Deduction of fees from salary or wage payment, classified employees*

45220-45320 *Merit system, classified employees*

GOVERNMENT CODE

3540-3549.3 *Educational Employment Relations Act, especially:*

3540.1 *Definitions*

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Policy ALAMEDA UNIFIED SCHOOL DISTRICT

adopted: June 26, 2012 Alameda, California

revised: May 8, 2018

revised: October 9, 2018

revised:

Bargaining Units—

◀ [Previous](#) | [Next](#) ▶

<u>All Personnel</u>	BP 4140(a)
	<u>4240</u>
<u>BARGAINING UNITS</u>	<u>4340</u>

The Governing Board recognizes the right of district employees to form a bargaining unit, select an employee organization as their exclusive representative, and be represented by that organization in their employment relationship with the district. The Board is committed to negotiating in good faith with recognized employee organizations and respecting the rights of employees and employee organizations.

(cf. ~~4141/4241~~ 4141/4241 - *Collective Bargaining Agreement*)

(cf. ~~4143/4243~~ 4143/4243 - *Negotiations/Consultation*)

(cf. ~~9000~~ 9000 - *Role of the Board*)

The district shall not dominate or interfere with the formation or administration of any employee organization or contribute financial or other support to it. (Government Code ~~3543.5~~ 3543.5)

Employees shall not be prohibited from wearing union buttons or other items that favor or oppose the formation of a bargaining unit or any matter that is the subject of negotiations.

(cf. 4119.25/4219.25/4319.25 - *Political Activities of Employees*)

Formation of Bargaining Units

Certificated and classified employees shall not be included in the same bargaining unit. (Government Code ~~3545~~ 3545)

The district may recognize a bargaining unit of supervisory employees if: (Government Code ~~3545~~ 3545)

- 1.- The bargaining unit includes all supervisory employees.
- 2.- The supervisors are not represented by the same organization that represents employees whom the supervisory employees supervise.

(cf. ~~4300~~ 4300 - *Administrative and Supervisory Personnel*)

(cf. ~~4301~~ 4301 - *Administrative Staff Organization*)

(cf. ~~4312.1~~ 4312.1 - *Contracts*)

For this purpose, *supervisory employee* means any employee, regardless of job description, having the authority, in the interest of the district, to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, discipline, assign work, direct, adjust grievance of other employees, or effectively recommend that action. The exercise of this authority shall not be

merely routine or clerical in nature, but shall require the use of independent judgment. (Government Code ~~3540.1~~ 3540.1)

	BP 4140(b)
	4240
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BARGAINING UNITS (continued)

Employees serving in management, senior management, or confidential positions shall not be represented by an exclusive representative. Such employees may represent themselves individually ~~or~~. For purposes other than negotiations and bargaining, such employees may be represented by an employee organization whose membership is composed entirely of employees designated as holding those positions. ~~When represented by an employee organization, that organization shall not meet and negotiate with the district. For this purpose: (Government Code 3540.1, 3543.4)~~ For this purpose: (Government Code 3540.1, 3543.4)

- 1.- Management employee means any employee who has significant responsibilities for formulating district policies or administering district programs, and whose position is designated as a management position by the Board.
- 2.- Confidential employee means any employee who is required to develop or present management positions with respect to employer-employee relations or whose duties normally require access to confidential information that is used to contribute significantly to the development of management positions.

Membership

The district shall not deter or discourage employees or job applicants from becoming or remaining members of an employee organization, authorizing representation by an employee organization, or authorizing dues or fee deductions to an employee organization. In addition, the district shall not impose or threaten to impose reprisals on employees, discriminate or threaten to discriminate against employees, or otherwise interfere with, restrain, or coerce employees because of their membership or nonmembership in an employee organization. (Government Code ~~3543.5, 3543.5~~, 3550)

(cf. 4119.1/4219.1/4319.1 - Civil and Legal Rights)

~~(cf. 4119.1/4219.1/4319.1 - Civil and Legal Rights)~~

The Superintendent or designee may communicate with district employees regarding their rights under the law. Such communications shall be factual and accurate, and may not promise a benefit, threaten a reprisal, or in any way deter or discourage employees from joining an employee organization or paying dues.

However, before disseminating to multiple employees any mass communication concerning employees' right to join or support an employee organization or to refrain from joining or supporting an employee organization, such as a written document or script for oral or recorded presentation or message, the Superintendent or designee shall meet and confer with the employees' exclusive representative regarding the content of the communication. If the

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BARGAINING UNITS (continued)

district and exclusive representative do not come to agreement on the content of the mass communication, the Superintendent or designee may disseminate the district's mass communication provided that, at the same time, copies of the exclusive representative's communication, which shall be of reasonable length, are also distributed. (Government Code 3553)

Access to Employee Orientations ~~and Contact Information~~

The district shall permit employee organizations access to new employee orientations where newly hired employees are advised, whether in person, online, or through other means or mediums, of their employment status, rights, benefits, duties, responsibilities, or any other employment-related matters. The district shall provide employee organizations at least 10 days' notice in advance of an orientation. However, in any specific instance where an unforeseeable, urgent need critical to the district's operation prevents the required 10 days' notice, a shorter notice may be provided. ~~(Government Code 3555.5, 3556)~~ (Government Code 3555.5, 3556)

The structure, time, and manner of the access to new employee orientations shall be determined by mutual agreement of the district and the exclusive representative, following a request to negotiate by either party. If the district and exclusive representative fail to reach an agreement, matters related to the access to new employee orientation shall be subject to compulsory interest arbitration. The district and employee organization may mutually agree to submit any dispute to compulsory interest arbitration at any time. In addition, if any dispute arises during negotiations and is not resolved within 45 days after the first meeting or within 60 days after the initial request to negotiate, whichever is earlier, either party may make a demand for compulsory interest arbitration. When any such dispute arises during the summer when the district's administrative office is closed, the timeline shall commence on the first day the administrative office reopens. The decision of the arbitrator shall be final and binding on the parties. ~~(Government Code 3556, 3557)~~ (Government Code 3556, 3557)

The date, time, and place of the orientation shall not be disclosed to anyone other than employees, the exclusive representative, or a vendor that is contracted to provide a service for purposes of the orientation. (Government Code ~~3556~~ 3556)

Access to Employee Contact Information

The Superintendent or designee shall provide an exclusive representative with the name, job title, department, work location, telephone numbers (work, home, and personal cell phone), personal email address(es) on file with the district, and home address of any newly hired employee in the bargaining unit, within 30 days of hire or by the first pay period of the month following hire. In addition, the Superintendent or designee shall provide the same

BP 4140(d)

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BARGAINING UNITS (continued)

information in regard to all employees in the bargaining unit to an exclusive representative at least every 120 days, unless more frequent or detailed lists are required by agreement with the exclusive representative. ~~(Government Code 3558, 6254.3)~~ (Government Code 3558, 6254.3)

However, the Superintendent or designee shall not disclose the home address and any phone numbers on file for employees performing law enforcement-related functions, nor ~~shall he/she~~ disclose the home address, home or personal cell phone number(s), or personal email address(es) of any employee who is a participant in the Safe at Home address confidentiality program pursuant to Government Code ~~6207, 6207~~ or ~~of~~ any employee who provides a written request that the information not be disclosed for this purpose. Following receipt of a written request, the district shall remove the employee's home address, home and personal cell phone numbers, and personal email address from any mailing list maintained by the district unless the list is only used by the district to contact the employee. ~~(Government Code 3558, 6207, 6254.3)~~ (Government Code 3558, 6207, 6254.3)

(cf. ~~1340, 1340~~ - Access to District Records)

Communications with Employees

Employee organizations may have access at reasonable times to areas in which employees work and may use district facilities at reasonable times for the purpose of meetings. Subject to reasonable regulation, employee organizations may also use institutional bulletin boards, mailboxes, and other means of communication to communicate with employees. (Government Code 3543.1)

Access to district means of communication shall be limited in cases where such access would be disruptive to district operations.

Membership Dues or Other Payments to an Employee Organization

When drawing an order for the salary or wage payment of a bargaining unit employee of an employee organization, the district shall deduct any amount which has been requested by the

employee in a revocable written authorization for the purpose of paying dues or other payments for any service, program, or committee provided or sponsored by the employee organization. ~~(Education Code 45060, 45168)~~ (Education Code 45060, 45168)

An employee organization that certifies that it has and will maintain individual employee authorizations shall handle and process employee written authorizations for payroll deductions. When an employee organization provides such a certification to the district, the district shall rely on information from the employee organization regarding the amounts of such payroll deductions and from which employees. The employee organization shall not be

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BARGAINING UNITS (continued)

required to submit to the district a copy of the written authorization in order for the payroll deductions to be effective. However, when there is a dispute about the existence or terms of the written authorization, a copy of the employee's written authorization shall be submitted to the district. The employee organization shall indemnify the district for any employee claims regarding payroll deductions made by the district in reliance on notification from the employee organization. ~~(Education Code 45060, 45168)~~ (Education Code 45060, 45168)

When an employee organization which has declined to certify that it will handle and process employee written authorizations makes a request for payroll deductions, the district shall request a copy of the employee's written authorization before making the payroll deductions. ~~(Education Code 45060, 45168)~~ (Education Code 45060, 45168)

A written authorization shall remain in effect until expressly revoked in writing by the employee and pursuant to the terms of the written authorization. Employee requests to cancel or change authorizations for payroll deductions for employee organizations shall be directed to the employee organization rather than the district. The employee organization shall be responsible for processing these requests. The district shall rely on the information provided by the employee organization regarding whether deductions for an employee organization were properly canceled or changed. The employee organization shall be required to indemnify the district for any claims made by an employee for deductions made by the district in reliance on information from the employee organization. ~~(Education Code 45060, 45168)~~ (Education Code 45060, 45168)

Legal Reference: (see next page)

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BARGAINING UNITS (continued)

Legal Reference:

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45060-45061.5 Deduction of fees from salary or wage payment, certificated employees

45100.5 Senior management positions

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

adopted: ~~June 26, 2012 Alameda, California~~ December 2020

~~revised: May 8, 2018~~

~~revised: October 9, 2018~~

BARGAINING UNITS

The Governing Board recognizes the right of district employees to form a bargaining unit, select an employee organization as their exclusive representative, and be represented by that organization in their employment relationship with the district. The Board is committed to negotiating in good faith with recognized employee organizations and respecting the rights of employees and employee organizations.

(cf. 4141/4241 - Collective Bargaining Agreement)

(cf. 4143/4243 - Negotiations/Consultation)

(cf. 9000 - Role of the Board)

The district shall not dominate or interfere with the formation or administration of any employee organization or contribute financial or other support to it. (Government Code 3543.5)

Employees shall not be prohibited from wearing union buttons or other items that favor or oppose the formation of a bargaining unit or any matter that is the subject of negotiations.

(cf. 4119.25/4219.25/4319.25 - Political Activities of Employees)

Formation of Bargaining Units

Certificated and classified employees shall not be included in the same bargaining unit. (Government Code 3545)

The district may recognize a bargaining unit of supervisory employees if: (Government Code 3545)

1. The bargaining unit includes all supervisory employees.
2. The supervisors are not represented by the same organization that represents employees whom the supervisory employees supervise.

(cf. 4300 - Administrative and Supervisory Personnel)

(cf. 4301 - Administrative Staff Organization)

(cf. 4312.1 - Contracts)

For this purpose, *supervisory employee* means any employee, regardless of job description, having the authority, in the interest of the district, to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, discipline, assign work, direct, adjust grievance of other employees, or effectively recommend that action. The exercise of this authority shall not be merely routine or clerical in nature, but shall require the use of independent judgment. (Government Code 3540.1)

Employees serving in management, senior management, or confidential positions shall not be represented by an exclusive representative. Such employees may represent themselves individually. For purposes other than negotiations and bargaining, such employees may be represented by an employee organization whose membership is composed entirely of employees designated as holding those positions. For this purpose: (Government Code 3540.1, 3543.4)

1. *Management employee* means any employee who has significant responsibilities for formulating district policies or administering district programs, and whose position is designated as a management position by the Board.
2. *Confidential employee* means any employee who is required to develop or present management positions with respect to employer-employee relations or whose duties normally require access to confidential information that is used to contribute significantly to the development of management positions.

Membership

The district shall not deter or discourage employees or job applicants from becoming or remaining members of an employee organization, authorizing representation by an employee organization, or authorizing dues or fee deductions to an employee organization. In addition, the district shall not impose or threaten to impose reprisals on employees, discriminate or threaten to discriminate against employees, or otherwise interfere with, restrain, or coerce employees because of their membership or nonmembership in an employee organization. (Government Code 3543.5, 3550)

(cf. 4119.1/4219.1/4319.1 - Civil and Legal Rights)

The Superintendent or designee may communicate with district employees regarding their rights under the law. Such communications shall be factual and accurate, and may not promise a benefit, threaten a reprisal, or in any way deter or discourage employees from joining an employee organization or paying dues.

However, before disseminating to multiple employees any mass communication concerning employees' right to join or support an employee organization or to refrain from joining or supporting an employee organization, such as a written document or script for oral or recorded presentation or message, the Superintendent or designee shall meet and confer with the employees' exclusive representative regarding the content of the communication. If the district and exclusive representative do not come to agreement on the content of the mass communication, the Superintendent or designee may disseminate the district's mass communication provided that, at the same time, copies of the exclusive representative's communication, which shall be of reasonable length, are also distributed. (Government Code 3553)

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The district shall permit employee organizations access to new employee orientations where newly hired employees are advised, whether in person, online, or through other means or mediums, of their employment status, rights, benefits, duties, responsibilities, or any other

employment-related matters. The district shall provide employee organizations at least 10 days' notice in advance of an orientation. However, in any specific instance where an unforeseeable, urgent need critical to the district's operation prevents the required 10 days' notice, a shorter notice may be provided. (Government Code 3555.5, 3556)

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However, the Superintendent or designee shall not disclose the home address and any phone numbers on file for employees performing law enforcement-related functions, nor disclose the home address, home or personal cell phone number(s), or personal email address(es) of any employee who is a participant in the Safe at Home address confidentiality program pursuant to Government Code 6207 or of any employee who provides a written request that the information not be disclosed for this purpose. Following receipt of a written request, the district shall remove the employee's home address, home and personal cell phone numbers, and personal email address from any mailing list maintained by the district unless the list is only used by the district to contact the employee. (Government Code 3558, 6207, 6254.3)

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adopted: June 26, 2012 Alameda, California

revised: May 8, 2018

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Bargaining Units—

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<u>All Personnel</u>	BP 4140(a)
	<u>4240</u>
<u>BARGAINING UNITS</u>	<u>4340</u>

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(cf. ~~4300~~ 4300 - *Administrative and Supervisory Personnel*)

(cf. ~~4301~~ 4301 - *Administrative Staff Organization*)

(cf. ~~4312.1~~ 4312.1 - *Contracts*)

For this purpose, *supervisory employee* means any employee, regardless of job description, having the authority, in the interest of the district, to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, discipline, assign work, direct, adjust grievance of other employees, or effectively recommend that action. The exercise of this authority shall not be

merely routine or clerical in nature, but shall require the use of independent judgment. (Government Code ~~3540.1~~ 3540.1)

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	4240
	4340

BARGAINING UNITS (continued)

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- 2.- Confidential employee means any employee who is required to develop or present management positions with respect to employer-employee relations or whose duties normally require access to confidential information that is used to contribute significantly to the development of management positions.

Membership

The district shall not deter or discourage employees or job applicants from becoming or remaining members of an employee organization, authorizing representation by an employee organization, or authorizing dues or fee deductions to an employee organization. In addition, the district shall not impose or threaten to impose reprisals on employees, discriminate or threaten to discriminate against employees, or otherwise interfere with, restrain, or coerce employees because of their membership or nonmembership in an employee organization. (Government Code ~~3543.5, 3543.5~~, 3550)

(cf. 4119.1/4219.1/4319.1 - Civil and Legal Rights)

~~(cf. 4119.1/4219.1/4319.1 - Civil and Legal Rights)~~

The Superintendent or designee may communicate with district employees regarding their rights under the law. Such communications shall be factual and accurate, and may not promise a benefit, threaten a reprisal, or in any way deter or discourage employees from joining an employee organization or paying dues.

However, before disseminating to multiple employees any mass communication concerning employees' right to join or support an employee organization or to refrain from joining or supporting an employee organization, such as a written document or script for oral or recorded presentation or message, the Superintendent or designee shall meet and confer with the employees' exclusive representative regarding the content of the communication. If the

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BARGAINING UNITS (continued)

district and exclusive representative do not come to agreement on the content of the mass communication, the Superintendent or designee may disseminate the district's mass communication provided that, at the same time, copies of the exclusive representative's communication, which shall be of reasonable length, are also distributed. (Government Code 3553)

Access to Employee Orientations ~~and Contact Information~~

The district shall permit employee organizations access to new employee orientations where newly hired employees are advised, whether in person, online, or through other means or mediums, of their employment status, rights, benefits, duties, responsibilities, or any other employment-related matters. The district shall provide employee organizations at least 10 days' notice in advance of an orientation. However, in any specific instance where an unforeseeable, urgent need critical to the district's operation prevents the required 10 days' notice, a shorter notice may be provided. ~~(Government Code 3555.5, 3556)~~ (Government Code 3555.5, 3556)

The structure, time, and manner of the access to new employee orientations shall be determined by mutual agreement of the district and the exclusive representative, following a request to negotiate by either party. If the district and exclusive representative fail to reach an agreement, matters related to the access to new employee orientation shall be subject to compulsory interest arbitration. The district and employee organization may mutually agree to submit any dispute to compulsory interest arbitration at any time. In addition, if any dispute arises during negotiations and is not resolved within 45 days after the first meeting or within 60 days after the initial request to negotiate, whichever is earlier, either party may make a demand for compulsory interest arbitration. When any such dispute arises during the summer when the district's administrative office is closed, the timeline shall commence on the first day the administrative office reopens. The decision of the arbitrator shall be final and binding on the parties. ~~(Government Code 3556, 3557)~~ (Government Code 3556, 3557)

The date, time, and place of the orientation shall not be disclosed to anyone other than employees, the exclusive representative, or a vendor that is contracted to provide a service for purposes of the orientation. ~~(Government Code 3556)~~ 3556)

Access to Employee Contact Information

The Superintendent or designee shall provide an exclusive representative with the name, job title, department, work location, telephone numbers (work, home, and personal cell phone), personal email address(es) on file with the district, and home address of any newly hired employee in the bargaining unit, within 30 days of hire or by the first pay period of the month following hire. In addition, the Superintendent or designee shall provide the same

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BARGAINING UNITS (continued)

information in regard to all employees in the bargaining unit to an exclusive representative at least every 120 days, unless more frequent or detailed lists are required by agreement with the exclusive representative. ~~(Government Code 3558, 6254.3)~~ (Government Code 3558, 6254.3)

However, the Superintendent or designee shall not disclose the home address and any phone numbers on file for employees performing law enforcement-related functions, nor ~~shall he/she~~ disclose the home address, home or personal cell phone number(s), or personal email address(es) of any employee who is a participant in the Safe at Home address confidentiality program pursuant to Government Code ~~6207, 6207~~ or ~~of~~ any employee who provides a written request that the information not be disclosed for this purpose. Following receipt of a written request, the district shall remove the employee's home address, home and personal cell phone numbers, and personal email address from any mailing list maintained by the district unless the list is only used by the district to contact the employee. ~~(Government Code 3558, 6207, 6254.3)~~ (Government Code 3558, 6207, 6254.3)

(cf. ~~1340, 1340~~ - Access to District Records)

Communications with Employees

Employee organizations may have access at reasonable times to areas in which employees work and may use district facilities at reasonable times for the purpose of meetings. Subject to reasonable regulation, employee organizations may also use institutional bulletin boards, mailboxes, and other means of communication to communicate with employees. (Government Code 3543.1)

Access to district means of communication shall be limited in cases where such access would be disruptive to district operations.

Membership Dues or Other Payments to an Employee Organization

When drawing an order for the salary or wage payment of a bargaining unit employee of an employee organization, the district shall deduct any amount which has been requested by the

employee in a revocable written authorization for the purpose of paying dues or other payments for any service, program, or committee provided or sponsored by the employee organization. ~~(Education Code 45060, 45168)~~ (Education Code 45060, 45168)

An employee organization that certifies that it has and will maintain individual employee authorizations shall handle and process employee written authorizations for payroll deductions. When an employee organization provides such a certification to the district, the district shall rely on information from the employee organization regarding the amounts of such payroll deductions and from which employees. The employee organization shall not be

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BARGAINING UNITS (continued)

required to submit to the district a copy of the written authorization in order for the payroll deductions to be effective. However, when there is a dispute about the existence or terms of the written authorization, a copy of the employee's written authorization shall be submitted to the district. The employee organization shall indemnify the district for any employee claims regarding payroll deductions made by the district in reliance on notification from the employee organization. ~~(Education Code 45060, 45168)~~ (Education Code 45060, 45168)

When an employee organization which has declined to certify that it will handle and process employee written authorizations makes a request for payroll deductions, the district shall request a copy of the employee's written authorization before making the payroll deductions. ~~(Education Code 45060, 45168)~~ (Education Code 45060, 45168)

A written authorization shall remain in effect until expressly revoked in writing by the employee and pursuant to the terms of the written authorization. _Employee requests to cancel or change authorizations for payroll deductions for employee organizations shall be directed to the employee organization rather than the district. The employee organization shall be responsible for processing these requests. _The district shall rely on the information provided by the employee organization regarding whether deductions for an employee organization were properly canceled or changed. The employee organization shall be required to indemnify the district for any claims made by an employee for deductions made by the district in reliance on information from the employee organization. ~~(Education Code 45060, 45168)~~ (Education Code 45060, 45168)

Legal Reference: (see next page)

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BARGAINING UNITS (continued)

Legal Reference:

EDUCATION CODE

45060-45061.5 Deduction of fees from salary or wage payment, certificated employees

45100.5 Senior management positions

45104.5 Abolishment of senior classified management positions

45108.5 Definition of senior classified management employees

45108.7 Waiver of provisions of 45108.5

45168 Deduction of fees from salary or wage payment, classified employees

45220-45320 Merit system, classified employees

GOVERNMENT CODE

3540-3549.3 Educational Employment Relations Act, especially:

3540.1 Definitions

3543.4 Management position; representation

3545 Appropriateness of unit; basis

3550-3552 Prohibition on public employers deterring or discouraging union membership

3555-3559 Public employee communication, information and orientation

6205-6210 Confidentiality of addresses for victims of domestic violence, sexual assault or stalking

6254.3 Disclosure of employee contact information to employee organization

6503.5 Joint powers agencies

53260-53264 Employment contracts

CODE OF REGULATIONS, TITLE 8

33015-33490 Recognition of exclusive representative; proceedings

33700-33710 Severance of established unit

34020 Petition to rescind organizational security arrangement

34055 Reinstatement of organizational security arrangement

COURT DECISIONS

Janus v. American Federation of State, County and Municipal Employees, Council 31, (2018) 138

S.Ct. 2448

Friedrichs v. California Teachers Association, et al., (2016) 136 S.Ct. 1083

County of Los Angeles v. Service Employees International Union, Local 721, (2013) 56 Cal. 4th 905

PUBLIC EMPLOYMENT RELATIONS BOARD RULINGS

City of Sacramento, (2019) PERB Dec. No. 2702m

East Whittier School District, (2004) PERB Dec. No. 1727

Management Resources:

WEB SITES

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

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

Association of California School Administrators: <http://www.acsa.org> <http://www.acsa.org>

California Federation of Teachers: <http://www.cft.org> <http://www.cft.org>

California School Employees Association: <http://www.csea.com> <http://www.csea.com>

California Teachers Association: <http://www.cta.org> <http://www.cta.org>

Public Employment Relations Board: <http://www.perb.ca.gov> <http://www.perb.ca.gov>

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

adopted: ~~June 26, 2012 Alameda, California~~ December 2020

~~revised: May 8, 2018~~

~~revised: October 9, 2018~~

BARGAINING UNITS

The Governing Board recognizes the right of district employees to form a bargaining unit, select an employee organization as their exclusive representative, and be represented by that organization in their employment relationship with the district. The Board is committed to negotiating in good faith with recognized employee organizations and respecting the rights of employees and employee organizations.

(cf. 4141/4241 - Collective Bargaining Agreement)

(cf. 4143/4243 - Negotiations/Consultation)

(cf. 9000 - Role of the Board)

The district shall not dominate or interfere with the formation or administration of any employee organization or contribute financial or other support to it. (Government Code 3543.5)

Employees shall not be prohibited from wearing union buttons or other items that favor or oppose the formation of a bargaining unit or any matter that is the subject of negotiations.

(cf. 4119.25/4219.25/4319.25 - Political Activities of Employees)

Formation of Bargaining Units

Certificated and classified employees shall not be included in the same bargaining unit. (Government Code 3545)

The district may recognize a bargaining unit of supervisory employees if: (Government Code 3545)

1. The bargaining unit includes all supervisory employees.
2. The supervisors are not represented by the same organization that represents employees whom the supervisory employees supervise.

(cf. 4300 - Administrative and Supervisory Personnel)

(cf. 4301 - Administrative Staff Organization)

(cf. 4312.1 - Contracts)

For this purpose, *supervisory employee* means any employee, regardless of job description, having the authority, in the interest of the district, to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, discipline, assign work, direct, adjust grievance of other employees, or effectively recommend that action. The exercise of this authority shall not be merely routine or clerical in nature, but shall require the use of independent judgment. (Government Code 3540.1)

Employees serving in management, senior management, or confidential positions shall not be represented by an exclusive representative. Such employees may represent themselves individually. For purposes other than negotiations and bargaining, such employees may be represented by an employee organization whose membership is composed entirely of employees designated as holding those positions. For this purpose: (Government Code 3540.1, 3543.4)

1. *Management employee* means any employee who has significant responsibilities for formulating district policies or administering district programs, and whose position is designated as a management position by the Board.
2. *Confidential employee* means any employee who is required to develop or present management positions with respect to employer-employee relations or whose duties normally require access to confidential information that is used to contribute significantly to the development of management positions.

Membership

The district shall not deter or discourage employees or job applicants from becoming or remaining members of an employee organization, authorizing representation by an employee organization, or authorizing dues or fee deductions to an employee organization. In addition, the district shall not impose or threaten to impose reprisals on employees, discriminate or threaten to discriminate against employees, or otherwise interfere with, restrain, or coerce employees because of their membership or nonmembership in an employee organization. (Government Code 3543.5, 3550)

(cf. 4119.1/4219.1/4319.1 - Civil and Legal Rights)

The Superintendent or designee may communicate with district employees regarding their rights under the law. Such communications shall be factual and accurate, and may not promise a benefit, threaten a reprisal, or in any way deter or discourage employees from joining an employee organization or paying dues.

However, before disseminating to multiple employees any mass communication concerning employees' right to join or support an employee organization or to refrain from joining or supporting an employee organization, such as a written document or script for oral or recorded presentation or message, the Superintendent or designee shall meet and confer with the employees' exclusive representative regarding the content of the communication. If the district and exclusive representative do not come to agreement on the content of the mass communication, the Superintendent or designee may disseminate the district's mass communication provided that, at the same time, copies of the exclusive representative's communication, which shall be of reasonable length, are also distributed. (Government Code 3553)

Access to Employee Orientations

The district shall permit employee organizations access to new employee orientations where newly hired employees are advised, whether in person, online, or through other means or mediums, of their employment status, rights, benefits, duties, responsibilities, or any other

employment-related matters. The district shall provide employee organizations at least 10 days' notice in advance of an orientation. However, in any specific instance where an unforeseeable, urgent need critical to the district's operation prevents the required 10 days' notice, a shorter notice may be provided. (Government Code 3555.5, 3556)

The structure, time, and manner of the access to new employee orientations shall be determined by mutual agreement of the district and the exclusive representative, following a request to negotiate by either party. If the district and exclusive representative fail to reach an agreement, matters related to the access to new employee orientation shall be subject to compulsory interest arbitration. The district and employee organization may mutually agree to submit any dispute to compulsory interest arbitration at any time. In addition, if any dispute arises during negotiations and is not resolved within 45 days after the first meeting or within 60 days after the initial request to negotiate, whichever is earlier, either party may make a demand for compulsory interest arbitration. When any such dispute arises during the summer when the district's administrative office is closed, the timeline shall commence on the first day the administrative office reopens. The decision of the arbitrator shall be final and binding on the parties. (Government Code 3556, 3557)

The date, time, and place of the orientation shall not be disclosed to anyone other than employees, the exclusive representative, or a vendor that is contracted to provide a service for purposes of the orientation. (Government Code 3556)

Access to Employee Contact Information

The Superintendent or designee shall provide an exclusive representative with the name, job title, department, work location, telephone numbers (work, home, and personal cell phone), personal email address(es) on file with the district, and home address of any newly hired employee in the bargaining unit, within 30 days of hire or by the first pay period of the month following hire. In addition, the Superintendent or designee shall provide the same information in regard to all employees in the bargaining unit to an exclusive representative at least every 120 days, unless more frequent or detailed lists are required by agreement with the exclusive representative. (Government Code 3558, 6254.3)

However, the Superintendent or designee shall not disclose the home address and any phone numbers on file for employees performing law enforcement-related functions, nor disclose the home address, home or personal cell phone number(s), or personal email address(es) of any employee who is a participant in the Safe at Home address confidentiality program pursuant to Government Code 6207 or of any employee who provides a written request that the information not be disclosed for this purpose. Following receipt of a written request, the district shall remove the employee's home address, home and personal cell phone numbers, and personal email address from any mailing list maintained by the district unless the list is only used by the district to contact the employee. (Government Code 3558, 6207, 6254.3)

(cf. 1340 - Access to District Records)

Communications with Employees

Employee organizations may have access at reasonable times to areas in which employees work and may use district facilities at reasonable times for the purpose of meetings. Subject

to reasonable regulation, employee organizations may also use institutional bulletin boards, mailboxes, and other means of communication to communicate with employees. (Government Code 3543.1)

Access to district means of communication shall be limited in cases where such access would be disruptive to district operations.

Membership Dues or Other Payments to an Employee Organization

When drawing an order for the salary or wage payment of a bargaining unit employee of an employee organization, the district shall deduct any amount which has been requested by the employee in a revocable written authorization for the purpose of paying dues or other payments for any service, program, or committee provided or sponsored by the employee organization. (Education Code 45060, 45168)

An employee organization that certifies that it has and will maintain individual employee authorizations shall handle and process employee written authorizations for payroll deductions. When an employee organization provides such a certification to the district, the district shall rely on information from the employee organization regarding the amounts of such payroll deductions and from which employees. The employee organization shall not be required to submit to the district a copy of the written authorization in order for the payroll deductions to be effective. However, when there is a dispute about the existence or terms of the written authorization, a copy of the employee's written authorization shall be submitted to the district. The employee organization shall indemnify the district for any employee claims regarding payroll deductions made by the district in reliance on notification from the employee organization. (Education Code 45060, 45168)

When an employee organization which has declined to certify that it will handle and process employee written authorizations makes a request for payroll deductions, the district shall request a copy of the employee's written authorization before making the payroll deductions. (Education Code 45060, 45168)

A written authorization shall remain in effect until expressly revoked in writing by the employee and pursuant to the terms of the written authorization. Employee requests to cancel or change authorizations for payroll deductions for employee organizations shall be directed to the employee organization rather than the district. The employee organization shall be responsible for processing these requests. The district shall rely on the information provided by the employee organization regarding whether deductions for an employee organization were properly canceled or changed. The employee organization shall be required to indemnify the district for any claims made by an employee for deductions made by the district in reliance on information from the employee organization. (Education Code 45060, 45168)

Legal Reference:

EDUCATION CODE

45060-45061.5 Deduction of fees from salary or wage payment, certificated employees

45100.5 Senior management positions

45104.5 Abolishment of senior classified management positions

45108.5 Definition of senior classified management employees

45108.7 *Waiver of provisions of 45108.5*
 45168 *Deduction of fees from salary or wage payment, classified employees*
 45220-45320 *Merit system, classified employees*
GOVERNMENT CODE
 3540-3549.3 *Educational Employment Relations Act, especially:*
 3540.1 *Definitions*
 3543.4 *Management position; representation*
 3545 *Appropriateness of unit; basis*
 3550-3552 *Prohibition on public employers deterring or discouraging union membership*
 3555-3559 *Public employee communication, information and orientation*
 6205-6210 *Confidentiality of addresses for victims of domestic violence, sexual assault or stalking*
 6254.3 *Disclosure of employee contact information to employee organization*
 6503.5 *Joint powers agencies*
 53260-53264 *Employment contracts*
CODE OF REGULATIONS, TITLE 8
 33015-33490 *Recognition of exclusive representative; proceedings*
 33700-33710 *Severance of established unit*
 34020 *Petition to rescind organizational security arrangement*
 34055 *Reinstatement of organizational security arrangement*
COURT DECISIONS
Janus v. American Federation of State, County and Municipal Employees, Council 31, (2018) 138 S.Ct. 2448
Friedrichs v. California Teachers Association, et al., (2016) 136 S.Ct. 1083
County of Los Angeles v. Service Employees International Union, Local 721, (2013) 56 Cal. 4th 905
PUBLIC EMPLOYMENT RELATIONS BOARD RULINGS
City of Sacramento, (2019) PERB Dec. No. 2702m
East Whittier School District, (2004) PERB Dec. No. 1727

Management Resources:

WEB SITES

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 California Federation of Teachers: <http://www.cft.org>
 California School Employees Association: <http://www.csea.com>
 California Teachers Association: <http://www.cta.org>
 Public Employment Relations Board: <http://www.perb.ca.gov>

Policy ALAMEDA UNIFIED SCHOOL DISTRICT

adopted: June 26, 2012 Alameda, California

revised: May 8, 2018

revised: October 9, 2018

revised:

Employee Safety

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<u>All Personnel</u>	BP 4157(a)
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<u>EMPLOYEE SAFETY</u>	4357

The Governing Board of Education is committed to maximizing employee safety and believes that workplace safety is every employee's the responsibility of every employee. Working conditions and equipment shall be maintained in compliance comply with standards prescribed by federal, state, and local laws and regulations.

(cf. 0450 - Comprehensive Safety Plan)

No employee shall be required or permitted to be in any place of employment which is unsafe or unhealthful. (Labor Code 6402) (Labor Code 6402)

The Board expects all Superintendent or designee shall promote safety and correct any unsafe work practices through education and enforcement.

All employees are expected to use safe work practices and, to the extent possible, correct any unsafe conditions which may occur. If an employee is unable to correct an unsafe condition, he/she/the employee shall immediately report the problem to the Superintendent or designee.

The Superintendent or designee shall promote safety and correct any unsafe work practice through education, training and enforcement.

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

The Superintendent or designee shall establish and implement a written injury and illness prevention program, and provide employees with access to such program, in accordance with law. (Labor Code 6401.7) 6401.7; 8 CCR 3203)

The Board shall ensure that the Superintendent or designee provides eye protective devices as specified in law and administrative regulation.

(cf. 3514 - Environmental Safety)

(cf. 3514.1 - Hazardous Substances)

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

(cf. 4119.41/4219.41/4319.41 - Employees with Infectious Disease)

(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)

(cf. 4119.43/4219.43/4319.43 - Universal Precautions)

(cf. 4157.2/4257.2/4357.2 - Ergonomics)

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

The Superintendent or designee shall make first aid materials readily available at district workplaces and shall make effective provisions to prepare for prompt medical treatment in the event of an employee's serious injury or illness. (8 CCR 3400)

No employee shall be discharged or discriminated against for ~~making complaints, instituting~~ exercising any right regarding employee safety or health specified in Labor Code 6310, including:

1. Making a report or complaint
2. Instituting proceedings or ~~testifying~~ causing proceedings to be instituted
3. Testifying with regard to employee safety or health, ~~or for participating~~

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EMPLOYEE SAFETY (continued)

4. Participating in any occupational health and safety committee established pursuant to Labor Code ~~6401.7. (Labor Code 6310)~~ 6401.7
5. Requesting access to injury or illness reports and records
6. Exercising any other right protected by the Occupational Safety and Health Act

Legal Reference:

EDUCATION CODE

~~32030-32034~~ Eye safety

~~32225-32226-32030-32034~~ Eye safety

~~32225-32226~~ Communications devices in classrooms

~~32280-32289~~ School safety plans

~~44984-32280-32289.5~~ School safety plans

~~44984~~ Required rules for industrial accident and illness leave of absence

GOVERNMENT CODE

~~3543.2-3543.2~~ Scope of bargaining

LABOR CODE

3300 Definitions

~~6305-132a~~ Workers' compensation; nondiscrimination

3300 Definitions of employer
6305 Occupational safety and health standards; special order
~~6310-6310~~ Retaliation for filing complaint prohibited
~~6400-6413.5-6400-6413.5~~ Responsibilities and duties of employers and employees, especially:
~~6401.7-6401.7~~ Injury and illness prevention program
CODE OF REGULATIONS, TITLE 8
~~3203-3203~~ Injury and illness prevention program
~~3400-3204~~ Access to employee exposure and medical records
3400 Medical services and first aid

5095-5100 Control of noise exposure

5095-5100 Control of noise exposure
5193 Bloodborne pathogens
14000-14316 Occupational injury or illness reports and records
CODE OF REGULATIONS, TITLE 17
2508 Reporting of communicable diseases
CODE OF FEDERAL REGULATIONS, TITLE 29
~~1910.95 Noise standards~~651-678 Occupational safety and health
1910.95 Occupational noise exposure
1910.1030 Bloodborne pathogens

Management Resources: (see next page)

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EMPLOYEE SAFETY (continued)

Management Resources:

DEPARTMENT OF INDUSTRIAL RELATIONS PUBLICATIONS
Guide to Developing Your Workplace Injury and Illness Prevention Program, rev. August ~~2005~~2011
WEB SITES
California Department of Industrial Relations, Occupational Safety and Health: http://www.dir.ca.gov/occupational_safety.html
http://www.dir.ca.gov/occupational_safety.html
Centers for Disease Control and Prevention: <http://www.cdc.gov> <http://www.cdc.gov>
National Hearing Conservation Association: <http://www.hearingconservation.org>
<http://www.hearingconservation.org>
National Institute for Occupational Safety and Health: <http://www.cdc.gov/niosh>
<http://www.cdc.gov/niosh>
U.S. Department of Labor, Occupational Safety and Health Administration: <http://www.osha.gov>
<http://www.osha.gov>

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

adopted: ~~August 10, 2010 Alameda, California~~

October 2020

EMPLOYEE SAFETY

The Governing Board is committed to maximizing employee safety and believes that workplace safety is the responsibility of every employee. Working conditions and equipment shall comply with standards prescribed by federal, state, and local laws and regulations.

(cf. 0450 - Comprehensive Safety Plan)

No employee shall be required or permitted to be in any place of employment which is unsafe or unhealthful. (Labor Code 6402)

The Superintendent or designee shall promote safety and correct any unsafe work practices through education and enforcement.

All employees are expected to use safe work practices and, to the extent possible, correct any unsafe conditions which may occur. If an employee is unable to correct an unsafe condition, the employee shall immediately report the problem to the Superintendent or designee.

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

The Superintendent or designee shall establish and implement a written injury and illness prevention program, and provide employees with access to such program, in accordance with law. (Labor Code 6401.7; 8 CCR 3203)

(cf. 3514 - Environmental Safety)

(cf. 3514.1 - Hazardous Substances)

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

(cf. 4119.41/4219.41/4319.41 - Employees with Infectious Disease)

(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)

(cf. 4119.43/4219.43/4319.43 - Universal Precautions)

(cf. 4157.2/4257.2/4357.2 - Ergonomics)

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

The Superintendent or designee shall make first aid materials readily available at district workplaces and shall make effective provisions to prepare for prompt medical treatment in the event of an employee's serious injury or illness. (8 CCR 3400)

No employee shall be discharged or discriminated against for exercising any right regarding employee safety or health specified in Labor Code 6310, including:

1. Making a report or complaint
2. Instituting proceedings or causing proceedings to be instituted
3. Testifying with regard to employee safety or health

4. Participating in any occupational health and safety committee established pursuant to Labor Code 6401.7
5. Requesting access to injury or illness reports and records
6. Exercising any other right protected by the Occupational Safety and Health Act

Legal Reference:

EDUCATION CODE

32030-32034 Eye safety

32225-32226 Communications devices in classrooms

32280-32289.5 School safety plans

44984 Required rules for industrial accident and illness leave of absence

GOVERNMENT CODE

3543.2 Scope of bargaining

LABOR CODE

132a Workers' compensation; nondiscrimination

3300 Definitions of employer

6305 Occupational safety and health standards; special order

6310 Retaliation for filing complaint prohibited

6400-6413.5 Responsibilities and duties of employers and employees, especially:

6401.7 Injury and illness prevention program

CODE OF REGULATIONS, TITLE 8

3203 Injury and illness prevention program

3204 Access to employee exposure and medical records

3400 Medical services and first aid

5095-5100 Control of noise exposure

5193 Bloodborne pathogens

14000-14316 Occupational injury or illness reports and records

CODE OF REGULATIONS, TITLE 17

2508 Reporting of communicable diseases

CODE OF FEDERAL REGULATIONS, TITLE 29

651-678 Occupational safety and health

1910.95 Occupational noise exposure

1910.1030 Bloodborne pathogens

Management Resources:

DEPARTMENT OF INDUSTRIAL RELATIONS PUBLICATIONS

Guide to Developing Your Workplace Injury and Illness Prevention Program, rev. August 2011

WEB SITES

California Department of Industrial Relations, Occupational Safety and Health:

http://www.dir.ca.gov/occupational_safety.html

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

National Hearing Conservation Association: <http://www.hearingconservation.org>

National Institute for Occupational Safety and Health: <http://www.cdc.gov/niosh>

U.S. Department of Labor, Occupational Safety and Health Administration: <http://www.osha.gov>

Policy ALAMEDA UNIFIED SCHOOL DISTRICT

adopted: August 10, 2010 Alameda, California

revised:

Employee Safety

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<u>All Personnel</u>	BP 4157(a)
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<u>EMPLOYEE SAFETY</u>	4357

The Governing Board of Education is committed to maximizing employee safety and believes that workplace safety is every employee's the responsibility of every employee. Working conditions and equipment shall be maintained in compliance comply with standards prescribed by federal, state, and local laws and regulations.

(cf. 0450 - Comprehensive Safety Plan)

No employee shall be required or permitted to be in any place of employment which is unsafe or unhealthful. (Labor Code 6402) (Labor Code 6402)

The Board expects all Superintendent or designee shall promote safety and correct any unsafe work practices through education and enforcement.

All employees are expected to use safe work practices and, to the extent possible, correct any unsafe conditions which may occur. If an employee is unable to correct an unsafe condition, he/she/the employee shall immediately report the problem to the Superintendent or designee.

The Superintendent or designee shall promote safety and correct any unsafe work practice through education, training and enforcement.

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

The Superintendent or designee shall establish and implement a written injury and illness prevention program, and provide employees with access to such program, in accordance with law. (Labor Code 6401.7) 6401.7; 8 CCR 3203)

The Board shall ensure that the Superintendent or designee provides eye protective devices as specified in law and administrative regulation.

(cf. 3514 - Environmental Safety)

(cf. 3514.1 - Hazardous Substances)

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

(cf. 4119.41/4219.41/4319.41 - Employees with Infectious Disease)

(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)

(cf. 4119.43/4219.43/4319.43 - Universal Precautions)

(cf. 4157.2/4257.2/4357.2 - Ergonomics)

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

The Superintendent or designee shall make first aid materials readily available at district workplaces and shall make effective provisions to prepare for prompt medical treatment in the event of an employee's serious injury or illness. (8 CCR 3400)

No employee shall be discharged or discriminated against for ~~making complaints, instituting~~ exercising any right regarding employee safety or health specified in Labor Code 6310, including:

1. Making a report or complaint
2. Instituting proceedings or ~~testifying~~ causing proceedings to be instituted
3. Testifying with regard to employee safety or health, ~~or for participating~~

BP 4157(b)

4257

4357

EMPLOYEE SAFETY (continued)

4. Participating in any occupational health and safety committee established pursuant to Labor Code ~~6401.7. (Labor Code 6310)~~ 6401.7
5. Requesting access to injury or illness reports and records
6. Exercising any other right protected by the Occupational Safety and Health Act

Legal Reference:

EDUCATION CODE

~~32030-32034~~ Eye safety

~~32225-32226-32030-32034~~ Eye safety

~~32225-32226~~ Communications devices in classrooms

~~32280-32289~~ School safety plans

~~44984-32280-32289.5~~ School safety plans

~~44984~~ Required rules for industrial accident and illness leave of absence

GOVERNMENT CODE

~~3543.2-3543.2~~ Scope of bargaining

LABOR CODE

3300 Definitions

~~6305-132a~~ Workers' compensation; nondiscrimination

3300 Definitions of employer
6305 Occupational safety and health standards; special order
~~6310-6310~~ Retaliation for filing complaint prohibited
~~6400-6413.5-6400-6413.5~~ Responsibilities and duties of employers and employees, especially:
~~6401.7-6401.7~~ Injury and illness prevention program
CODE OF REGULATIONS, TITLE 8
~~3203-3203~~ Injury and illness prevention program
~~3400-3204~~ Access to employee exposure and medical records
3400 Medical services and first aid

5095-5100 Control of noise exposure

5095-5100 Control of noise exposure
5193 Bloodborne pathogens
14000-14316 Occupational injury or illness reports and records
CODE OF REGULATIONS, TITLE 17
2508 Reporting of communicable diseases
CODE OF FEDERAL REGULATIONS, TITLE 29
~~1910.95 Noise standards~~651-678 Occupational safety and health
1910.95 Occupational noise exposure
1910.1030 Bloodborne pathogens

Management Resources: (see next page)

	BP 4157(c)
	4257
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EMPLOYEE SAFETY (continued)

Management Resources:

DEPARTMENT OF INDUSTRIAL RELATIONS PUBLICATIONS
Guide to Developing Your Workplace Injury and Illness Prevention Program, rev. August ~~2005~~2011
WEB SITES
California Department of Industrial Relations, Occupational Safety and Health: http://www.dir.ca.gov/occupational_safety.html
http://www.dir.ca.gov/occupational_safety.html
Centers for Disease Control and Prevention: <http://www.cdc.gov> <http://www.cdc.gov>
National Hearing Conservation Association: <http://www.hearingconservation.org>
<http://www.hearingconservation.org>
National Institute for Occupational Safety and Health: <http://www.cdc.gov/niosh>
<http://www.cdc.gov/niosh>
U.S. Department of Labor, Occupational Safety and Health Administration: <http://www.osha.gov>
<http://www.osha.gov>

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

adopted: ~~August 10, 2010 Alameda, California~~

October 2020

EMPLOYEE SAFETY

The Governing Board is committed to maximizing employee safety and believes that workplace safety is the responsibility of every employee. Working conditions and equipment shall comply with standards prescribed by federal, state, and local laws and regulations.

(cf. 0450 - Comprehensive Safety Plan)

No employee shall be required or permitted to be in any place of employment which is unsafe or unhealthful. (Labor Code 6402)

The Superintendent or designee shall promote safety and correct any unsafe work practices through education and enforcement.

All employees are expected to use safe work practices and, to the extent possible, correct any unsafe conditions which may occur. If an employee is unable to correct an unsafe condition, the employee shall immediately report the problem to the Superintendent or designee.

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

The Superintendent or designee shall establish and implement a written injury and illness prevention program, and provide employees with access to such program, in accordance with law. (Labor Code 6401.7; 8 CCR 3203)

(cf. 3514 - Environmental Safety)

(cf. 3514.1 - Hazardous Substances)

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

(cf. 4119.41/4219.41/4319.41 - Employees with Infectious Disease)

(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)

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(cf. 4157.2/4257.2/4357.2 - Ergonomics)

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

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No employee shall be discharged or discriminated against for exercising any right regarding employee safety or health specified in Labor Code 6310, including:

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3. Testifying with regard to employee safety or health

4. Participating in any occupational health and safety committee established pursuant to Labor Code 6401.7
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6. Exercising any other right protected by the Occupational Safety and Health Act

Legal Reference:

EDUCATION CODE

32030-32034 Eye safety

32225-32226 Communications devices in classrooms

32280-32289.5 School safety plans

44984 Required rules for industrial accident and illness leave of absence

GOVERNMENT CODE

3543.2 Scope of bargaining

LABOR CODE

132a Workers' compensation; nondiscrimination

3300 Definitions of employer

6305 Occupational safety and health standards; special order

6310 Retaliation for filing complaint prohibited

6400-6413.5 Responsibilities and duties of employers and employees, especially:

6401.7 Injury and illness prevention program

CODE OF REGULATIONS, TITLE 8

3203 Injury and illness prevention program

3204 Access to employee exposure and medical records

3400 Medical services and first aid

5095-5100 Control of noise exposure

5193 Bloodborne pathogens

14000-14316 Occupational injury or illness reports and records

CODE OF REGULATIONS, TITLE 17

2508 Reporting of communicable diseases

CODE OF FEDERAL REGULATIONS, TITLE 29

651-678 Occupational safety and health

1910.95 Occupational noise exposure

1910.1030 Bloodborne pathogens

Management Resources:

DEPARTMENT OF INDUSTRIAL RELATIONS PUBLICATIONS

Guide to Developing Your Workplace Injury and Illness Prevention Program, rev. August 2011

WEB SITES

California Department of Industrial Relations, Occupational Safety and Health:

http://www.dir.ca.gov/occupational_safety.html

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

National Hearing Conservation Association: <http://www.hearingconservation.org>

National Institute for Occupational Safety and Health: <http://www.cdc.gov/niosh>

U.S. Department of Labor, Occupational Safety and Health Administration: <http://www.osha.gov>

Policy ALAMEDA UNIFIED SCHOOL DISTRICT

adopted: August 10, 2010 Alameda, California

revised:

Employee Safety

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<u>All Personnel</u>	BP 4157(a)
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<u>EMPLOYEE SAFETY</u>	4357

The Governing Board of Education is committed to maximizing employee safety and believes that workplace safety is every employee's the responsibility of every employee. Working conditions and equipment shall be maintained in compliance comply with standards prescribed by federal, state, and local laws and regulations.

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BP 4157(b)

4257

4357

EMPLOYEE SAFETY (continued)

4. Participating in any occupational health and safety committee established pursuant to Labor Code ~~6401.7. (Labor Code 6310)~~ 6401.7
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~~32030-32034~~ Eye safety

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GOVERNMENT CODE

~~3543.2-3543.2~~ Scope of bargaining

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14000-14316 Occupational injury or illness reports and records
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~~1910.95 Noise standards~~651-678 Occupational safety and health
1910.95 Occupational noise exposure
1910.1030 Bloodborne pathogens

Management Resources: (see next page)

	BP 4157(c)
	4257
	4357

EMPLOYEE SAFETY (continued)

Management Resources:

DEPARTMENT OF INDUSTRIAL RELATIONS PUBLICATIONS
Guide to Developing Your Workplace Injury and Illness Prevention Program, rev. August ~~2005~~2011
WEB SITES
California Department of Industrial Relations, Occupational Safety and Health: http://www.dir.ca.gov/occupational_safety.html
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<http://www.hearingconservation.org>
National Institute for Occupational Safety and Health: <http://www.cdc.gov/niosh>
<http://www.cdc.gov/niosh>
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<http://www.osha.gov>

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

adopted: ~~August 10, 2010 Alameda, California~~

October 2020

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5. Requesting access to injury or illness reports and records
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Legal Reference:

EDUCATION CODE

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32225-32226 Communications devices in classrooms

32280-32289.5 School safety plans

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6401.7 Injury and illness prevention program

CODE OF REGULATIONS, TITLE 8

3203 Injury and illness prevention program

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3400 Medical services and first aid

5095-5100 Control of noise exposure

5193 Bloodborne pathogens

14000-14316 Occupational injury or illness reports and records

CODE OF REGULATIONS, TITLE 17

2508 Reporting of communicable diseases

CODE OF FEDERAL REGULATIONS, TITLE 29

651-678 Occupational safety and health

1910.95 Occupational noise exposure

1910.1030 Bloodborne pathogens

Management Resources:

DEPARTMENT OF INDUSTRIAL RELATIONS PUBLICATIONS

Guide to Developing Your Workplace Injury and Illness Prevention Program, rev. August 2011

WEB SITES

California Department of Industrial Relations, Occupational Safety and Health:

http://www.dir.ca.gov/occupational_safety.html

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

National Hearing Conservation Association: <http://www.hearingconservation.org>

National Institute for Occupational Safety and Health: <http://www.cdc.gov/niosh>

U.S. Department of Labor, Occupational Safety and Health Administration: <http://www.osha.gov>

Policy ALAMEDA UNIFIED SCHOOL DISTRICT

adopted: August 10, 2010 Alameda, California

revised:

~~Awards For Achievement~~



Students

BP 5126(a)

AWARDS FOR ACHIEVEMENT

The Governing Board encourages excellence as a goal for all students and wishes to publicly recognize students for exemplary achievement in academic, ~~athletic~~artistic, extracurricular, ~~or athletic, and~~ community service activities.

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

(cf. ~~5127~~ 5127 - Graduation Ceremonies and Activities)

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

District/School Awards

Student awards may include verbal recognition, a letter, a certificate, a Board resolution, public ceremony, trophy, gift, plaque, or ~~cash~~monetary gift.

The Superintendent or designee shall develop criteria for the selection of student award recipients.

Golden State Seal Merit Diploma

At graduation from high school, ~~special recognition shall be awarded to those~~ students whose academic achievements in core curriculum areas have been outstanding shall receive special recognition.

The Superintendent or designee shall identify graduating high school students who have demonstrated mastery of the high school curriculum qualifying them for the Golden State Seal Merit Diploma. ~~(Education Code 51454)~~ 51454

~~(cf. 6162.51 - Standardized Testing and Reporting Program)~~

~~(cf. 6162.51 - State Academic Achievement Tests)~~

State Seal of Biliteracy Award

The district shall present the State Seal of Biliteracy to each graduating high school student who has attained a high level of proficiency in speaking, reading, and writing in one or more languages in addition to English. ~~(Education Code 51460-51464)~~ (Education Code 51460-51464)

(cf. ~~6142.2~~ 6142.2 - World~~Foreign~~ Language Instruction)

(cf. ~~6174~~ 6174 - Education for English ~~Language~~ Learners)

In order to affirm the value of bilingualism and encourage students' enrollment in world language programs, the Superintendent or designee may present awards at appropriate grade levels to recognize the pursuit and/or attainment of grade-level proficiency in one or more languages in addition to English. The Superintendent or designee may also present awards to English learners who are reclassified as fluent English proficient to recognize proficiency in both English and the student's native language.

BP 5126(b)

AWARDS FOR ACHIEVEMENT (continued)

State Seal of Civic Engagement

The Superintendent or designee shall present the State Seal of Civic Engagement to each student who demonstrates excellence in civics education and participation and has demonstrated an understanding of the U.S. Constitution, the California Constitution, and the democratic system of government. (Education Code 51470-51474)

All district students shall be afforded the opportunity to earn the State Seal of Civic Engagement, regardless of their background, communities, or experiences. No student shall be denied such opportunity based on academic ability, alternative school setting, or unique or unconventional expression of civic engagement.

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

(cf. 0415 - Equity)

(cf. 6157 - Distance Learning)

(cf. 6158 - Independent Study)

(cf. 6159 - Individualized Education Program)

(cf. 6172 - Gifted and Talented Student Program)

(cf. 6181 - Alternative Schools/Programs of Choice)

(cf. 6183 - Home and Hospital Instruction)

(cf. 6184 - Continuation Education)

Scholarship and Loan Fund

The Board ~~may~~shall establish and maintain a scholarship and loan fund which ~~may~~shall be used to provide interest-free loans for educational advancement, scholarship, and/or grants-in-aid to bona fide organizations, students, or graduates of district schools. __(Education Code ~~35310, 35315~~) 35310, 35315)

(cf. ~~1260~~ 1260 - Educational Foundation)

(cf. ~~3290~~ 3290 - Gifts, Grants and Bequests)

The district's scholarship and loan fund shall be administered by a district committee composed of Board members, the Superintendent, and such other community, staff, administrative, and/or student representatives as determined by the Board. (Education Code 35310)

The Board shall select its own representatives to the committee. Staff, community, and/or student representatives shall be selected by the Superintendent. Members of this committee shall serve two-year terms.

(cf. 1220 - Citizen Advisory Committees)

(cf. 9140 - Board Representatives)

BP 5126(c)

AWARDS FOR ACHIEVEMENT (continued)

The committee may accept gifts, donations, and bequests made for the purposes of the fund and may prescribe conditions or restrictions on these gifts and bequests. If the donor imposes any conditions, the committee shall review the conditions and make a recommendation to the Board as to the compatibility of such conditions with the intent and purpose of the fund. The Board may prohibit the committee from accepting any donation under conditions it finds incompatible with the fund's intents and purposes. (Education Code 35313)

The Superintendent or designee shall report to the Board at least annually regarding the status and activity of the fund. (Education Code 35319)

Legal Reference:

EDUCATION CODE

220 Nondiscrimination

35160 Authority of governing boards

35310-35319 Scholarship and loan funds

44015 Awards to employees and students

51243-51245 Credit for private school foreign language instruction

51450-51455 Golden State Seal Merit Diploma

51460-51464 State Seal of Biliteracy

51470-51474 State Seal of Civic Engagement

52164.1 Assessment of English language skills of English learners

GOVERNMENT CODE

54950-54963 Brown Act open meeting laws

CODE OF REGULATIONS, TITLE 5

876 Golden State Seal Merit Diploma

1632 Credit for private school foreign language instruction

~~11510-11516 California~~ 11517.6-11519.5 English Language Development Test Proficiency

Assessments for California

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

SSCE Implementation Guidance

WEB SITES

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

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

Californians Together: ~~http://www.californianstogether.org~~ http://www.californianstogether.org

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

adopted: ~~August 25, 2009 Alameda, California~~ December 2020

~~revised: August 28, 2012~~

AWARDS FOR ACHIEVEMENT

The Governing Board encourages excellence as a goal for all students and wishes to publicly recognize students for exemplary achievement in academic, artistic, extracurricular, athletic, and community service activities.

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

(cf. 5127 - Graduation Ceremonies and Activities)

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

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Student awards may include verbal recognition, a letter, a certificate, a Board resolution, public ceremony, trophy, gift, plaque, or monetary gift.

The Superintendent or designee shall develop criteria for the selection of student award recipients.

Golden State Seal Merit Diploma

At graduation from high school, students whose academic achievements in core curriculum areas have been outstanding shall receive special recognition.

The Superintendent or designee shall identify graduating high school students who have demonstrated mastery of the high school curriculum qualifying them for the Golden State Seal Merit Diploma. (Education Code 51454)

(cf. 6162.51 - State Academic Achievement Tests)

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The district shall present the State Seal of Biliteracy to each graduating high school student who has attained a high level of proficiency in speaking, reading, and writing in one or more languages in addition to English. (Education Code 51460-51464)

(cf. 6142.2 - World Language Instruction)

(cf. 6174 - Education for English Learners)

In order to affirm the value of bilingualism and encourage students' enrollment in world language programs, the Superintendent or designee may present awards at appropriate grade levels to recognize the pursuit and/or attainment of grade-level proficiency in one or more languages in addition to English. The Superintendent or designee may also present awards to English learners who are reclassified as fluent English proficient to recognize proficiency in both English and the student's native language.

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All district students shall be afforded the opportunity to earn the State Seal of Civic Engagement, regardless of their background, communities, or experiences. No student shall be denied such opportunity based on academic ability, alternative school setting, or unique or unconventional expression of civic engagement.

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

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(cf. 6157 - Distance Learning)

(cf. 6158 - Independent Study)

(cf. 6159 - Individualized Education Program)

(cf. 6172 - Gifted and Talented Student Program)

(cf. 6181 - Alternative Schools/Programs of Choice)

(cf. 6183 - Home and Hospital Instruction)

(cf. 6184 - Continuation Education)

Scholarship and Loan Fund

The Board shall establish and maintain a scholarship and loan fund which shall be used to provide interest-free loans for educational advancement, scholarship, and/or grants-in-aid to bona fide organizations, students, or graduates of district schools. (Education Code 35310, 35315)

(cf. 1260 - Educational Foundation)

(cf. 3290 - Gifts, Grants and Bequests)

The district's scholarship and loan fund shall be administered by a district committee composed of Board members, the Superintendent, and such other community, staff, administrative, and/or student representatives as determined by the Board. (Education Code 35310)

The Board shall select its own representatives to the committee. Staff, community, and/or student representatives shall be selected by the Superintendent. Members of this committee shall serve two-year terms.

(cf. 1220 - Citizen Advisory Committees)

(cf. 9140 - Board Representatives)

The committee may accept gifts, donations, and bequests made for the purposes of the fund and may prescribe conditions or restrictions on these gifts and bequests. If the donor imposes any conditions, the committee shall review the conditions and make a recommendation to the Board as to the compatibility of such conditions with the intent and purpose of the fund. The Board may prohibit the committee from accepting any donation under conditions it finds incompatible with the fund's intents and purposes. (Education Code 35313)

The Superintendent or designee shall report to the Board at least annually regarding the status and activity of the fund. (Education Code 35319)

Legal Reference:

EDUCATION CODE

220 Nondiscrimination

35160 Authority of governing boards

35310-35319 Scholarship and loan funds

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CODE OF REGULATIONS, TITLE 5

876 Golden State Seal Merit Diploma

1632 Credit for private school foreign language instruction

11517.6-11519.5 English Language Proficiency Assessments for California

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

SSCE Implementation Guidance

WEB SITES

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

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Policy ALAMEDA UNIFIED SCHOOL DISTRICT

adopted: August 25, 2009 Alameda, California

revised: August 28, 2012

revised:

~~Conduct~~

Students

BP 5131(a)

CONDUCT

The Governing Board believes that all students have the right to be educated in a safe and positive learning environment free from disruptions. Students shall be expected to exhibit appropriate conduct that does not infringe upon the rights of others or interfere with the school program while on school grounds, going to or coming from school, at school activities, or using district transportation.

(cf. ~~0450~~ 0450 - Comprehensive Safety Plan)

(cf. ~~5131.1~~ 5131.1 - Bus Conduct)

(cf. ~~5137~~ 5137 - Positive School Climate)

(cf. ~~6145.2~~ 6145.2 - Athletic Competition)

The Superintendent or designee shall ensure that each school develops standards of conduct and discipline consistent with Board policies and administrative regulations. Students and parents/guardians shall be notified of district and school rules related to conduct.

Prohibited student conduct includes, but is not limited to:

- 1.- Conduct that endangers students, staff, or others, including, but not limited to, physical violence, possession of a firearm or other weapon, and terrorist threats

(cf. ~~5131.7~~ 5131.7 - Weapons and Dangerous Instruments)

(cf. ~~5142~~ Safety)

(cf. 5142 - Safety)

- 2.- Discrimination, harassment, intimidation, or bullying of students or staff, including sexual harassment, hate-motivated behavior, cyberbullying, hazing or initiation activity, extortion, or any other verbal, written, or physical conduct that causes or threatens to cause violence, bodily harm, or substantial disruption to the school program

(cf. ~~5131.2~~ 5131.2 - Bullying)

(cf. ~~5145.3~~ 5145.3 - Nondiscrimination/Harassment)

(cf. ~~5145.7~~ 5145.7 - Sexual Harassment)

(cf. ~~5145.9~~ 5145.9 - Hate-Motivated Behavior)

- 3.- Conduct that disrupts the orderly classroom or school environment

(cf. ~~5131.4~~ 5131.4 - Student Disturbances)

4.- ____ Willful defiance of staff's authority

5.- ____ Damage to or theft of property belonging to students, staff, or the district

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

(cf. ~~5131.5~~ 5131.5 - *Vandalism and Graffiti*)

~~The district shall not be responsible for students' personal belongings which are brought on campus or to a school activity and are lost, stolen, or damaged.~~

BP 5131(b)

CONDUCT (continued)

6.- ____ Obscene acts or use of profane, vulgar, or abusive language

(cf. ~~5145.2~~ 5145.2 - *Freedom of Speech/Expression*)

7.- ____ Possession, use, or being under the influence of tobacco, alcohol, or other prohibited ~~drugs~~substances

(cf. ~~5131.6~~ 5131.6 - *Alcohol and Other Drugs*)

(cf. ~~5131.62~~ Tobacco)

(cf. 5131.62 - *Tobacco*)

(cf. ~~5131.63~~ 5131.63 - *Steroids*)

8.- ____ Possession or use of a laser pointer, unless for a valid instructional or other school-related purpose (~~Penal Code 417.27~~)with prior permission of the principal or designee (Penal Code 417.27)

9. Use of a cell phone, smart watch, pager, or other mobile communication device during instructional time or in an unauthorized manner in violation of district policy

(cf. 5131.8 - *Mobile Communication Devices*)

~~(cf. Prior to bringing a laser pointer on school premises for a valid instructional or school-related purpose, a student shall obtain permission from the principal or designee.~~

~~9. Use of a cellular/digital telephone, pager, or other mobile communications (eg. laptops, tablets) devices during instructional time. Such devices shall be turned off or silenced in class, except when being used for a valid instructional or other school-related purpose as determined by the teacher or other district employee, and at any other time directed by a district employee. Any device with camera, video, or voice recording function shall not be used in any manner which infringes on the privacy rights of any other person.~~

~~No student shall be prohibited from possessing or using an electronic signaling device that is determined by a licensed physician or surgeon to be essential for the student's health and the use of which is limited to purposes related to the student's health. (Education Code 48901.5)~~

6163.4 - Student Use of Technology)

10.- Plagiarism or dishonesty on school work or tests

(cf. 5131.9) ~~(cf. 5131.9)~~ - Academic Honesty)

(cf. 6162.54) ~~(cf. 6162.54)~~ - Test Integrity/Test Preparation)

(cf. 6162.6) ~~(cf. 6162.6)~~ - Use of Copyrighted Materials)

~~11. Inappropriate attire~~

11. Wearing of any attire that violates district or school dress codes, including gang-related apparel

(cf. 5132) ~~(cf. 5132)~~ - Dress and Grooming)

(cf. 5136 - Gangs)

12.- Tardiness or unexcused absence from school

(cf. 5113) ~~(cf. 5113)~~ - Absences and Excuses)

(cf. 5113.1) ~~(cf. 5113.1)~~ - Chronic Absence and Truancy)

(cf. 5113.11 - Attendance Supervision)

(cf. 5113.12 - District School Attendance Review Board)

13.- Failure to remain on school premises in accordance with school rules

(cf. 5112.5) ~~(cf. 5112.5)~~ - Open/Closed Campus)

BP 5131(c)

CONDUCT (continued)

Employees are expected to ~~provide appropriate supervision to~~ enforce standards of conduct and, ~~if/when~~ they observe or receive a report of a violation of these standards, to ~~immediately~~appropriately intervene or ~~call for~~seek assistance. ~~If an~~As necessary, the employee ~~believes a matter has not been resolved, he/she~~ shall refer the matter to his/her supervisor or ~~an~~ administrator ~~for further investigation~~the principal or designee.

When a school ~~official~~employee suspects that a search of a student or ~~his/her~~ student's belongings will turn up evidence of the student's violation of the law or school rules, such a search shall be conducted in accordance with BP/AR 5145.12 - Search and Seizure.

(cf. 5145.12) ~~5145.12~~ - Search and Seizure)

When a student uses any prohibited device, or uses a permitted device in ~~any unethical or illegal activity~~an unauthorized manner, a district employee may confiscate the device. The employee shall store the ~~item in a secure manner~~device securely until ~~it is returned to the student or turned over to the principal or designee, as appropriate time.~~

Students who violate district or school rules and regulations may be subject to discipline including, but not limited to, suspension, expulsion, transfer to alternative programs, referral to a student success team or counseling services, or denial of participation in extracurricular or cocurricular activities or other privileges in accordance with Board policy and administrative regulation. The Superintendent or designee shall notify local law enforcement as appropriate.

~~(cf. 1020 Youth Services) 1400~~

~~(cf. 1400 Relations Between Other Governmental Agencies and the Schools)~~

~~(cf. 5020 5020 Parent Rights and Responsibilities)~~

~~(cf. 5127 5127 Graduation Ceremonies and Activities)~~

~~(cf. 5138 5138 Conflict Resolution/Peer Mediation)~~

~~(cf. 5144 5144 Discipline)~~

~~- Discipline)~~

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

~~(cf. 5144.2 5144.2 Suspension and Expulsion/Due Process (Students with Disabilities))~~

~~(cf. 6020 6020 Parent Involvement)~~

~~(cf. 6145 6145 Extracurricular and Cocurricular Activities)~~

~~(cf. 6159.4 6159.4 Behavioral Interventions for Special Education Students)~~

~~(cf. 6164.2 6164.2 Guidance/Counseling Services)~~

~~(cf. 6164.5 6164.5 Student Success Teams)~~

~~(cf. 6184 6184 Continuation Education)~~

~~(cf. 6185 6185 Community Day School)~~

Students also may be subject to discipline, in accordance with law, Board policy, or administrative regulation, for any off-campus conduct during nonschool hours which poses a threat or danger to the safety of students, staff, or district property, or substantially disrupts school activities.

Legal Reference: (see next page)

BP 5131(d)

CONDUCT (continued)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

32280-32289 Comprehensive safety plan

35181 Governing board authority to set policy on responsibilities of students

35291-35291.5 Rules
 44807 Duty concerning conduct of students
 48900-48925 Suspension and expulsion
 51512 Prohibition against electronic listening or recording device in classroom without permission
CIVIL CODE
 1714.1 Liability of parents and guardians for willful misconduct of minor
PENAL CODE
 288.2 Harmful matter with intent to seduce
 313 Harmful matter
 417.25-417.27 Laser scope or laser pointer
 647 Use of camera or other instrument to invade person's privacy; misdemeanor
 653.2 Electronic communication devices, threats to safety
VEHICLE CODE
 23123-23124 Prohibitions against use of electronic devices while driving
CODE OF REGULATIONS, TITLE 5
 300-307 Duties of students
UNITED STATES CODE, TITLE 42
~~2000h~~ ~~2000h~~ 20 USC 1681-1688 Title IX, 1972 Education Act Amendments
COURT DECISIONS
J.C. v. Beverly Hills Unified School District, (2010) 711 F.Supp.2d 1094
LaVine v. Blaine School District, ~~(2000)~~ (2001), 9th Cir.) 257 F.3d 981
Emmett v. Kent School District No. 415, (2000) 92 F.Supp. 1088
Bethel School District No. 403 v. Fraser, (1986) 478 U.S. 675
New Jersey v. T.L.O., (1985) 469 U.S. 325
Tinker v. Des Moines Independent Community School District, (1969) 393 U.S. 503

Management Resources:

CSBA PUBLICATIONS
Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011
Providing a Safe, Nondiscriminatory School Environment for All Students, Policy Brief, April 2010
Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Bullying at School, 2003
WEB SITES

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

~~CSBA:~~ <http://www.csba.org>
 California Department of Education, Safe Schools Office: ~~http://www.cde.ca.gov/lr/ss~~
<http://www.cde.ca.gov/lr/ss>
 Center for Safe and Responsible Internet Use: ~~http://cyberbully.org~~
<https://www.ewa.org/organization/center-safe-and-responsible-internet-use>

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

National School Safety Center: ~~http://www.schoolsafety.us~~ <http://www.schoolsafety.us>
 U.S. Department of Education: ~~http://www.ed.gov~~ <http://www.ed.gov>

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

adopted: ~~August 10, 2010~~ Alameda, California October 2019

~~revised: August 28, 2012~~

CONDUCT

The Governing Board believes that all students have the right to be educated in a safe and positive learning environment free from disruptions. Students shall be expected to exhibit appropriate conduct that does not infringe upon the rights of others or interfere with the school program while on school grounds, going to or coming from school, at school activities, or using district transportation.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5131.1 - Bus Conduct)

(cf. 5137 - Positive School Climate)

(cf. 6145.2 - Athletic Competition)

The Superintendent or designee shall ensure that each school develops standards of conduct and discipline consistent with Board policies and administrative regulations. Students and parents/guardians shall be notified of district and school rules related to conduct.

Prohibited student conduct includes, but is not limited to:

1. Conduct that endangers students, staff, or others, including, but not limited to, physical violence, possession of a firearm or other weapon, and terrorist threats

(cf. 5131.7 - Weapons and Dangerous Instruments)

(cf. 5142 - Safety)

2. Discrimination, harassment, intimidation, or bullying of students or staff, including sexual harassment, hate-motivated behavior, cyberbullying, hazing or initiation activity, extortion, or any other verbal, written, or physical conduct that causes or threatens to cause violence, bodily harm, or substantial disruption to the school program

(cf. 5131.2 - Bullying)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

3. Conduct that disrupts the orderly classroom or school environment

(cf. 5131.4 - Student Disturbances)

4. Willful defiance of staff's authority

5. Damage to or theft of property belonging to students, staff, or the district

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

(cf. 5131.5 - Vandalism and Graffiti)

6. Obscene acts or use of profane, vulgar, or abusive language

(cf. 5145.2 - Freedom of Speech/Expression)

7. Possession, use, or being under the influence of tobacco, alcohol, or other prohibited substances

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5131.62 - Tobacco)

(cf. 5131.63 - Steroids)

8. Possession or use of a laser pointer, unless for a valid instructional or other school-related purpose with prior permission of the principal or designee (Penal Code 417.27)

9. Use of a cell phone, smart watch, pager, or other mobile communication device during instructional time or in an unauthorized manner in violation of district policy

(cf. 5131.8 - Mobile Communication Devices)

(cf. 6163.4 - Student Use of Technology)

10. Plagiarism or dishonesty on school work or tests

(cf. 5131.9 - Academic Honesty)

(cf. 6162.54 - Test Integrity/Test Preparation)

(cf. 6162.6 - Use of Copyrighted Materials)

11. Wearing of any attire that violates district or school dress codes, including gang-related apparel

(cf. 5132 - Dress and Grooming)

(cf. 5136 - Gangs)

12. Tardiness or unexcused absence from school

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Chronic Absence and Truancy)

(cf. 5113.11 - Attendance Supervision)

(cf. 5113.12 - District School Attendance Review Board)

13. Failure to remain on school premises in accordance with school rules

(cf. 5112.5 - Open/Closed Campus)

Employees are expected to enforce standards of conduct and, when they observe or receive a report of a violation of these standards, to appropriately intervene or seek assistance. As necessary, the employee shall refer the matter to a supervisor or the principal or designee.

When a school employee suspects that a search of a student or a student's belongings will turn up evidence of the student's violation of the law or school rules, such a search shall be conducted in accordance with BP/AR 5145.12 - Search and Seizure.

(cf. 5145.12 - Search and Seizure)

When a student uses any prohibited device, or uses a permitted device in an unauthorized manner, a district employee may confiscate the device. The employee shall store the device securely until it is returned to the student or turned over to the principal or designee, as appropriate.

Students who violate district or school rules and regulations may be subject to discipline including, but not limited to, suspension, expulsion, transfer to alternative programs, referral to a student success team or counseling services, or denial of participation in extracurricular or cocurricular activities or other privileges in accordance with Board policy and administrative regulation. The Superintendent or designee shall notify local law enforcement as appropriate.

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 5127 - Graduation Ceremonies and Activities)

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5144 - Discipline)

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

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

(cf. 6020 - Parent Involvement)

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6159.4 - Behavioral Interventions for Special Education Students)

(cf. 6164.2 - Guidance/Counseling Services)

(cf. 6164.5 - Student Success Teams)

(cf. 6184 - Continuation Education)

(cf. 6185 - Community Day School)

Students also may be subject to discipline, in accordance with law, Board policy, or administrative regulation, for any off-campus conduct during nonschool hours which poses a threat or danger to the safety of students, staff, or district property, or substantially disrupts school activities.

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

32280-32289 Comprehensive safety plan

35181 Governing board authority to set policy on responsibilities of students

35291-35291.5 Rules

44807 Duty concerning conduct of students

48900-48925 Suspension and expulsion

51512 Prohibition against electronic listening or recording device in classroom without permission

CIVIL CODE

1714.1 Liability of parents and guardians for willful misconduct of minor

PENAL CODE

288.2 Harmful matter with intent to seduce

313 Harmful matter

417.25-417.27 Laser scope or laser pointer

647 Use of camera or other instrument to invade person's privacy; misdemeanor

653.2 Electronic communication devices, threats to safety

VEHICLE CODE

23123-23124 Prohibitions against use of electronic devices while driving

CODE OF REGULATIONS, TITLE 5

300-307 Duties of students

UNITED STATES CODE, TITLE 42

20 USC 1681-1688 Title IX, 1972 Education Act Amendments

COURT DECISIONS

J.C. v. Beverly Hills Unified School District (2010) 711 F.Supp.2d 1094
LaVine v. Blaine School District (2001, 9th Cir.) 257 F.3d 981
Emmett v. Kent School District No. 415 (2000) 92 F.Supp. 1088
Bethel School District No. 403 v. Fraser (1986) 478 U.S. 675
New Jersey v. T.L.Q. (1985) 469 U.S. 325
Tinker v. Des Moines Independent Community School District (1969) 393 U.S. 503

Management Resources:

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Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011
Providing a Safe, Nondiscriminatory School Environment for All Students, Policy Brief, April 2010
Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Bullying at School, 2003

WEB SITES

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

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

Center for Safe and Responsible Internet Use: <https://www.ewa.org/organization/center-safe-and-responsible-internet-use>

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

U.S. Department of Education: <http://www.ed.gov>

Policy ALAMEDA UNIFIED SCHOOL DISTRICT

adopted: August 10, 2010 Alameda, California

revised: August 28, 2012

revised:

MOBILE COMMUNICATION DEVICES

The Governing Board recognizes that the use of smartphones and other mobile communication devices on campus may be beneficial to student learning and well-being, but could be disruptive of the instructional program in some circumstances. The Board permits limited use of mobile communication devices on campus in accordance with law and the following policy.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5131.2 - Bullying)

(cf. 5131.4 - Student Disturbances)

(cf. 5131.9 - Academic Honesty)

(cf. 5137 - Positive School Climate)

(cf. 5141.52 - Suicide Prevention)

(cf. 6163.4 - Student Use of Technology)

Students may use cell phones, smart watches, pagers, or other mobile communication devices on campus during noninstructional time as long as the device is utilized in accordance with law and any rules that individual school sites may impose.

Mobile communication devices shall be turned off during instructional time. However, a student shall not be prohibited from possessing or using a mobile communication device under any of the following circumstances: (Education Code 48901.5, 48901.7)

1. In the case of an emergency, or in response to a perceived threat of danger
2. When a teacher or administrator grants permission to the student to possess or use a mobile communication device, subject to any reasonable limitation imposed by that teacher or administrator
3. When a licensed physician or surgeon determines that the possession or use is necessary for the student's health and well-being
4. When the possession or use is required by the student's individualized education program

(cf. 6159 - Individualized Education Program)

Smartphones and other mobile communication devices shall not be used in any manner which infringes on the privacy rights of any other person.

When a school official reasonably suspects that a search of a student's mobile communication device will turn up evidence of the student's violation of the law or school rules, such a search shall be conducted in accordance with BP/AR 5145.12 - Search and Seizure.

(cf. 5145.12 - Search and Seizure)

(cf. 5145.2 - Freedom of Speech/Expression)

When a student uses a mobile communication device in an unauthorized manner, the student may be disciplined and a district employee may confiscate the device. The employee shall store the device securely until it is returned to the student or turned over to the principal or designee, as appropriate.

A student may also be subject to discipline, in accordance with law, Board policy, or administrative regulation, for off-campus use of a mobile communication device which poses a threat or danger to the safety of students, staff, or district property or substantially disrupts school activities.

The Superintendent or designee shall inform students that the district will not be responsible for a student's mobile communication device which is brought on campus or to a school activity and is lost, stolen, or damaged.

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

32280-32289 Comprehensive safety plan

35181 Governing board authority to set policy on responsibilities of students

35291-35291.5 Rules

44807 Duty concerning conduct of students

48900-48925 Suspension and expulsion, especially:

48901.5 Regulation of possession or use of electronic signaling devices

48901.7 Limitation or prohibition of student use of cell phones

51512 Prohibition against electronic listening or recording device in classroom without permission

CIVIL CODE

1714.1 Liability of parents and guardians for willful misconduct of minor

PENAL CODE

288.2 Harmful matter with intent to seduce

313 Harmful matter

647 Use of camera or other instrument to invade person's privacy; misdemeanor

653.2 Electronic communication devices, threats to safety

VEHICLE CODE

23123-23124 Prohibitions against use of electronic devices while driving

CODE OF REGULATIONS, TITLE 5

300-307 Duties of students

UNITED STATES CODE, TITLE 20

1681-1688 Discrimination based on sex or blindness

COURT DECISIONS

J.C. v. Beverly Hills Unified School District (2010) 711 F.Supp.2d 1094

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

Tinker v. Des Moines Independent Community School District (1969) 393 U.S. 503

Management Resources:

CSBA PUBLICATIONS

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Bullying at School, 2003

WEB SITES

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

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

Center for Safe and Responsible Internet Use: <https://www.ewa.org/organization/center-safe-and-responsible-internet-use>

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

U.S. Department of Education: <http://www.ed.gov>

Policy ALAMEDA UNIFIED SCHOOL DISTRICT
adopted:

Administering Medication And Monitoring Health Conditions—



Students

BP 5141.21(a)

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS

The Governing Board believes that regular school attendance is critical to student learning and that students who need to take medication prescribed or ordered for them by their authorized health care providers should ~~have an opportunity~~be able to participate in the educational program.

(cf. ~~5113~~ 5113 - Absences and Excuses)

(cf. ~~5113.1~~ 5113.1 - Chronic Absence and Truancy)

Any medication prescribed for a student with a disability who is qualified to receive services under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973 shall be administered in accordance with the student's individualized education program or Section 504 services plan, as applicable.

(cf. ~~6159~~ 5141.24 - Specialized Health Care Services)

(cf. 6159 - Individualized Education Program)

(cf. ~~6164.6~~ 6164.6 - Identification and Education Under Section 504)

For the administration of medication to other students during school or school-related activities, the Superintendent or designee shall develop protocols which shall include options for allowing ~~a parent/guardian~~parents/guardians to administer medication to ~~his/her~~their child at school, designate other individuals to do so on ~~his/her~~their behalf, and, with the ~~child's~~student's authorized health care provider's approval, request the district's permission for ~~his/her child~~the student to self-administer a medication or self-monitor and/or self-test for a medical condition. Such processes shall be implemented in a manner that preserves campus security, minimizes instructional interruptions, and promotes student safety and privacy.

(cf. ~~1250~~ 1250 - Visitors/Outsiders)

(cf. ~~5141~~ 5141 - Health Care and Emergencies)

(cf. ~~5141.22~~ 5141.22 - Infectious Diseases)

(cf. ~~5141.23~~ 5141.23 - Asthma Management)

(cf. ~~5141.27~~ 5141.27 - Food Allergies/Special Dietary Needs)

(cf. ~~6116~~ 6116 - Classroom Interruptions)

In addition, the

The Superintendent or designee shall make epinephrine auto-injectors available at each school for providing emergency medical aid to any person suffering, or reasonably believed to be suffering, from an anaphylactic reaction. (Education Code 49414)

The Superintendent or designee shall make naloxone hydrochloride or another opioid antagonist available for emergency medical aid to any person suffering, or reasonably believed to be suffering, from an opioid overdose. (Education Code 49414.3)

OPTION 1: The parent/guardian of a student who is a qualified patient pursuant to Health and Safety Code 11362.7-11362.85 may administer medicinal cannabis, excluding medicinal

BP 5141.21(b)

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS (continued)

cannabis or cannabis products in a smokeable or vapeable form, to the student at a school site. School personnel are not authorized to administer medicinal cannabis to a student. (Education Code 49414.1)

Before administering medicinal cannabis at a school site, the parent/guardian shall provide to the principal or designee a valid written medical recommendation for the student to be given medicinal cannabis, which shall be kept on file at the school. The parent/guardian shall sign in at the school site before administering the medication, and shall not administer the medication in a manner that disrupts the educational environment or exposes other students. After the parent/guardian administers the medication, the parent/guardian shall remove any remaining medicinal cannabis from the school site. (Education Code 49414.1)

OPTION 2: Because of the conflict between state and federal law regarding the legality of medicinal cannabis, the Board prohibits the administration of medicinal cannabis to students on school grounds by parents/guardians or school personnel.

The Superintendent or designee shall collaborate with city and county emergency responders, including local public health administrators, to design procedures or measures for addressing an emergency such as a public disaster or epidemic.

(cf. ~~3516~~ 3516 - Emergencies and Disaster Preparedness Plan)

Administration of Medication by School Personnel

Any

When allowed by law, medication prescribed to a student by an authorized health care provider, including, but not limited to, emergency antiseizure medication for a student who suffers epileptic seizures, auto-injectable epinephrine, insulin, or glucagon, may be administered by the a school nurse or, when a school nurse or other medically licensed person is unavailable and the physician has authorized administration of medication by unlicensed personnel for a particular student, by other designated school personnel only when with appropriate training. School nurses and other designated school personnel shall administer medications to students in accordance with law, Board policy, administrative regulation, and, as applicable, the Superintendent or designee has received written statements from both statement provided by the

student's parent/guardian and authorized health care provider. ~~(Education Code 49414.7, 49423; 5-CCR-600)~~ Such personnel shall be afforded appropriate liability protection.

~~(cf. 3530 - Risk Management/Insurance)~~

~~(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)~~

~~(cf. When medically unlicensed school personnel are authorized by law to administer any medication to students, such as emergency antiseizure medication, auto-injectable epinephrine, insulin, or glucagon, the 4119.43/4219.43/4319.43 - Universal Precautions)~~

The Superintendent or designee shall ensure that school personnel designated to administer any medication receive appropriate training and, as necessary, retraining from qualified medical personnel before any medication is administered. At a minimum, the training shall cover how and when such medication should be administered, the recognition of symptoms and treatment, emergency follow-up procedures, and the proper documentation and storage

BP 5141.21(c)

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS **(continued)**

of medication. Such trained, unlicensed designated school personnel shall be supervised by, and provided with immediate communication access to, a school nurse, physician, or other appropriate individual.

~~(cf. 4131 - Staff Development)~~

~~(cf. (Education Code 49414, 49414.5, 49414.7, 49423, 49423.1) 4231 - Staff Development)~~

~~(cf. 4331 - Staff Development)~~

The Superintendent or designee shall maintain documentation of the training and ongoing supervision, as well as annual written verification of competency of other designated school personnel.

~~(cf. 4131 - Staff Development)~~

~~(cf. 4231 - Staff Development)~~

~~(cf. 4331 - Staff Development)~~

~~School nurses and other designated school personnel shall administer medications to students in accordance with law, Board policy, and administrative regulation and shall be afforded appropriate liability protection.~~

~~(cf. 3530 - Risk Management/Insurance)~~

~~(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)~~

~~(cf. 4119.43/4219.43/4319.43 - Universal Precautions)~~

Legal Reference:

EDUCATION CODE

48980 *Notification at beginning of term*

49407 *Liability for treatment*

49408 *Emergency information*

49414 *Emergency epinephrine auto-injectors*

49414.3 *Emergency medical assistance; administration of medication for opioid overdose*

49414.5 *Providing school personnel with voluntary emergency training*

49414.7 ~~Emergency medical assistance; administration of epilepsy medication~~

49422-49427 *Employment of medical personnel, especially:*

49423 *Administration of prescribed medication for student*

49423.1 *Inhaled asthma medication*

49480 *Continuing medication regimen; notice*

BUSINESS AND PROFESSIONS CODE

2700-2837 *Nursing, especially:*

2726 *Authority not conferred*

2727 *Exceptions in general*

3501 *Definitions*

4119.2 *Acquisition of epinephrine auto-injectors*

4119.8 *Acquisition of naloxone hydrochloride or another opioid antagonist*

HEALTH AND SAFETY CODE

11362.7-11362.85 *Medicinal cannabis*

CODE OF REGULATIONS, TITLE 5

600-611 *Administering medication to students*

~~620-627 Administration of emergency antiseizure medication by trained volunteer nonmedical school personnel~~

UNITED STATES CODE, TITLE 20

1232g *Family Educational Rights and Privacy Act of 1974*

1400-1482 *Individuals with Disabilities Education Act*

UNITED STATES CODE, TITLE 21

812 *Schedules of controlled substances*

844 *Penalties for possession of controlled substance*

UNITED STATES CODE, TITLE 29

794 *Rehabilitation Act of 1973, Section 504*

COURT DECISIONS

American Nurses Association v. Torlakson, (2013) 57 Cal. ~~App.~~ 4th 570

Management Resources: (see next page)

CSBA PUBLICATIONS

~~Pandemic Influenza, Fact Sheet, September 2007~~

BP 5141.21(d)

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS
(continued)

Management Resources:

AMERICAN DIABETES ASSOCIATION PUBLICATIONS

Training Standards for the Administration of Epinephrine Auto-Injectors, rev. 2015

Glucagon Training Standards for School Personnel: Providing Emergency Medical Assistance to Pupils with Diabetes, May 2006

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

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

Training Standards for the Administration of Epinephrine Auto-Injectors, December 2004, 2005

NATIONAL DIABETES EDUCATION PROGRAM PUBLICATIONS

Helping the Student with Diabetes Succeed: A Guide for School Personnel, June 2003

WEB SITES

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

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

American Diabetes Association: <http://www.diabetes.org> <http://www.diabetes.org>

California Department of Education, ~~Health Services and School Nursing:~~ <http://www.cde.ca.gov/ls/he/hn>; <http://www.cde.ca.gov/ls/he/hn>

National Diabetes Education Program: <http://www.ndep.nih.gov> <http://www.ndep.nih.gov>

U.S. Department of Health and Human Services, National Institutes of Health, Blood Institute, asthma information: <http://www.nhlbi.nih.gov/health/public/lung/index.htm#asthma>

<http://www.nhlbi.nih.gov/health/public/lung/index.htm#asthma>

adopted: ~~June 26, 2012 Alameda, California~~ December 2019

~~revised: May 13, 2014~~

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS

The Governing Board believes that regular school attendance is critical to student learning and that students who need to take medication prescribed or ordered for them by their authorized health care providers should be able to participate in the educational program.

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Chronic Absence and Truancy)

Any medication prescribed for a student with a disability who is qualified to receive services under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973 shall be administered in accordance with the student's individualized education program or Section 504 services plan, as applicable.

(cf. 5141.24 - Specialized Health Care Services)

(cf. 6159 - Individualized Education Program)

(cf. 6164.6 - Identification and Education Under Section 504)

For the administration of medication to other students during school or school-related activities, the Superintendent or designee shall develop protocols which shall include options for allowing parents/guardians to administer medication to their child at school, designate other individuals to do so on their behalf, and, with the student's authorized health care provider's approval, request the district's permission for the student to self-administer a medication or self-monitor and/or self-test for a medical condition. Such processes shall be implemented in a manner that preserves campus security, minimizes instructional interruptions, and promotes student safety and privacy.

(cf. 1250 - Visitors/Outsiders)

(cf. 5141 - Health Care and Emergencies)

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.23 - Asthma Management)

(cf. 5141.27 - Food Allergies/Special Dietary Needs)

(cf. 6116 - Classroom Interruptions)

The Superintendent or designee shall make epinephrine auto-injectors available at each school for providing emergency medical aid to any person suffering, or reasonably believed to be suffering, from an anaphylactic reaction. (Education Code 49414)

The Superintendent or designee shall make naloxone hydrochloride or another opioid antagonist available for emergency medical aid to any person suffering, or reasonably believed to be suffering, from an opioid overdose. (Education Code 49414.3)

The parent/guardian of a student who is a qualified patient pursuant to Health and Safety Code 11362.7-11362.85 may administer medicinal cannabis, excluding medicinal cannabis or cannabis products in a smokeable or vapeable form, to the student at a school site. School personnel are not authorized to administer medicinal cannabis to a student. (Education Code 49414.1)

Before administering medicinal cannabis at a school site, the parent/guardian shall provide to the principal or designee a valid written medical recommendation for the student to be given medicinal cannabis, which shall be kept on file at the school. The parent/guardian shall sign in at the school site before administering the medication, and shall not administer the medication in a manner that disrupts the educational environment or exposes other students. After the parent/guardian administers the medication, the parent/guardian shall remove any remaining medicinal cannabis from the school site. (Education Code 49414.1)

The Superintendent or designee shall collaborate with city and county emergency responders, including local public health administrators, to design procedures or measures for addressing an emergency such as a public disaster or epidemic.

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

Administration of Medication by School Personnel

When allowed by law, medication prescribed to a student by an authorized health care provider may be administered by a school nurse or, when a school nurse or other medically licensed person is unavailable and the physician has authorized administration of medication by unlicensed personnel for a particular student, by other designated school personnel with appropriate training. School nurses and other designated school personnel shall administer medications to students in accordance with law, Board policy, administrative regulation, and, as applicable, the written statement provided by the student's parent/guardian and authorized health care provider. Such personnel shall be afforded appropriate liability protection.

(cf. 3530 - Risk Management/Insurance)

(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)

(cf. 4119.43/4219.43/4319.43 - Universal Precautions)

The Superintendent or designee shall ensure that school personnel designated to administer any medication receive appropriate training and, as necessary, retraining from qualified medical personnel before any medication is administered. At a minimum, the training shall cover how and when such medication should be administered, the recognition of symptoms and treatment, emergency follow-up procedures, and the proper documentation and storage of medication. Such trained, unlicensed designated school personnel shall be supervised by, and provided with immediate communication access to, a school nurse, physician, or other appropriate individual.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

The Superintendent or designee shall maintain documentation of the training and ongoing supervision, as well as annual written verification of competency of other designated school personnel.

Legal Reference:

EDUCATION CODE

48980 Notification at beginning of term

49407 Liability for treatment

49408 Emergency information
 49414 Emergency epinephrine auto-injectors
 49414.3 Emergency medical assistance; administration of medication for opioid overdose
 49414.5 Providing school personnel with voluntary emergency training
 49422-49427 Employment of medical personnel, especially:
 49423 Administration of prescribed medication for student
 49423.1 Inhaled asthma medication
 49480 Continuing medication regimen; notice
BUSINESS AND PROFESSIONS CODE
 2700-2837 Nursing, especially:
 2726 Authority not conferred
 2727 Exceptions in general
 3501 Definitions
 4119.2 Acquisition of epinephrine auto-injectors
 4119.8 Acquisition of naloxone hydrochloride or another opioid antagonist
HEALTH AND SAFETY CODE
 11362.7-11362.85 Medicinal cannabis
CODE OF REGULATIONS, TITLE 5
 600-611 Administering medication to students
UNITED STATES CODE, TITLE 20
 1232g Family Educational Rights and Privacy Act of 1974
 1400-1482 Individuals with Disabilities Education Act
UNITED STATES CODE, TITLE 21
 812 Schedules of controlled substances
 844 Penalties for possession of controlled substance
UNITED STATES CODE, TITLE 29
 794 Rehabilitation Act of 1973, Section 504
COURT DECISIONS
American Nurses Association v. Torlakson, (2013) 57 Cal.4th 570

Management Resources:

AMERICAN DIABETES ASSOCIATION PUBLICATIONS
Training Standards for the Administration of Epinephrine Auto-Injectors, rev. 2015
Glucagon Training Standards for School Personnel: Providing Emergency Medical Assistance to Pupils with Diabetes, May 2006
Legal Advisory on Rights of Students with Diabetes in California's K-12 Public Schools, August 2007
Program Advisory on Medication Administration, 2005
NATIONAL DIABETES EDUCATION PROGRAM PUBLICATIONS
Helping the Student with Diabetes Succeed: A Guide for School Personnel, June 2003
WEB SITES
 CSBA: <http://www.csba.org>
 American Diabetes Association: <http://www.diabetes.org>
 California Department of Education: <http://www.cde.ca.gov/ls/he/hn>
 National Diabetes Education Program: <http://www.ndep.nih.gov>
 U.S. Department of Health and Human Services, National Institutes of Health, Blood Institute, asthma information: <http://www.nhlbi.nih.gov/health/public/lung/index.htm#asthma>

Policy ALAMEDA UNIFIED SCHOOL DISTRICT

adopted: June 26, 2012 Alameda, California

revised: May 13, 2014

revised:

~~Policy 5141.4: Child Abuse Prevention And Reporting~~

~~Status: ADOPTED~~

Policy 5141.4: Child Abuse Prevention And Reporting

Status: ADOPTED

Original Adopted Date: ~~08/25/2009~~07/01/2002 | Last Revised Date: ~~11/10/2015~~06/01/2021 | Last Reviewed Date: ~~11/10/2015~~06/01/2021

The Governing Board is committed to supporting the safety and well-being of district students and desires to facilitate the prevention of and response to child abuse and neglect. The Superintendent or designee shall develop and implement strategies for preventing, recognizing, and promptly reporting known or suspected child abuse and neglect.

The Superintendent or designee may provide a student who is a victim of abuse with school-based mental health services or other support services and/or may refer the student to resources available within the community as needed.

Child Abuse Prevention

The district's instructional program ~~shall include~~may provide age-appropriate and culturally sensitive child abuse prevention curriculum. ~~This curriculum shall explain~~ which explains students' right to live free of abuse, ~~include~~includes instruction in the skills and techniques needed to identify unsafe situations and react appropriately and promptly, ~~inform~~informs students of available support resources, and ~~teach~~teaches students how to obtain help and disclose incidents of abuse.

The district's program also may include age-appropriate curriculum in sexual abuse and sexual assault awareness and prevention. Upon written request of a student's parent/guardian, the student shall be excused from taking such instruction. (Education Code 51900.6)

The Superintendent or designee may display posters, in areas on campus where students frequently congregate, notifying students of the appropriate telephone number to call to report child abuse or neglect. (Education Code 33133.5)

In addition, student identification cards for students in grades 7-12 shall include the National Domestic Violence Hotline telephone number. (Education Code 215.5)

The Superintendent or designee shall, to the extent feasible, seek to incorporate community resources into the district's child abuse prevention programs and may use these resources to provide parents/guardians with instruction in parenting skills and child abuse prevention.

Child Abuse Reporting

The Superintendent or designee shall establish procedures for the identification and reporting of known and suspected child abuse and neglect in accordance with law.

Procedures for reporting child abuse shall be included in the district and/or school comprehensive safety plan.

(Education Code 32282)

District employees who are mandated reporters, as defined by law and administrative regulation, are obligated to report all known or suspected incidents of child abuse and neglect.

The Superintendent or designee shall provide training regarding the duties of mandated reporters- as required by law and as specified in the accompanying administrative regulation. (Education Code 44691; Penal Code 11165.7)

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 4650	Filing complaints with CDE, special education students
Ed. Code 32280-32289	School safety plans
Ed. Code 33195	Heritage schools, mandated reporters
Ed. Code 33308.1	Guidelines on procedure for filing child abuse complaints
Ed. Code 44252	Teacher credentialing
Ed. Code 44691	Information on detection of child abuse
Ed. Code 44807	Duty concerning conduct of students
Ed. Code 48906	Notification of release of student to peace officer
Ed. Code 48987	Child abuse guidelines
Ed. Code 49001	Prohibition of corporal punishment
Ed. Code 51220.5	Parenting skills and education
Ed. Code 51900.6	Sexual abuse and sexual assault awareness and prevention
Pen. Code 11164-11174.3	Child Abuse and Neglect Reporting Act
Pen. Code 152.3	Duty to report murder, rape, or lewd or lascivious act
Pen. Code 273a	Willful cruelty or unjustifiable punishment of child; endangering life or health
Pen. Code 288	Definition of lewd or lascivious act requiring reporting
W&I Code 15630-15637	Dependent adult abuse reporting
Federal	Description
42 USC 11434a	Education for homeless children and youths
Management Resources	Description
California Department of Education Publication	01-05 Guidelines for Piloting Textbooks and Instructional Materials, rev. January 2015
Court Decision	A.M. v. Albertsons, LLC, (2009) Cal.App.4th 455
Website	<u>AASA The School Superintendents Association</u>

Cross References

Code	Description
0450	<u>Comprehensive Safety Plan</u>
0450	<u>Comprehensive Safety Plan</u>
1312.1	<u>Complaints Concerning District Employees</u>
1312.1	<u>Complaints Concerning District Employees</u>
1312.3	<u>Uniform Complaint Procedures</u>
1312.3	<u>Uniform Complaint Procedures</u>
1312.3-E(1)	<u>Uniform Complaint Procedures</u>
1400	<u>Relations Between Other Governmental Agencies And The Schools</u>
3530	<u>Risk Management/Insurance</u>
3530	<u>Risk Management/Insurance</u>
4112.6	<u>Personnel Files</u>
4119.23	<u>Unauthorized Release Of Confidential/Privileged Information</u>
4127	<u>Temporary Athletic Team Coaches</u>
4127	<u>Temporary Athletic Team Coaches</u>
4131	<u>Staff Development</u>
4131	<u>Staff Development</u>
4212.6	<u>Personnel Files</u>
4219.21	<u>Professional Standards</u>
4219.21-E(1)	<u>Professional Standards—Code Of Ethics Classified Employees</u>
4219.23	<u>Unauthorized Release Of Confidential/Privileged Information</u>
4227	<u>Temporary Athletic Team Coaches</u>
4227	<u>Temporary Athletic Team Coaches</u>
4312.6	<u>Personnel Files</u>
4317.7	<u>Employment Status Reports</u>
4319.21	<u>Professional Standards</u>
4319.21-E(1)	<u>Professional Standards</u>
4319.23	<u>Unauthorized Release Of Confidential/Privileged Information</u>
4327	<u>Temporary Athletic Team Coaches</u>
4327	<u>Temporary Athletic Team Coaches</u>

5131.7	<u>Weapons And Dangerous Instruments</u>
5131.7	<u>Weapons And Dangerous Instruments</u>
5141.52	<u>Suicide Prevention</u>
5141.52	<u>Suicide Prevention</u>
5141.52 E(1)	<u>Suicide Prevention</u>
5141.6	<u>School Health Services</u>
5141.6	<u>School Health Services</u>
5142	<u>Safety</u>
5142	<u>Safety</u>
5144	<u>Discipline</u>
5144	<u>Discipline</u>
5145.11	<u>Questioning And Apprehension By Law Enforcement</u>
5145.13	<u>Response To Immigration Enforcement</u>
5145.13	<u>Response To Immigration Enforcement</u>
5145.3	<u>Nondiscrimination/Harassment</u>
5145.3	<u>Nondiscrimination/Harassment</u>
5145.7	<u>Sexual Harassment</u>
5145.7	<u>Sexual Harassment</u>
6142.8	<u>Comprehensive Health Education</u>
6164.2	<u>Guidance/Counseling Services</u>
6164.2	<u>Guidance/Counseling Services</u>

Original Adopted Date: 08/25/2009 | **Last Revised Date:** 11/10/2015 | **Last Reviewed Date:** 11/10/2015

The Governing Board is committed to supporting the safety and well-being of district students and desires to facilitate the prevention of and response to child abuse and neglect. The Superintendent or designee shall develop and implement strategies for preventing, recognizing, and promptly reporting known or suspected child abuse and neglect.

The Superintendent or designee may provide a student who is a victim of abuse with school-based mental health services or other support services and/or may refer the student to resources available within the community as needed.

Child Abuse Prevention

The district's instructional program may provide age-appropriate and culturally sensitive child abuse prevention curriculum which explains students' right to live free of abuse, includes instruction in the skills and techniques needed to identify unsafe situations and react appropriately and promptly, informs students of available support resources, and teaches students how to obtain help and disclose incidents of abuse.

The district's program also may include age-appropriate curriculum in sexual abuse and sexual assault awareness and prevention. Upon written request of a student's parent/guardian, the student shall be excused from taking such instruction. (Education Code 51900.6)

The Superintendent or designee may display posters, in areas on campus where students frequently congregate, notifying students of the appropriate telephone number to call to report child abuse or neglect. (Education Code 33133.5)

In addition, student identification cards for students in grades 7-12 shall include the National Domestic Violence Hotline telephone number. (Education Code 215.5)

The Superintendent or designee shall, to the extent feasible, seek to incorporate community resources into the district's child abuse prevention programs and may use these resources to provide parents/guardians with instruction in parenting skills and child abuse prevention.

Child Abuse Reporting

The Superintendent or designee shall establish procedures for the identification and reporting of known and suspected child abuse and neglect in accordance with law.

Procedures for reporting child abuse shall be included in the district and/or school comprehensive safety plan.

(Education Code 32282)

District employees who are mandated reporters, as defined by law and administrative regulation, are obligated to report all known or suspected incidents of child abuse and neglect.

The Superintendent or designee shall provide training regarding the duties of mandated reporters as required by law and as specified in the accompanying administrative regulation. (Education Code 44691; Penal Code 11165.7)

Policy 5141.52: Suicide Prevention

Status:
ADOPTED

Policy 5141.52: Suicide Prevention

Status: ADOPTED

Original Adopted Date: ~~08/08/2017~~07/01/2009 | Last Revised Date: ~~10/27/2020~~06/01/2021 | Last
Reviewed Date: ~~10/27/2020~~06/01/2021

The Governing Board recognizes that suicide is a leading cause of death among youth ~~and,~~
prevention is a collective effort that requires stakeholder engagement, and school personnel who
regularly interact with students are often in a position to recognize the warning signs of suicide and
to offer appropriate referral and/or assistance. In an effort to reduce suicidal behavior ~~and,~~ its
impact on students and families, and other trauma associated with suicide, the Superintendent or
designee shall develop measures ~~and,~~ strategies, practices, and supports for suicide prevention,
intervention, and postvention.

In developing policy and ~~strategies~~procedures for suicide prevention ~~and,~~ intervention, and
postvention, the Superintendent or designee shall consult with school and community stakeholders
~~such as administrators, other staff, parents/guardians, and students;~~ school-employed mental health
professionals ~~such as,~~ suicide prevention experts, and, in developing policy for grades K-6, the
county mental health plan. (Education Code 215)

School and community stakeholders and school mental health professionals with whom the
Superintendent or designee shall consult may include district and school administrators, school
counselors, school psychologists, school social workers, and school nurses; ~~suicide prevention~~
~~experts such as, other staff, parents/guardians and caregivers, students, local health agencies,~~
mental health professionals, and community organizations; ~~law enforcement; and, in developing~~
policy for grades K-6, the county mental health plan. (Education Code 215)

~~The Board shall ensure that measures and strategies for students in grades K-6 are age appropriate,~~
legal counsel, and delivered/or the district's risk manager or insurance carrier. The Superintendent
or designee may also collaborate with county and discussed in a manner that is sensitive/or city
governments in an effort to the needs of young students. (Education Code 215)

align district policy with any existing community suicide prevention plans.

Measures and strategies for suicide prevention, intervention, and postvention shall include, but are
not limited to:

1. Staff development on suicide awareness and prevention for teachers, interns, school
counselors, and ~~other district employees who interact~~others who interact with students,
including, as described in the accompanying administrative regulation
-appropriate, substitute teachers, coaches, expanded day learning staff, crossing guards, tutors,
and volunteers
2. Instruction to students in problem-solving ~~and,~~ coping, and resiliency skills to promote
students' mental, emotional, and social health and well-being, as well as instruction in
recognizing and appropriately responding to warning signs of suicidal intent in others

3. Methods for promoting a positive school climate that enhances students' feelings of connectedness with ~~the school~~theschool and that is characterized by caring staff and harmonious interrelationships among students
-
4. The review of materials and resources used in awareness efforts and communications to ensure they align withbest practices for safe and effective messaging about suicide
- ~~4.5.~~ The provision of information to parents/guardians and caregivers regarding risk and protective factors ~~and warning signs, warningsigns~~ of suicide, the severity of the suicide problem among youth, the district's suicide prevention curriculum, the district's suicide prevention policy and procedures, basic steps for helping suicidal youth, the importance of communicating with appropriate staff if suicide risk is present or suspected, access to suicide prevention training, and/or school and community resources that can help youth in crisis
-
- ~~5-6.~~ Encouragement for students to notify appropriate school personnel or other adults when they are ~~experiencing thoughtsexperiencingthoughts~~ of suicide or when they suspect or have knowledge of another student's suicidal intentions
-
- ~~6-7.~~ Crisis intervention procedures for addressing suicide threats or attempts
-
- ~~7-8.~~ Counseling and other postvention strategies for helping students, staff, and others cope in the aftermath of ~~a student's~~a student's suicide
9. Establishment of district and/or school-site crisis intervention team(s) to ensure the proper implementation andreview of this policy and other district practices related to the emotional and behavioral wellness of students, including, but not limited to, the oversight of mental health and suicide prevention training, collaboration with community mental health organizations, identification of resources and organizations that provide evidence-based treatment, collaboration to build community response, and compliance with Education Code 215

As appropriate, these measures and strategies shall specifically address the needs of students who are at high risk of suicide, including, but not limited to, students who are bereaved by suicide; students with disabilities, mental illness, or substance use disorders; students who are experiencing homelessness or who are in out-of-home settings such as foster care; and students who are lesbian, gay, bisexual, transgender, or questioning.- (Education Code 215)

The Board shall ensure that measures and strategies for students in grades K-6 are age appropriate and delivered and discussed in a manner that is sensitive to the needs of young students. (Education Code 215)

If a referral is made for mental health or related services for a student in grade K-6 who is a Medi-Cal beneficiary, the Superintendent or designee shall coordinate and consult with the county mental health plan.- (Education Code 215)

District employees shall act only within the authorization and scope of their credential or license. Nothing in this policy shall be construed as authorizing or encouraging district employees to diagnose or treat mental illness unless they are specifically licensed and employed to do

so.- (Education Code 215)

The Board shall review, and update as necessary, this policy at least every five years.- The Board may, at its discretion, review the policy more frequently. (Education Code 215)

The Superintendent or designee shall periodically review district data pertaining to school climate and reports of suicidal ideation, attempts, or death to identify patterns or trends and make recommendations regarding program development.

The Superintendent or designee shall post this policy on the district's web site, in a prominent location and in a manner that is easily accessible to parents/guardians and students.- (Education Code 234.6)

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
Ed. Code 215	Student suicide prevention policies
Ed. Code 215.5	Student identification cards, inclusion of safety hotlines
Ed. Code 216	Suicide prevention online training programs
Ed. Code 234.6	Bullying and harassment prevention information
Ed. Code 32280-32289.5	Comprehensive safety plan
Ed. Code 49060-49079	Student records
Ed. Code 49602	Confidentiality of personal information received during counseling
Ed. Code 49604	Suicide prevention training for school counselors
Gov. Code 810-996.6	California Tort Claims Act
Pen. Code 11164-11174.3	Child Abuse and Neglect Reporting Act
W&I Code 5698	Emotionally disturbed youth; legislative intent
W&I Code 5850-5886	Children's Mental Health Services Act
Management Resources	Description
California Department of Education Publication	01-05 Guidelines for Piloting Textbooks and Instructional Materials, rev. January 2015
Centers for Disease Control and Prevention Publica	School Connectedness: Strategies for Increasing Protective Factors Among Youth, 2009
Court Decision	A.M. v. Albertsons, LLC, (2009) Cal.App.4th 455
Nat'l Assoc. of School Psychologists Publication	Preventing Suicide: Guidelines for Administrators and Crisis Teams, 2015

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

National Strategy for Suicide Prevention: Goals and
Objectives for Action, rev. 2012

Website

[AASA The School Superintendents Association](#)

Cross References

Code	Description
0450	<u>Comprehensive Safety Plan</u>
0450	<u>Comprehensive Safety Plan</u>
1400	<u>Relations Between Other Governmental Agencies And The Schools</u>
3515	<u>Campus Security</u>
3515	<u>Campus Security</u>
4131	<u>Staff Development</u>
4131	<u>Staff Development</u>
4231	<u>Staff Development</u>
4231	<u>Staff Development</u>
5125	<u>Student Records</u>
5125	<u>Student Records</u>
5131	<u>Conduct</u>
5131.2	<u>Bullying</u>
5131.2	<u>Bullying</u>
5131.6	<u>Alcohol And Other Drugs</u>
5131.6	<u>Alcohol And Other Drugs</u>
5137	<u>Positive School Climate</u>
5138	<u>Conflict Resolution/Peer Mediation</u>
5141	<u>Health Care And Emergencies</u>
5141	<u>Health Care And Emergencies</u>
5141.4	<u>Child Abuse Prevention And Reporting</u>
5141.6	<u>School Health Services</u>
5141.6	<u>School Health Services</u>
5142	<u>Safety</u>
5142	<u>Safety</u>
5145.3	<u>Nondiscrimination/Harassment</u>

5145.3	<u>Nondiscrimination/Harassment</u>
5145.7	<u>Sexual Harassment</u>
5145.7	<u>Sexual Harassment</u>
5145.9	<u>Hate-Motivated Behavior</u>
6142.8	<u>Comprehensive Health Education</u>
6164.2	<u>Guidance/Counseling Services</u>
6164.2	<u>Guidance/Counseling Services</u>

Policy 5141.52: Suicide Prevention

Status: ADOPTED

Original Adopted Date: 08/08/2017 | **Last Revised Date:** 10/27/2020 | **Last Reviewed Date:** 10/27/2020

The Governing Board recognizes that suicide is a leading cause of death among youth, prevention is a collective effort that requires stakeholder engagement, and school personnel who regularly interact with students are often in a position to recognize the warning signs of suicide and to offer appropriate referral and/or assistance. In an effort to reduce suicidal behavior, its impact on students and families, and other trauma associated with suicide, the Superintendent or designee shall develop measures, strategies, practices, and supports for suicide prevention, intervention, and postvention.

In developing policy and procedures for suicide prevention, intervention, and postvention, the Superintendent or designee shall consult with school and community stakeholders, school-employed mental health professionals, suicide prevention experts, and, in developing policy for grades K-6, the county mental health plan. (Education Code 215)

School and community stakeholders and school mental health professionals with whom the Superintendent or designee shall consult may include district and school administrators, school counselors, school psychologists, school social workers, school nurses, other staff, parents/guardians and caregivers, students, local health agencies, mental health professionals, community organizations, law enforcement, legal counsel, and/or the district's risk manager or insurance carrier. The Superintendent or designee may also collaborate with county and/or city governments in an effort to align district policy with any existing community suicide prevention plans.

Measures and strategies for suicide prevention, intervention, and postvention shall include, but are not limited to:

1. Staff development on suicide awareness and prevention for teachers, interns, school counselors, and others who interact with students, including, as appropriate, substitute teachers, coaches, expanded day learning staff, crossing guards, tutors, and volunteers
2. Instruction to students in problem-solving, coping, and resiliency skills to promote students' mental, emotional, and social health and well-being, as well as instruction in recognizing and appropriately responding to warning signs of suicidal intent in others
3. Methods for promoting a positive school climate that enhances students' feelings of connectedness with the school and that is characterized by caring staff and harmonious interrelationships among students
4. The review of materials and resources used in awareness efforts and communications to ensure they align with best practices for safe and effective messaging about suicide
5. The provision of information to parents/guardians and caregivers regarding risk and protective factors, warning signs of suicide, the severity of the suicide problem among youth, the district's suicide prevention curriculum, the district's suicide prevention policy and procedures, basic steps for helping suicidal youth, the importance of communicating with appropriate staff if suicide risk is present or suspected, access to suicide prevention training, and/or school and community resources that can help youth in crisis
6. Encouragement for students to notify appropriate school personnel or other adults when they are experiencing thoughts of suicide or when they suspect or have knowledge of another student's suicidal intentions
7. Crisis intervention procedures for addressing suicide threats or attempts
8. Counseling and other postvention strategies for helping students, staff, and others cope in the aftermath of a student's suicide

9. Establishment of district and/or school-site crisis intervention team(s) to ensure the proper implementation and review of this policy and other district practices related to the emotional and behavioral wellness of students, including, but not limited to, the oversight of mental health and suicide prevention training, collaboration with community mental health organizations, identification of resources and organizations that provide evidence-based treatment, collaboration to build community response, and compliance with Education Code 215

As appropriate, these measures and strategies shall specifically address the needs of students who are at high risk of suicide, including, but not limited to, students who are bereaved by suicide; students with disabilities, mental illness, or substance use disorders; students who are experiencing homelessness or who are in out-of-home settings such as foster care; and students who are lesbian, gay, bisexual, transgender, or questioning. (Education Code 215)

The Board shall ensure that measures and strategies for students in grades K-6 are age appropriate and delivered and discussed in a manner that is sensitive to the needs of young students. (Education Code 215)

If a referral is made for mental health or related services for a student in grade K-6 who is a Medi-Cal beneficiary, the Superintendent or designee shall coordinate and consult with the county mental health plan. (Education Code 215)

District employees shall act only within the authorization and scope of their credential or license. Nothing in this policy shall be construed as authorizing or encouraging district employees to diagnose or treat mental illness unless they are specifically licensed and employed to do so. (Education Code 215)

The Board shall review, and update as necessary, this policy at least every five years. The Board may, at its discretion, review the policy more frequently. (Education Code 215)

The Superintendent or designee shall periodically review district data pertaining to school climate and reports of suicidal ideation, attempts, or death to identify patterns or trends and make recommendations regarding program development.

The Superintendent or designee shall post this policy on the district's web site, in a prominent location and in a manner that is easily accessible to parents/guardians and students. (Education Code 234.6)

Policy 5145.12: Search And Seizure

Status: ADOPTED

Policy 5145.12: Search And Seizure

Status: ADOPTED

Original Adopted Date: ~~08/25/2009~~03/01/2000 | Last Revised Date: 06/01/2021 | Last Reviewed

Date: ~~08/25/2009~~06/01/2021

The Governing Board of Education is fully committed to promoting a safe learning environment and, to the extent possible, eliminating the possession and use of weapons, illegal drugs, and other controlled substances by students on school premises and at school activities. As necessary to protect the health and welfare of students and staff, and only as authorized by law, Board policy, and administrative regulation, school officials may search students, their property, and/or district property under their control and may seize illegal, unsafe, or otherwise prohibited items. School officials shall exercise discretion and use good judgment when conducting searches.

~~The Board urges that employees exercise discretion and good judgment. When conducting a search or seizure, employees shall act in accordance with law, Board policy, and administrative regulation.~~

The Superintendent or designee shall ensure that staff who conduct student searches receive training regarding the requirements of the district's policy and administrative regulation and other legal issues, as appropriate.

Individual Searches Based on Individualized Suspicion

School officials may search ~~any~~an individual student, ~~his/her~~the student's property, or district property under ~~his/her~~the student's control when there is a reasonable suspicion that the search will uncover evidence that ~~he/she~~the student is violating the law, Board policy, administrative regulation, or other rules of the district or the school. Reasonable suspicion shall be based on specific and objective facts that the search will produce evidence related to the alleged violation. ~~The types of student property that may be searched by school officials include, but are not limited to, lockers, desks, purses, backpacks, student vehicles parked on district property, cellular phones, or other electronic communication devices.~~

Any search of a student, ~~his/her~~the student's property, or district property under ~~his/her~~the student's control shall be limited in scope and designed to produce evidence related to the alleged violation. Factors to be considered by school officials when determining the scope of the search shall include the danger to the health or safety of students or staff, such as the possession of weapons, drugs, or other dangerous instruments, and whether the item(s) to be searched by school officials are reasonably related to the contraband to be found. In addition, school officials shall consider the intrusiveness of the search in light of the student's age, gender, and the nature of the alleged violation.

The types of student property that may be searched by school officials include, but are not limited to, lockers, desks, purses, backpacks, and student vehicles parked on district property.

A student's personal electronic device may be searched only if a school official, in good faith, believes that an emergency involving danger of death or serious physical injury to the student or others requires access to the electronic device information.

Employees shall not conduct strip searches or body cavity searches of any student. (Education Code 49050)

Searches of individual students shall be conducted in the presence of at least two district employees.

The principal or designee shall notify the parent/guardian of a student subjected to an individualized search as soon as possible after the search.

Searches of ~~Multiple~~ Student Lockers and Desks

All student lockers and desks are the property of the district. The principal or designee may conduct a general inspection of school properties that are within the control of students, such as lockers and desks, on a regular, announced basis, with students standing by their assigned lockers or desks. Any items contained in a locker or desk shall be considered to be the property of the student to whom the locker or desk was assigned.

Use of Metal Detectors

The Board ~~believes~~finds that the presence of weapons in the schools threatens the district's ability to provide the safe and orderly learning environment to which district students and staff are entitled. The Board also ~~believes~~finds that metal detector searches offer a reasonable means to keep weapons out of the schools and mitigate the fears of students and staff.

The Superintendent or designee shall use metal detectors ~~at district schools~~ as necessary to keep weapons out of schools and help provide a safe learning environment. ~~He/she~~ The Superintendent or designee shall establish a plan to ensure that metal detector searches are conducted in a uniform and consistent manner.

Use of Contraband Detection Dogs

In an effort to keep the schools free of dangerous contraband, the district may use specially trained, nonaggressive dogs to sniff out and alert staff to the presence of substances prohibited by law or Board policy.

The dogs may sniff the air around lockers, desks, or vehicles on district property or at district-sponsored events. Dogs shall not sniff within the close proximity of students or other persons and may not sniff any personal items on those persons without ~~their consent~~ individualized suspicion.

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
CA Constitution Article I, Section 28(e)	<u>Right to Safe Schools</u>
Ed. Code 32280-32289	<u>School safety plans</u>
Ed. Code 35160	<u>Authority of governing boards</u>

Ed. Code 35160.1	Broad authority of school districts
Ed. Code 48900-48927	Suspension and expulsion
Ed. Code 49050-49051	Searches by school employees
Ed. Code 49330-49334	Injurious objects
Pen. Code 626.10	Dirks, daggers, knives or razor
Pen. Code 626.9	Firearms
Management Resources	Description
Attorney General Opinion	18 Ops.Cal.Atty.Gen. 114 (1951)
Court Decision	A.M. v. Albertsons, LLC, (2009) Cal.App.4th 455
National Institute of Justice Publication	The Appropriate and Effective Use of Security Technologies in U.S. Schools: A Guide for Schools and Law Enforcement Agencies, rev. 2005
Website	<u>AASA The School Superintendents Association</u>

Cross References

Code	Description
3515	<u>Campus Security</u>
3515	<u>Campus Security</u>
5111	<u>Admission</u>
5111	<u>Admission</u>
5111.1	<u>District Residency</u>
5111.1	<u>District Residency</u>
5125	<u>Student Records</u>
5125	<u>Student Records</u>
5125.1	<u>Release Of Directory Information</u>
5125.1	<u>Release Of Directory Information</u>
5125.1 E(1)	<u>Release Of Directory Information</u>
5131	<u>Conduct</u>
5131.2	<u>Bullying</u>
5131.2	<u>Bullying</u>
5131.6	<u>Alcohol And Other Drugs</u>
5131.6	<u>Alcohol And Other Drugs</u>
5131.7	<u>Weapons And Dangerous Instruments</u>

5131.7	<u>Weapons And Dangerous Instruments</u>
5144.1	<u>Suspension And Expulsion/Due Process</u>
5144.1	<u>Suspension And Expulsion/Due Process</u>
5145.11	<u>Questioning And Apprehension By Law Enforcement</u>
5145.13	<u>Response To Immigration Enforcement</u>
5145.13	<u>Response To Immigration Enforcement</u>
5145.3	<u>Nondiscrimination/Harassment</u>
5145.3	<u>Nondiscrimination/Harassment</u>
5145.6	<u>Parental Notifications</u>
5145.6 E(1)	<u>Parental Notifications</u>
5145.9	<u>Hate Motivated Behavior</u>
6163.4	<u>Student Use Of Technology</u>
6163.4	<u>Student Use Of Technology</u>

Policy 5145.12: Search And Seizure

Status: ADOPTED

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

The Governing Board is fully committed to promoting a safe learning environment and, to the extent possible, eliminating the possession and use of weapons, illegal drugs, and other controlled substances by students on school premises and at school activities. As necessary to protect the health and welfare of students and staff, and only as authorized by law, Board policy, and administrative regulation, school officials may search students, their property, and/or district property under their control and may seize illegal, unsafe, or otherwise prohibited items. School officials shall exercise discretion and use good judgment when conducting searches.

The Superintendent or designee shall ensure that staff who conduct student searches receive training regarding the requirements of the district's policy and administrative regulation and other legal issues, as appropriate.

Searches Based on Individualized Suspicion

School officials may search an individual student, the student's property, or district property under the student's control when there is a reasonable suspicion that the search will uncover evidence that the student is violating the law, Board policy, administrative regulation, or other rules of the district or the school. Reasonable suspicion shall be based on specific and objective facts that the search will produce evidence related to the alleged violation.

Any search of a student, the student's property, or district property under the student's control shall be limited in scope and designed to produce evidence related to the alleged violation. Factors to be considered by school officials when determining the scope of the search shall include the danger to the health or safety of students or staff, such as the possession of weapons, drugs, or other dangerous instruments, and whether the item(s) to be searched by school officials are reasonably related to the contraband to be found. In addition, school officials shall consider the intrusiveness of the search in light of the student's age, gender, and the nature of the alleged violation.

The types of student property that may be searched by school officials include, but are not limited to, lockers, desks, purses, backpacks, and student vehicles parked on district property.

A student's personal electronic device may be searched only if a school official, in good faith, believes that an emergency involving danger of death or serious physical injury to the student or others requires access to the electronic device information.

Employees shall not conduct strip searches or body cavity searches of any student. (Education Code 49050)

Searches of individual students shall be conducted in the presence of at least two district employees.

The principal or designee shall notify the parent/guardian of a student subjected to an individualized search as soon as possible after the search.

Searches of Student Lockers and Desks

All student lockers and desks are the property of the district. The principal or designee may conduct a general inspection of school properties that are within the control of students, such as lockers and desks, on a regular, announced basis, with students standing by their assigned lockers or desks. Any items contained in a locker or desk shall be considered to be the property of the student to whom the locker or desk was assigned.

Use of Metal Detectors

The Board finds that the presence of weapons in the schools threatens the district's ability to provide the safe and orderly learning environment to which district students and staff are entitled. The Board also finds that metal detector searches offer a reasonable means to keep weapons out of the schools and mitigate the fears of students and staff.

The Superintendent or designee shall use metal detectors as necessary to keep weapons out of schools and help provide a safe learning environment. The Superintendent or designee shall establish a plan to ensure that metal detector searches are conducted in a uniform and consistent manner.

Use of Contraband Detection Dogs

In an effort to keep the schools free of dangerous contraband, the district may use specially trained, nonaggressive dogs to sniff out and alert staff to the presence of substances prohibited by law or Board policy. The dogs may sniff the air around lockers, desks, or vehicles on district property or at district-sponsored events. Dogs shall not sniff within the close proximity of students or other persons and may not sniff any personal items on those persons without individualized suspicion.

Policy 5145.9: Hate-Motivated Behavior

~~Status: ADOPTED~~

Policy 5145.9: Hate-Motivated Behavior

Status: ADOPTED

Original Adopted Date: ~~09/14~~06/01/1999 | Last Revised Date: ~~07/06/2018~~01/2021 | Last Reviewed Date: ~~07/06/2018~~01/2021

The Governing Board is committed to providing a respectful, inclusive, and safe learning environment that protects students from discrimination, harassment, intimidation, bullying, ~~and/or any~~ other type of behavior that is motivated by ~~a person's~~hate.

Hate-motivated behavior is any behavior intended to cause emotional suffering, physical injury, or property damage through intimidation, harassment, bigoted slurs or epithets, force or threat of force, or vandalism motivated in part or in whole by bias or hostility ~~towards another person's~~ toward the victim's real or perceived ~~ethnicity, race, color, ancestry, nationality, national origin, immigrant status, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, gender, sexual orientation, religious belief, age, disability, gender, gender identity, gender expression, or genetic information, or any other physical or cultural characteristic-~~ identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55.

The Superintendent or designee shall design strategies to promote harmonious relationships among students, prevent incidents of hate-motivated behavior to the extent possible, and address such incidents ~~if in a timely manner when~~ they occur.

The Superintendent or designee shall collaborate with regional programs and community organizations to promote ~~safe environments for youth~~ an environment where diversity is celebrated and hate-motivated behavior is not tolerated. Such collaborative efforts shall focus on ~~ensuring an efficient use of district and community resources, developing~~ the development of effective prevention strategies and response plans, ~~providing~~ provision of assistance to students affected by hate-motivated behavior, and/or ~~educating~~ education of students who have perpetrated ~~hate-motivated~~ hate-motivated acts.

The district shall provide students with age-appropriate instruction that ~~includes:~~

1. 1. ncludes the development of social-emotional learning, ~~promotes their~~
2. Promotes an understanding ~~of~~, awareness, appreciation, and respect for human rights, human relations, diversity, and acceptance in a multicultural society;
3. Explains the harm and ~~provides~~ dangers of explicit and implicit biases
4. Discourages discriminatory attitudes and practices
5. Provides strategies to manage conflicts constructively-

As necessary, the district shall provide counseling, guidance, and support to students who are victims of ~~hate-motivated~~ hate-motivated behavior and to students who exhibit such behavior.

~~The Superintendent or designee~~ When appropriate, students who engage in hate-motivated behavior shall ensure that be disciplined.

The Superintendent or designee shall provide staff with training that:

1. Promotes an understanding of diversity, equity, and inclusion
2. Discourages the rules development of discriminatory attitudes and practices
3. Includes social-emotional learning and nondiscriminatory instructional and counseling methods
4. Supports the prevention, recognition, and response to hate-motivated behavior
5. Raises the awareness and sensitivity of staff to potentially prejudicial and discriminatory behavior
6. Includes effective enforcement of rules for appropriate student conduct

Employees who engage in hate-motivated behavior shall be subject to disciplinary action, up to and including dismissal.

Rules prohibiting hate-motivated behavior and procedures for reporting a hate-motivated incident are shall be provided to students, staff, and parents/guardians.

~~The Superintendent or designee shall provide staff with training on recognizing and preventing hate-motivated behavior and on effectively enforcing rules for appropriate student conduct.~~

Complaint Process

~~A student or parent/guardian who believes the student is a victim of hate-motivated behavior is strongly encouraged to report the incident to a teacher, the principal, or other staff member.~~

This policy shall be posted in a prominent location on the district's web site in a manner that is readily and easily accessible to parents/guardians and students. (Education Code 234.6)

Complaints

Any staff member who is notified that hate-motivated behavior has occurred, observes such behavior, or otherwise becomes aware of an incident shall immediately contact the ~~principal or the~~ compliance officer responsible for coordinating the district's response to complaints and complying with state and federal civil rights laws. As appropriate, ~~he/she~~ the staff member shall also contact law enforcement.

A student or parent/guardian who believes the student is a victim of hate-motivated behavior is encouraged to report the incident to a teacher, the principal, the district's compliance officer, or other staff member.

Any complaint of hate-motivated behavior shall be investigated and, if determined to be discriminatory, shall be resolved in accordance with law and the district's uniform complaint procedures specified in AR 1312.3 - Uniform Complaint Procedures ~~or other applicable procedure~~. If, during the investigation, it is determined that a complaint is about nondiscriminatory behavior, the principal or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

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

5 CCR 4900-4965

Ed. Code 200-262.4

Ed. Code 32282

Ed. Code 48900.3

Ed. Code 48900.4

Pen. Code 422.55

Pen. Code 422.6

Federal

28 CFR 35.107

34 CFR 100.3

34 CFR 104.7

34 CFR 106.8

34 CFR 110.25

Management Resources

CA Office of the Attorney General
Publication

California Department of Education
Publication

U.S. DOE, Office for Civil Rights
Publication

Website

Description

Uniform complaint procedures

Nondiscrimination in elementary and secondary education
programs

Educational equity; prohibition of discrimination on the basis of
sex

School safety plans

Suspension for hate violence

Suspension or expulsion for threats or harassment

Definition of hate crime

Crimes, harassment

Description

Nondiscrimination on basis of disability; complaints

Discrimination prohibited

Designation of responsible employee for Section 504

Designation of responsible employee and adoption of grievance
procedures

Notification of nondiscrimination on the basis of age

Description

California Department of Justice Guidelines for Access to
Public Records, October 2017

01-05 Guidelines for Piloting Textbooks and Instructional
Materials, rev. January 2015

Dear Colleague Letter on the Nondiscriminatory Administration
of School Discipline, January 2014

AASA The School Superintendents Association

Cross References

Code

0410

0450

0450

3515

3515

3515.4

3515.4

4131

4131

4231

4231

5131

5131.2

5131.2

5131.4

5131.4

5131.5

5136

Description

Nondiscrimination In District Programs And Activities

Comprehensive Safety Plan

Comprehensive Safety Plan

Campus Security

Campus Security

Recovery For Property Loss Or Damage

Recovery For Property Loss Or Damage

Staff Development

Staff Development

Staff Development

Staff Development

Conduct

Bullying

Bullying

Student Disturbances

Student Disturbances

Vandalism And Graffiti

Gangs

5136	<u>Gangs</u>
5137	<u>Positive School Climate</u>
5138	<u>Conflict Resolution/Peer Mediation</u>
5141.52	<u>Suicide Prevention</u>
5141.52	<u>Suicide Prevention</u>
5141.52-E(1)	<u>Suicide Prevention</u>
5144	<u>Discipline</u>
5144	<u>Discipline</u>
5144.1	<u>Suspension And Expulsion/Due Process</u>
5144.1	<u>Suspension And Expulsion/Due Process</u>
5145.11	<u>Questioning And Apprehension By Law Enforcement</u>
5145.12	<u>Search And Seizure</u>
5145.12	<u>Search And Seizure</u>
5145.2	<u>Freedom Of Speech/Expression</u>
5145.2	<u>Freedom Of Speech/Expression</u>
5145.3	<u>Nondiscrimination/Harassment</u>
5145.3	<u>Nondiscrimination/Harassment</u>
5148.2	<u>Before/After School Programs</u>
5148.2	<u>Before/After School Programs</u>
6142.8	<u>Comprehensive Health Education</u>
6144	<u>Controversial Issues</u>
6144	<u>Controversial Issues</u>
6163.4	<u>Student Use Of Technology</u>
6163.4	<u>Student Use Of Technology</u>
6164.2	<u>Guidance/Counseling Services</u>
6164.2	<u>Guidance/Counseling Services</u>
6173.1	<u>Education For Foster Youth</u>
6173.1	<u>Education For Foster Youth</u>

The Governing Board is committed to providing a respectful, inclusive, and safe learning environment that protects students from discrimination, harassment, intimidation, bullying, or any other type of behavior that is motivated by hate.

Hate-motivated behavior is any behavior intended to cause emotional suffering, physical injury, or property damage through intimidation, harassment, bigoted slurs or epithets, force or threat of force, or vandalism motivated in part or in whole by bias or hostility toward the victim's real 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 any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55.

The Superintendent or designee shall design strategies to promote harmonious relationships among students, prevent incidents of hate-motivated behavior to the extent possible, and address such incidents in a timely manner when they occur.

The Superintendent or designee shall collaborate with regional programs and community organizations to promote an environment where diversity is celebrated and hate-motivated behavior is not tolerated. Such collaborative efforts shall focus on the development of effective prevention strategies and response plans, provision of assistance to students affected by hate-motivated behavior, and/or education of students who have perpetrated hate-motivated acts.

The district shall provide students with age-appropriate instruction that:

1. Includes the development of social-emotional learning
2. Promotes an understanding, awareness, appreciation, and respect for human rights, human relations, diversity, and acceptance in a multicultural society
3. Explains the harm and dangers of explicit and implicit biases
4. Discourages discriminatory attitudes and practices
5. Provides strategies to manage conflicts constructively

As necessary, the district shall provide counseling, guidance, and support to students who are victims of hate-motivated behavior and to students who exhibit such behavior.

When appropriate, students who engage in hate-motivated behavior shall be disciplined.

The Superintendent or designee shall provide staff with training that:

1. Promotes an understanding of diversity, equity, and inclusion
2. Discourages the development of discriminatory attitudes and practices
3. Includes social-emotional learning and nondiscriminatory instructional and counseling methods
4. Supports the prevention, recognition, and response to hate-motivated behavior
5. Raises the awareness and sensitivity of staff to potentially prejudicial and discriminatory behavior
6. Includes effective enforcement of rules for appropriate student conduct

Employees who engage in hate-motivated behavior shall be subject to disciplinary action, up to and including dismissal.

Rules prohibiting hate-motivated behavior and procedures for reporting a hate-motivated incident shall be provided to students, staff, and parents/guardians.

This policy shall be posted in a prominent location on the district's web site in a manner that is readily and easily accessible to parents/guardians and students. (Education Code 234.6)

Complaints

Any staff member who is notified that hate-motivated behavior has occurred, observes such behavior, or otherwise becomes aware of an incident shall immediately contact the compliance officer responsible for coordinating the district's response to complaints and complying with state and federal civil rights laws. As appropriate, the staff member shall also contact law enforcement.

A student or parent/guardian who believes the student is a victim of hate-motivated behavior is encouraged to report the incident to a teacher, the principal, the district's compliance officer, or other staff member.

Any complaint of hate-motivated behavior shall be investigated and, if determined to be discriminatory, shall be resolved in accordance with law and the district's uniform complaint procedures specified in AR 1312.3 - Uniform Complaint Procedures or other applicable procedure. If, during the investigation, it is determined that a complaint is about nondiscriminatory behavior, the principal or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

Policy 5148.3: Preschool/Early Childhood Education

**Status:
ADOPTED**

Original Adopted Date: 08/25/2009 | **Last Revised Date:** 12/13/2018 | **Last Reviewed Date:** 12/13/2018

Students

BP 5148.3(a)

PRESCHOOL/EARLY CHILDHOOD EDUCATION

The Governing Board recognizes the value of high-quality preschool experiences to enhance children's social-emotional development, knowledge, skills, and abilities,~~and attributes necessary for a successful transition into the elementary education program.~~ The Board desires to provide ~~children ages 3-4 years access to developmentally appropriate activities in a safe, adequately supervised, and cognitively rich environment~~ designed to facilitate the transition to kindergarten for three- and four-year-old children.

The Superintendent or designee shall collaborate with the local child care and development planning council, the county office of education, other public agencies, organizations, and/or private preschool providers to assess the availability of preschool programs in the community and the extent to which the community's preschool needs are being met. The Board encourages the development of a comprehensive districtwide and/or countywide plan to increase children's access to high-quality preschool programs.

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)

(cf. 1700 - Relations Between Private Industry and the Schools)

(cf. 5148 - Child Care and Development)

The Superintendent or designee shall provide information about preschool options in the community to parents/guardians upon request.

District Preschool Programs

When the Board determines that it is feasible, the district may contract with the California Department of Education (CDE) to provide preschool services in facilities at or near district schools, either directly or through a subcontract with a public or private provider.

District preschool programs shall comply with all health and safety laws and regulations, including, when applicable, licensure requirements pursuant to 22 CCR 101156.

The Board shall approve, for the district's preschool program, a written philosophical statement, goals, and objectives that reflect the cultural and linguistic characteristics of the families to be served and address the program components specified in 5 CCR 18272-18281 and the accompanying administrative regulation. (5 CCR 18271)

The Board shall set priorities for establishing or expanding services as resources become available, giving consideration to the benefits of providing early education programs for at-

risk children and/or children residing in the attendance areas of the lowest performing district schools.

(cf. 6171 - Title I Programs)

Preschool classroom needs shall be addressed in the district's facilities master plan, including an assessment as to whether adequate and appropriate space exists on school sites. As necessary, the Superintendent or designee shall provide information to the Board regarding facilities financing options for preschool classrooms and/or facilities available through partnering organizations or agencies.

BP 5148.3(b)

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

(cf. 1330.1 - Joint Use Agreements)

(cf. 7110 - Facilities Master Plan)

(cf. 7210 - Facilities Financing)

Because parents/guardians are essential partners in supporting the development of their children, the Superintendent or designee shall involve them in program planning.

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 6020 - Parent Involvement)

The Superintendent or designee shall coordinate the district's preschool program, transitional kindergarten program (TK), and elementary education program to provide a developmental continuum that builds upon children's growing skills and knowledge.

A child's eligibility for TK enrollment shall not impact family eligibility for a preschool or child care program. (Education Code 8205, 48000)

(cf. 6011 - Academic Standards)

(cf. 6170.1 - Transitional Kindergarten)

The district's program shall be aligned with preschool learning foundations and curriculum frameworks developed by CDE which identify the knowledge, skills, and competencies that children typically attain as they complete their first or second year of preschool. The program shall be designed to facilitate children's development in essential skills in the areas of language and literacy, mathematics, physical development, health, visual and performing arts, science, history-social science, English language development, and social-emotional development.

The district's preschool program shall include activities and services that meet the needs of dual language learners for support in the development of their home language and English. (Education Code 8203)

The district's preschool program shall provide appropriate services to support the needs of at-risk children.

(cf. 0415 - Equity)

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)
(cf. 6173 - Education for Homeless Children)
(cf. 6173.1 - Education for Foster Youth)
(cf. 6173.2 - Education of Children of Military Families)
(cf. 6174 - Education for English Learners)
(cf. 6175 - Migrant Education Program)

BP 5148.3(c)

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

To maximize the ability of children to succeed in the preschool program, the program shall support children's health through proper nutrition and physical activity and shall provide or make referrals to available health and social services as needed.

(cf. 3550 - Food Services/Child Nutrition Program)
(cf. 5030 - Student Wellness)
(cf. 5141.31 - Immunizations)
(cf. 5141.32 - Health Screening for School Entry)
(cf. 5141.6 - School Health Services)

The district shall encourage volunteerism by families participating in the program and shall communicate frequently with parents/guardians of enrolled children regarding their child's progress.

(cf. 1240 - Volunteer Assistance)

The Superintendent or designee shall ensure that administrators, teachers, and paraprofessionals in district preschool programs possess the appropriate permit(s) issued by the Commission on Teacher Credentialing, meet any additional qualifications established by the Board, and participate in professional development opportunities designed to continually enhance their knowledge and skills.

(cf. 4112.2 - Certification)
(cf. 4112.4/4212.4/4312.4 - Health Examinations)
(cf. 4112.5/4212.5/4312.5 - Criminal Record Check)
(cf. 4131 - Staff Development)
(cf. 4222 - Teacher Aides/Paraprofessionals)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

Preschool admissions policies and procedures shall be in writing and available to the public. Such policies and procedures shall include criteria designating those children whose needs can be met by the program and services, the ages of children who will be accepted, program activities, any supplementary services provided, any field trip provisions, any transportation arrangements, food service provisions, and a health examination requirement. (CCR 18105; 22 CCR 101218)

The Superintendent or designee shall ensure that subsidized preschool is provided to eligible families to the extent that state and/or federal funding is available and shall establish enrollment priorities in accordance with Education Code ~~8263~~8208, 8210, and 8211 and 5 CCR 18106.

BP 5148.3(d)

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

The Superintendent or designee shall recommend strategies to link the district's preschool program with other available child care and development programs in the district or community in order to assist families whose child care needs extend beyond the length of time that the district's ~~part-day~~ preschool program is offered.

The Superintendent or designee shall ensure that the plan to provide access to full-day learning programs the year before kindergarten addresses the needs of preschool children and their families as specified in BP 6170.1 - Transitional Kindergarten. (Education Code 8281.5)

When a district CSPP program is physically closed by local or state public health order due to the COVID-19 pandemic, the district shall provide distance learning to preschool children when required to do so as a condition of funding or when required by law.

The Superintendent or designee shall develop and implement an annual plan of evaluation which conforms to state requirements. (5 CCR 18279)

The district's ~~Williams~~ uniform complaint procedures, with modifications as necessary, shall be used to investigate and resolve complaints alleging violation of applicable health or safety requirements for license-exempt programs operating under the California State Preschool Program. However, licensed programs shall refer complaints alleging health and safety violations to the California Department of Social Services. (Education Code ~~8235.5~~8212; 5 CCR 4610, 4611), 4690-4694)

(cf. 1312.3 - Uniform Complaint Procedures)

The Superintendent or designee shall regularly report to the Board regarding enrollment in district preschool programs and the effectiveness of the programs in preparing preschoolers for transition into the elementary education program.

~~Policy~~(cf. 0500 - Accountability)

Legal Reference-Disclaimer: (see next page)

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

~~22 CCR 101151-101239.2~~

~~22 CCR 101212-101231~~

~~22 CCR 101237-101239.2~~

~~5 CCR 18000-18434~~

~~5 CCR 18130-18136~~

~~5 CCR 18295~~

~~5 CCR 4600-4670~~

~~5 CCR 4690-4694~~

~~5 CCR 80105-80125~~

~~Ed. Code 44065~~

~~Ed. Code 44256~~

~~Ed. Code 48000~~

~~Ed. Code 48985~~

~~Ed. Code 8200-8209~~

~~Ed. Code 8200-8499.10~~

~~Ed. Code 8230-8233~~

~~Ed. Code 8235-8239.1~~

~~Ed. Code 8240-8244~~

~~Ed. Code 8250-8252~~

~~Ed. Code 8263~~

~~Ed. Code 8263.3~~

~~Ed. Code 8264.8~~

~~Ed. Code 8273.1~~

~~Ed. Code 8360-8370~~

~~Ed. Code 8400-8409~~

~~Ed. Code 8493-8498~~

~~Ed. Code 8499.3-8499.7~~

~~H&S Code 120325-120380~~

~~H&S Code 1596.70-1596.895~~

~~H&S Code 1596.90-1597.21~~

Federal

~~20 USC 1400-1482~~

~~20 USC 6311-6322~~

~~20 USC 6371-6376~~

~~20 USC 6381-6381k~~

~~20 USC 6391-6399~~

~~42 USC 9831-9852e~~

~~42 USC 9857-9858r~~

~~45 CFR 1301.1-1305.2~~

Management Resources

~~California Department of Education Prekindergarten Learning Development Guidelines, 2000 Publication~~

Description

~~General requirements, licensed child care centers~~

~~Continuing requirements~~

~~Facilities and equipment~~

~~Child care and development programs~~

~~California State Preschool Program~~

~~Waiver of qualifications for site supervisor~~

~~Uniform complaint procedures~~

~~Complaints regarding health and safety issues in license-exempt preschool programs~~

~~Commission on Teacher Credentialing, child care and development permits~~

~~Interchange between certificated and classified positions~~

~~Credential types~~

~~Transitional kindergarten~~

~~Notification, primary language other than English~~

~~General provisions for child care and development services~~

~~Child Care and Development Services Act~~

~~Migrant child care and development program~~

~~California State Preschool Program~~

~~General child care and development programs~~

~~Programs for children with special needs~~

~~Eligibility and priorities for subsidized child development services~~

~~Disenrollment of families due to reduced funding levels~~

~~Center-based child care programs, staffing ratios~~

~~Family fees~~

~~Personnel qualifications~~

~~Contracts, administrative appeal procedure~~

~~Facilities, capital outlay~~

~~Local child care and development planning councils~~

~~Immunization requirements~~

~~California Child Day Care Act~~

~~Day care centers~~

Description

~~Individuals with Disabilities Education Act~~

~~Title I, relative to preschool~~

~~Early Reading First~~

~~Even Start Family Literacy Program~~

~~Education of migratory children~~

~~Head Start programs~~

~~Child Care and Development Block Grant~~

~~Head Start~~

Description

California Department of Education Publication	Preschool English Learners: Principles and Practices to Promote Language, Literacy, and Learning, 2nd ed., 2009
California Department of Education Publication	First Class: A Guide for Early Primary Education, 1999
California Department of Education Publication	Dream Big for Our Youngest Children: Final Report of the California Early Learning Quality Improvement System Advisory Committee, 2010
California Department of Education Publication	California Preschool Learning Foundations
CSBA Publication	What Boards of Education Can Do About Kindergarten Readiness, Governance Brief, May 2016
U.S. Department of Education Publication	Policy Statement on Expulsion and Suspension Policies in Early Childhood Settings, 2016
U.S. Department of Education Publication	Good Start, Grow Smart, April 2002
Website	National Institute for Early Education Research
Website	California Association for the Education of Young Children
Website	California Head Start Association
Website	California Preschool Instructional Network
Website	Child Development Policy Institute
Website	First 5 California
Website	California County Superintendents Educational Services Association
Website	Cities, Counties and Schools Partnership
Website	CSBA
Website	California Department of Education
Website	U.S. Department of Education

Cross References

Code	Description
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3-E(1)	Uniform Complaint Procedures
1330	Use Of School Facilities
1330	Use Of School Facilities
1330-E(1)	Use Of School Facilities
1330.1	Joint Use Agreements
1400	Relations Between Other Governmental Agencies And The Schools
3260	Fees And Charges
3260	Fees And Charges
3280	Sale Or Lease Of District-Owned Real Property
3280	Sale Or Lease Of District-Owned Real Property
3541	Transportation Routes And Services
3550	Food Service/Child Nutrition Program
3550	Food Service/Child Nutrition Program
4112	Appointment And Conditions Of Employment
5020	Parent Rights And Responsibilities
5020	Parent Rights And Responsibilities

5030	<u>Student Wellness</u>
5111	<u>Admission</u>
5111	<u>Admission</u>
5125	<u>Student Records</u>
5125	<u>Student Records</u>
5141.23	<u>Asthma Management</u>
5141.23	<u>Asthma Management</u>
5141.26	<u>Tuberculosis Testing</u>
5141.26	<u>Tuberculosis Testing</u>
5141.31	<u>Immunizations</u>
5141.31	<u>Immunizations</u>
5141.32	<u>Health Screening For School Entry</u>
5141.6	<u>School Health Services</u>
5141.6	<u>School Health Services</u>
5144.1	<u>Suspension And Expulsion/Due Process</u>
5144.1	<u>Suspension And Expulsion/Due Process</u>
5145.6	<u>Parental Notifications</u>
5145.6 E(1)	<u>Parental Notifications</u>
5148	<u>Child Care And Development</u>
5148	<u>Child Care And Development</u>
6011	<u>Academic Standards</u>
6020	<u>Parent Involvement</u>
6020	<u>Parent Involvement</u>
6164.4	<u>Identification And Evaluation Of Individuals For Special Education</u>
6164.4	<u>Identification And Evaluation Of Individuals For Special Education</u>
6170.1	<u>Transitional Kindergarten</u>
6171	<u>Title I Programs</u>
6171	<u>Title I Programs</u>
6173	<u>Education For Homeless Children</u>
6173	<u>Education For Homeless Children</u>
6173 E(1)	<u>Education For Homeless Children</u>
6175	<u>Migrant Education Program</u>
6175	<u>Migrant Education Program</u>

BP 5148.3(e)

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

Legal Reference:

EDUCATION CODE

8200-8340 California State Preschool Program, especially:

8203.5 Contracts to provide child care and development services

8205 Definitions

8207 Administration; operation of programs; services

8208 Eligibility of three- or four-year-old child for state preschool program

8209 Physical examination and immunizations

8210 Priority for part-day programs

8211 Priority for full-day programs

8212 Complaints related to preschool health and safety issues

8213 Income eligibility

8214 Order of disenrollment

8217 Enrollment of four-year-old children in state preschool programs

8220-8221 Family literacy services

8241 Staffing ratios for center-based program

8252-8254 Family fees

8281.5 California Prekindergarten Planning and Implementation Grant Program

8298 Program director qualifications

17375 California Preschool, Transitional Kindergarten, and Full-Day Kindergarten Facilities Grant Program

44065 Interchange between certificated and classified positions

44256 Credential types

48000 Transitional kindergarten

48985 Notification, primary language other than English

HEALTH AND SAFETY CODE

1596.70-1596.895 California Child Day Care Act

1596.90-1597.21 Day care centers

120325-120380 Immunization requirements

WELFARE AND INSTITUTIONS CODE

10207-10490 Child Care and Development Services Act, especially:

10207-10215 General provisions

10217-10224.5 Resource and referral programs

10225-10234 Alternative payment programs

10235-10238 Migrant child care and development programs

10240-10243 General child care and development programs

10250-10252 Family child care home education networks

10260-10263 Child care and development services for children with special needs

10480-10487 Local planning councils

CODE OF REGULATIONS, TITLE 5

4600-4670 Uniform complaint procedures

4690-4694 Health and safety complaints in license-exempt preschool programs

18000-18434 Child care and development programs, especially:

18130-18136 California State Preschool Program

18272-18281 General Program Requirements

18295 Waiver of qualifications for site supervisor

80105-80125 Permits authorizing service in child development programs

Legal Reference continued: (see next page)

BP 5148.3(f)

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

Legal Reference: (continued)

CODE OF REGULATIONS, TITLE 22

101151-101239.2 General requirements, licensed child care centers, especially:

101151-101163 Licensing and application procedures

101212-101231 Continuing requirements

101237-101239.2 Facilities and equipment

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities Education Act

6311-6322 Title I, relative to preschool

6371-6376 Early Reading First

6381-6381k Even Start family literacy programs

6391-6399 Education of migratory children

UNITED STATES CODE, TITLE 42

9831-9852c Head Start programs

9857-9858r Child Care and Development Block Grant

CODE OF FEDERAL REGULATIONS, TITLE 45

1301.1-1305.2 Head Start

Management Resources:

CSBA PUBLICATIONS

What Boards of Education Can Do About Kindergarten Readiness, Governance Brief, May 2016

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Management Bulletin 21-13, Guidance on Implementation of the California State Preschool Program

Quality Requirements During the COVID-19 Pandemic, September 29, 2021

Management Bulletin 21-12, Guidance on Family Fees for Fiscal Year (FY) 2021-22, September 17, 2021

Management Bulletin 21-11, Reopening, Reimbursement, Distance Learning Plans, and Distance Learning Requirements for California State Preschool Program Contractors, September 17, 2021

California Preschool Learning Foundations

Dream Big for Our Youngest Children: Final Report of the California Early Learning Quality

Improvement System Advisory Committee, 2010

Preschool English Learners: Principles and Practices to Promote Language, Literacy, and Learning, 2nd ed., 2009

Prekindergarten Learning Development Guidelines, 2000

First Class: A Guide for Early Primary Education, 1999

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Policy Statement on Expulsion and Suspension Policies in Early Childhood Settings, 2016

Good Start, Grow Smart, April 2002

Management Resources continued: (see next page)

BP 5148.3(g)

PRESCHOOL/EARLY CHILDHOOD EDUCATION (continued)

Management Resources: (continued)

WEB SITES

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

California Association for the Education of Young Children: <http://www.caeyc.org>

California County Superintendents Educational Services Association: <http://www.ccsesa.org>

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

California Department of Social Services: <https://www.cdss.ca.gov/>

California Head Start Association: <http://caheadstart.org>

California Preschool Instructional Network: <http://www.cpin.us>

Child Development Policy Institute: <http://www.cdpi.net>

Cities, Counties, and Schools Partnership: <http://www.ccspartnership.org>

First 5 Association of California: <http://www.ccfc.ca.gov>

National Institute for Early Education Research: <http://nieer.org>

U.S. Department of Education: <http://www.ed.gov>

Policy
adopted:

CSBA POLICY MANUAL UPDATE
December 2021

PRESCHOOL/EARLY CHILDHOOD EDUCATION

The Governing Board recognizes the value of high-quality preschool experiences to enhance children's social-emotional development, knowledge, skills, and abilities. The Board desires to provide a supervised, and cognitively rich environment designed to facilitate the transition to kindergarten for three- and four-year-old children.

The Superintendent or designee shall collaborate with the local child care and development planning council, the county office of education, other public agencies, organizations, and/or private preschool providers to assess the availability of preschool programs in the community and the extent to which the community's preschool needs are being met. The Board encourages the development of a comprehensive districtwide and/or countywide plan to increase children's access to high-quality preschool programs.

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)

(cf. 1700 - Relations Between Private Industry and the Schools)

(cf. 5148 - Child Care and Development)

The Superintendent or designee shall provide information about preschool options in the community to parents/guardians upon request.

District Preschool Programs

When the Board determines that it is feasible, the district may contract with the California Department of Education (CDE) to provide preschool services in facilities at or near district schools, either directly or through a subcontract with a public or private provider.

District preschool programs shall comply with all health and safety laws and regulations, including, when applicable, licensure requirements pursuant to 22 CCR 101156.

The Board shall approve, for the district's preschool program, a written philosophical statement, goals, and objectives that reflect the cultural and linguistic characteristics of the families to be served and address the program components specified in 5 CCR 18272-18281 and the accompanying administrative regulation. (5 CCR 18271)

The Board shall set priorities for establishing or expanding services as resources become available, giving consideration to the benefits of providing early education programs for at-risk children and/or children residing in the attendance areas of the lowest performing district schools.

(cf. 6171 - Title I Programs)

Preschool classroom needs shall be addressed in the district's facilities master plan, including an assessment as to whether adequate and appropriate space exists on school sites. As necessary, the Superintendent or designee shall provide information to the Board regarding facilities financing options for preschool classrooms and/or facilities available through partnering organizations or agencies.

(cf. 1330.1 - Joint Use Agreements)
(cf. 7110 - Facilities Master Plan)
(cf. 7210 - Facilities Financing)

Because parents/guardians are essential partners in supporting the development of their children, the Superintendent or designee shall involve them in program planning.

(cf. 5020 - Parent Rights and Responsibilities)
(cf. 6020 - Parent Involvement)

The Superintendent or designee shall coordinate the district's preschool program, transitional kindergarten program (TK), and elementary education program to provide a developmental continuum that builds upon children's growing skills and knowledge.

A child's eligibility for TK enrollment shall not impact family eligibility for a preschool or child care program. (Education Code 8205, 48000)

(cf. 6011 - Academic Standards)
(cf. 6170.1 - Transitional Kindergarten)

The district's program shall be aligned with preschool learning foundations and curriculum frameworks developed by CDE which identify the knowledge, skills, and competencies that children typically attain as they complete their first or second year of preschool. The program shall be designed to facilitate children's development in essential skills in the areas of language and literacy, mathematics, physical development, health, visual and performing arts, science, history-social science, English language development, and social-emotional development.

The district's preschool program shall include activities and services that meet the needs of dual language learners for support in the development of their home language and English. (Education Code 8203)

The district's preschool program shall provide appropriate services to support the needs of at-risk children.

(cf. 0415 - Equity)
(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)
(cf. 6173 - Education for Homeless Children)
(cf. 6173.1 - Education for Foster Youth)
(cf. 6173.2 - Education of Children of Military Families)
(cf. 6174 - Education for English Learners)
(cf. 6175 - Migrant Education Program)

To maximize the ability of children to succeed in the preschool program, the program shall support children's health through proper nutrition and physical activity and shall provide or make referrals to available health and social services as needed.

(cf. 3550 - Food Services/Child Nutrition Program)
(cf. 5030 - Student Wellness)
(cf. 5141.31 - Immunizations)
(cf. 5141.32 - Health Screening for School Entry)
(cf. 5141.6 - School Health Services)

The district shall encourage volunteerism by families participating in the program and shall communicate frequently with parents/guardians of enrolled children regarding their child's progress.

(cf. 1240 - Volunteer Assistance)

The Superintendent or designee shall ensure that administrators, teachers, and paraprofessionals in district preschool programs possess the appropriate permit(s) issued by the Commission on Teacher Credentialing, meet any additional qualifications established by the Board, and participate in professional development opportunities designed to continually enhance their knowledge and skills.

(cf. 4112.2 - Certification)

(cf. 4112.4/4212.4/4312.4 - Health Examinations)

(cf. 4112.5/4212.5/4312.5 - Criminal Record Check)

(cf. 4131 - Staff Development)

(cf. 4222 - Teacher Aides/Paraprofessionals)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Preschool admissions policies and procedures shall be in writing and available to the public. Such policies and procedures shall include criteria designating those children whose needs can be met by the program and services, the ages of children who will be accepted, program activities, any supplementary services provided, any field trip provisions, any transportation arrangements, food service provisions, and a health examination requirement. (CCR 18105; 22 CCR 101218)

The Superintendent or designee shall ensure that subsidized preschool is provided to eligible families to the extent that state and/or federal funding is available and shall establish enrollment priorities in accordance with Education Code 8208, 8210, and 8211 and 5 CCR 18106.

The Superintendent or designee shall recommend strategies to link the district's preschool program with other available child care and development programs in the district or community in order to assist families whose child care needs extend beyond the length of time that the district's preschool program is offered.

The Superintendent or designee shall ensure that the plan to provide access to full-day learning programs the year before kindergarten addresses the needs of preschool children and their families as specified in BP 6170.1 - Transitional Kindergarten. (Education Code 8281.5)

When a district CSPP program is physically closed by local or state public health order due to the COVID-19 pandemic, the district shall provide distance learning to preschool children when required to do so as a condition of funding or when required by law.

The Superintendent or designee shall develop and implement an annual plan of evaluation which conforms to state requirements. (5 CCR 18279)

The district's uniform complaint procedures, with modifications as necessary, shall be used to investigate and resolve complaints alleging violation of applicable health or safety requirements for license-exempt programs operating under the California State Preschool Program. However, licensed programs shall refer complaints alleging health and safety violations to the California Department of Social Services. (Education Code 8212; 5 CCR 4610, 4611, 4690-4694)

(cf. 1312.3 - Uniform Complaint Procedures)

The Superintendent or designee shall regularly report to the Board regarding enrollment in district preschool programs and the effectiveness of the programs in preparing preschoolers for transition into the elementary education program.

(cf. 0500 - Accountability)

Legal Reference:

EDUCATION CODE

8200-8340 California State Preschool Program, especially:

8203.5 Contracts to provide child care and development services

8205 Definitions

8207 Administration; operation of programs; services

8208 Eligibility of three- or four-year-old child for state preschool program

8209 Physical examination and immunizations

8210 Priority for part-day programs

8211 Priority for full-day programs

8212 Complaints related to preschool health and safety issues

8213 Income eligibility

8214 Order of disenrollment

8217 Enrollment of four-year-old children in state preschool programs

8220-8221 Family literacy services

8241 Staffing ratios for center-based program

8252-8254 Family fees

8281.5 California Prekindergarten Planning and Implementation Grant Program

8298 Program director qualifications

17375 California Preschool, Transitional Kindergarten, and Full-Day Kindergarten Facilities Grant Program

44065 Interchange between certificated and classified positions

44256 Credential types

48000 Transitional kindergarten

48985 Notification, primary language other than English

HEALTH AND SAFETY CODE

1596.70-1596.895 California Child Day Care Act

1596.90-1597.21 Day care centers

120325-120380 Immunization requirements

WELFARE AND INSTITUTIONS CODE

10207-10490 Child Care and Development Services Act, especially:

10207-10215 General provisions

10217-10224.5 Resource and referral programs

10225-10234 Alternative payment programs

10235-10238 Migrant child care and development programs

10240-10243 General child care and development programs

10250-10252 Family child care home education networks

10260-10263 Child care and development services for children with special needs

10480-10487 Local planning councils

CODE OF REGULATIONS, TITLE 5

4600-4670 Uniform complaint procedures
 4690-4694 Health and safety complaints in license-exempt preschool programs
 18000-18434 Child care and development programs, especially:
 18130-18136 California State Preschool Program
 18272-18281 General Program Requirements
 18295 Waiver of qualifications for site supervisor
 80105-80125 Permits authorizing service in child development programs
CODE OF REGULATIONS, TITLE 22
 101151-101239.2 General requirements, licensed child care centers, especially:
 101151-101163 Licensing and application procedures
 101212-101231 Continuing requirements
 101237-101239.2 Facilities and equipment
UNITED STATES CODE, TITLE 20
 1400-1482 Individuals with Disabilities Education Act
 6311-6322 Title I, relative to preschool
 6371-6376 Early Reading First
 6381-6381k Even Start family literacy programs
 6391-6399 Education of migratory children
UNITED STATES CODE, TITLE 42
 9831-9852c Head Start programs
 9857-9858r Child Care and Development Block Grant
CODE OF FEDERAL REGULATIONS, TITLE 45
 1301.1-1305.2 Head Start

Management Resources:

CSBA PUBLICATIONS

What Boards of Education Can Do About Kindergarten Readiness, Governance Brief, May 2016

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Management Bulletin 21-13, Guidance on Implementation of the California State Preschool Program Quality Requirements During the COVID-19 Pandemic, September 29, 2021

Management Bulletin 21-12, Guidance on Family Fees for Fiscal Year (FY) 2021-22, September 17, 2021

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Preschool English Learners: Principles and Practices to Promote Language, Literacy, and Learning, 2nd ed., 2009

Prekindergarten Learning Development Guidelines, 2000

First Class: A Guide for Early Primary Education, 1999

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Policy Statement on Expulsion and Suspension Policies in Early Childhood Settings, 2016

Good Start, Grow Smart, April 2002

WEB SITES

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

California Association for the Education of Young Children: <http://www.caeyc.org>

California County Superintendents Educational Services Association: <http://www.ccsesa.org>

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

California Department of Social Services: <https://www.cdss.ca.gov/>

California Head Start Association: <http://caheadstart.org>

California Preschool Instructional Network: <http://www.cpin.us>

Child Development Policy Institute: <http://www.cdpi.net>

Cities, Counties, and Schools Partnership: <http://www.ccspartnership.org>

First 5 Association of California: <http://www.ccfc.ca.gov>

National Institute for Early Education Research: <http://nieer.org>

U.S. Department of Education: <http://www.ed.gov>

Policy ALAMEDA UNIFIED SCHOOL DISTRICT
adopted: August 25, 2009 Alameda, California
revised: December 13, 2018
revised:

Ceremonies And Observances



Instruction

BP 6115

CEREMONIES AND OBSERVANCES

The Governing Board of Education recognizes the importance of having students observe holidays, celebrate events of cultural or historical significance, and acknowledge the contributions of outstanding individuals in society. On days designated by the Board, staff shall provide students with appropriate commemorative exercises so that they may acquire the knowledge, skills, and principles essential for informed, responsible citizenship in a democratic society.

(cf. 6111 - School Calendar)

(cf. 6141.2 - Recognition of Religious Beliefs and Customs)

(cf. 6142.94 - History-Social Science Instruction)

(cf. 6142.3 - Civic Education)

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

District schools shall be closed on the holidays specified in Education Code 37220 and on any other day designated as a holiday by the Board. The Board may, by adoption of a resolution, revise the date upon which schools close in observance of any holiday except Veterans Day, which shall be celebrated on its actual date. (Education Code 37220)

In addition, the Board may, through the adoption of a resolution, authorize the display of symbolic flags or banners in support of specific awareness months.

(cf. 6144 - Controversial Issues)

Legal Reference:

EDUCATION CODE

~~37220-37223~~ Saturdays and holidays

~~44015.1-37220-37222.20~~ Holidays and commemorative events

~~44015.1~~ Week of the School Administrator

~~45203~~ Paid holidays

~~45460-45203~~ Paid holidays, classified employees

~~45460~~ Classified School Employee Week

~~52720~~ Daily performance of patriotic exercises in public schools

~~52730-52720-52730~~ Patriotic exercises, ~~daily~~ and instruction

GOVERNMENT CODE

~~430-439 Display of flags~~

~~3540-3549.3 Meeting and negotiating~~

~~430-439 Display of flags~~

~~3540-3549.3 Meeting and negotiating~~

~~UNITED STATES CODE, TITLE 4~~

~~6_ Time and occasion for display of flag~~

~~7_ Position and manner of display of flag~~

~~UNITED STATES CODE, TITLE 36~~

~~106 Note 106 Constitution Day and Citizenship Day~~

~~106 Note Educational program on the U.S. Constitution~~

~~COURT DECISIONS~~

~~Newdow v. Rio Linda Union School District, 597 F.3d 1007, 1012 (9th Cir. 2010)~~

~~West Virginia State Board of Education et al v. Barnette et al, (1943) 319 U.S. 624 (1943)~~

Management Resources:

CSBA PUBLICATIONS

Constitution Day: New Mandate for Districts Receiving Federal Funds, CSBA Advisory, August 2005

FEDERAL REGISTER

70 Fed. Reg. 29727 Constitution Day and Citizenship Day (2005)

WEB SITES

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

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

California Department of Education, History/Social Science Instructional

Materials: <http://www.cde.ca.gov/ci/hs/im> <http://www.cde.ca.gov/ci/hs/im>

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

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

May 2020

CEREMONIES AND OBSERVANCES

The Governing Board recognizes the importance of having students observe holidays, celebrate events of cultural or historical significance, and acknowledge the contributions of outstanding individuals in society. On days designated by the Board, staff shall provide students with appropriate commemorative exercises so that they may acquire the knowledge, skills, and principles essential for informed, responsible citizenship in a democratic society.

(cf. 6111 - School Calendar)

(cf. 6141.2 - Recognition of Religious Beliefs and Customs)

(cf. 6142.94 - History-Social Science Instruction)

(cf. 6142.3 - Civic Education)

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

District schools shall be closed on the holidays specified in Education Code 37220 and on any other day designated as a holiday by the Board. The Board may, by adoption of a resolution, revise the date upon which schools close in observance of any holiday except Veterans Day, which shall be celebrated on its actual date. (Education Code 37220)

In addition, the Board may, through the adoption of a resolution, authorize the display of symbolic flags or banners in support of specific awareness months.

(cf. 6144 - Controversial Issues)

Legal Reference:

EDUCATION CODE

37220-37222.20 Holidays and commemorative events

44015.1 Week of the School Administrator

45203 Paid holidays, classified employees

45460 Classified School Employee Week

52720-52730 Patriotic exercises and instruction

GOVERNMENT CODE

430-439 Display of flags

3540-3549.3 Meeting and negotiating

UNITED STATES CODE, TITLE 4

6 Time and occasion for display of flag

7 Position and manner of display of flag

UNITED STATES CODE, TITLE 36

106 Constitution Day and Citizenship Day

106 Note Educational program on the U.S. Constitution

COURT DECISIONS

Newdow v. Rio Linda Union School District, 597 F.3d 1007, 1012 (9th Cir. 2010)

West Virginia State Board of Education et al v. Barnette et al (1943) 319 U.S. 624

Management Resources:

WEB SITES

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

*California Department of Education, History/Social Science Instructional Materials:
<http://www.cde.ca.gov/ci/hs/im>*

Policy ALAMEDA UNIFIED SCHOOL DISTRICT

adopted: August 25, 2009 Alameda, California

revised:

RESPONSE TO INSTRUCTION AND INTERVENTION

The Governing Board desires to improve learning and behavioral outcomes for all students by providing a high-quality, data-driven educational program that meets the learning and behavioral needs of each student and reduces disparities in achievement among subgroups of students. Students who are not making academic progress pursuant to district measures of performance and/or are struggling behaviorally shall receive intensive instruction and intervention supports designed to meet individual learning needs, with progress monitored.

(cf. 0000 - Vision)
(cf. 0200 - Goals for the School District)
(cf. 0415 - Equity)
(cf. 0460 - Local Control and Accountability Plan)
(cf. 6000 - Concepts and Roles)
(cf. 6011- Academic Standards)

The Superintendent or designee shall convene a team that may include, as appropriate, staff with knowledge of curriculum and instruction, student services, special education, and instructional and behavioral support, certificated personnel, other district staff, and parents/guardians to assist in designing the district's Multi-Tiered System of Supports (MTSS) system, based on an examination of indicators of district and school wide student achievement and social-emotional well-being.

(cf. 0500 - Accountability)
(cf. 4115 - Evaluation/Supervision)
(cf. 5123 - Promotion/Acceleration/Retention)
(cf. 5147 - Dropout Prevention)
(cf. 6164.2 - Guidance/Counseling Services)
(cf. 6171 - Title I Programs)
(cf. 6174 - Education for English Learners)
(cf. 6179 - Supplemental Instruction)

The district's MTSS system shall include instructional strategies and interventions with demonstrated effectiveness and be aligned with the district curriculum and assessments. The Superintendent or designee may conduct ongoing screening to determine student needs, analyze data, identify interventions for students not making adequate academic progress, monitor the effectiveness of the interventions, and adjust interventions according to efficacy.

(cf. 6141 - Curriculum Development and Evaluation)
(cf. 6142.91 - Reading/Language Arts Instruction)
(cf. 6142.92 - Mathematics Instruction)
(cf. 6162.5 - Student Assessment)
(cf. 6162.51 - State Academic Achievement Tests)
(cf. 6190 - Evaluation of the Instructional Program)

The district's MTSS system shall include research-based, standards-based, culturally relevant instruction for students in the general education program; universal screening and continuous classroom monitoring to determine students' needs and to identify those students who are not

making progress; criteria for determining the types and levels of interventions to be provided; and subsequent monitoring of student progress to determine the effectiveness of the intervention and to make changes as needed.

Additionally, the district's MTSS system shall provide for:

1. High-quality classroom instruction
2. High expectations

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

(cf. 6173.2 - Education of Children of Military Families)

3. Assessments and data collection
4. Problem-solving systems approach
5. Research-based interventions
6. Positive behavioral support
7. Fidelity of program implementation
8. Staff development and collaboration, which may include training in the use of assessments, data analysis, research-based instructional practices and strategies and emphasize a collaborative approach of professional learning communities among teachers within and across grade spans

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

9. Parent/guardian and family involvement, including collaboration and engagement

The Superintendent or designee shall ensure that parents/guardians are involved at all stages of the instructional, intervention, and progress monitoring process. Parents/guardians shall be kept informed of the services that have and will be provided, the strategies being used to increase the student's rate of learning, the supports provided to improve behavioral difficulties, and the performance data that has and will be collected.

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 6020 - Parent Involvement)

10. Consideration of further evaluation utilizing MTSS data

The MTSS system may be utilized as one component when considering the referral of a student for evaluation for special education or other services.

(cf. 6159 - Individualized Education Program)
(cf. 6159.4 - Behavioral Interventions for Special Education Students)
(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)
(cf. 6164.5 - Student Success Teams)
(cf. 6164.6 - Identification and Education Under Section 504)

Legal Reference:

EDUCATION CODE

56329 Assessment, written notice to parent
56333-56338 Eligibility for specific learning disabilities
56500-56509 Procedural safeguards

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities Education Act, especially:
1416 Monitoring, technical assistance, and enforcement

CODE OF FEDERAL REGULATIONS, TITLE 34

300.301-300.11 Evaluations, reevaluations, and additional procedures for identifying children with specific learning disabilities

COURT DECISIONS

M.M. v. Lafayette School District (9th Cir. 2014) 767 F.3d 842

Management Resources:

CSBA PUBLICATIONS

Best Practices in Special Education, Governance Brief, May 2019

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Disproportionality Calculation Methodologies

NATIONAL COUNCIL ON DISABILITY PUBLICATIONS

IDEA Series: Every Student Succeeds Act and Students with Disabilities, February 2018

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Return to School Roadmap: Child Find Under Part B of the Individuals with Disabilities Education Act, August 2021

A Response to Intervention (RTI) Process Cannot Be Used to Delay-Deny an Evaluation for Eligibility under the Individuals with Disabilities Education Act (IDEA): Memorandum 11-07, January 2011

WEB SITES

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

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

National Center for Learning Disabilities RTI Action Network: <http://www.rtinetwork.org>

National Council on Disability: <https://ncd.gov>

U.S. Department of Education: <http://www.ed.gov>

Policy ALAMEDA UNIFIED SCHOOL DISTRICT
adopted:

~~Sexual Health And~~~~SEXUAL HEALTH AND HIV/AIDS Prevention—Instruction—PREVENTION INSTRUCTION~~

The Governing Board of Education recognizes that the purpose of the district's sexual health and desires to provide a well-planned, integrated sequence of medically accurate and inclusive instruction on comprehensive sexual health and human immunodeficiency virus (HIV/AIDS) prevention instruction is to provide. The district's educational program shall address the goals of the California Healthy Youth Act pursuant to Education Code 51930-51939, including providing students with the knowledge and skills necessary to protect them from unintended pregnancy and risks presented by sexually transmitted diseases/infections, unintended pregnancy, sexual harassment, sexual assault, sexual abuse, and to encourage students human trafficking and to develop have healthy, positive, and safe relationships and behaviors. The district's educational program shall also promote students' understanding of sexuality as a normal part of human development and their development of healthy attitudes and behaviors concerning adolescent growth and development, body image, gender roles, gender identity, gender expression, sexual orientation, dating relationships, marriage, and family. The Board therefore desires to provide a well-planned sequence of instruction on comprehensive sexual health and HIV/AIDS prevention.

The district's curriculum shall be aligned with the state's content standards, based on medically accurate and factual information, and designed to teach students to make healthy choices and reduce high-risk behaviors. The district's program shall comply with the requirements of law, Board policy, and administrative regulation and

(cf. 5030 - Student Wellness)

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.25 - Availability of Condoms)

(cf. 5146 - Married/Pregnant/Parenting Students)

(cf. 6142.8 - Comprehensive Health Education)

The district shall respect the rights of parents/guardians to supervise their children's education on these subjects and to impart values regarding human sexuality to their children.

Comprehensive sexual health education and HIV prevention education shall be offered to all students in grades 7-12 at least once in junior high or middle school and at least once in high school. (Education Code 51934)

(cf. 6143 - Courses of Study)

The district's comprehensive sexual health education program shall include information on the affirmative consent standard. *Affirmative consent* is defined as affirmative, conscious, and voluntary agreement to engage in sexual activity. Teachers delivering such instruction shall consult information related to sexual harassment and violence in the state health curriculum framework. (Education Code 51225.36, 67386)

The Superintendent or designee may appoint a coordinator and/or an advisory committee regarding the district's comprehensive sexual health program. The advisory committee shall represent a divergence of viewpoints and may participate in planning, implementing, and evaluating shall identify appropriate methods for informing the school community about subjects related to the district's comprehensive sexual health and HIV prevention education program. The Board shall consider

~~the advisory committee's recommendations when approving the district's program~~ Superintendent or designee shall use such identified methods to inform parents/guardians of students in grades 6-12 about human trafficking prevention resources, as required pursuant to Education Code 49381.

Parent/Guardian Consent

~~A parent/guardian~~

~~At the beginning of each school year or at the time of a student's enrollment, parents/guardians shall be notified, in the manner specified in the accompanying~~

BP 6142.1(b)

SEXUAL HEALTH AND HIV/AIDS PREVENTION INSTRUCTION (continued)

~~administrative regulation, that they~~ may request in writing that ~~his/her~~their child be excused from participating in ~~HIV/AIDS prevention or comprehensive~~ sexual health and HIV prevention education. Students so excused by their parents/guardians shall be given an alternative educational activity. ~~(Education Code 51240, 51939)~~ (Education Code 51240, 51938, 51939)

(cf. 5022 - Student and Family Privacy Rights)

A student shall not be subject to disciplinary action, academic penalty, or other sanction if the student's parent/guardian declines to permit the student to receive the instruction. ~~(Education Code 51939)~~ 51939)

Legal Reference:

EDUCATION CODE

~~220-220~~ Prohibition of discrimination

~~48980-33544~~ Inclusion of sexual harassment and violence in health curriculum framework

~~48980~~ Notice at beginning of term

~~51202-49381~~ Human trafficking prevention resources

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

~~51210.8-51210.8~~ Health education curriculum

~~51240-51225.36~~ Instruction in sexual harassment and violence; districts that require health education for graduation

~~51240~~ Excuse from instruction due to religious beliefs

~~51513 Materials~~ 51513 Test, questionnaire, survey, or examination containing questions about beliefs or practices

51930-51939 Comprehensive Sexual Health and HIV/AIDS Prevention Education Act

~~51930-51939~~ California Healthy Youth Act

~~51950~~ Abuse, sexual abuse, and human trafficking prevention education

~~67386~~ Student safety; affirmative consent standard

HEALTH AND SAFETY CODE

~~1255.7-1255.7~~ Parents surrendering physical custody of a baby

PENAL CODE

~~243.4-243.4~~ Sexual battery

~~261.5~~ 261.5 *Unlawful sexual intercourse*
~~271.5~~ 271.5 *Parents voluntarily surrendering custody of a baby*
UNITED STATES CODE, TITLE 20
~~1232h~~ 1232h *Protection of student rights*

7906 Sex education

7906 Sex education requirements and prohibited use of funds

Management Resources: (see next page)

BP 6142.1(c)

SEXUAL HEALTH AND HIV/AIDS PREVENTION INSTRUCTION (continued)

Management Resources:

CSBA PUBLICATIONS

Promoting Healthy Relationships for Adolescents: Board Policy Considerations, Governance Brief, August 2014

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Health Education Content Standards for California Public Schools, Kindergarten Through Grade 12, 2008

Health Framework for California Public Schools: Kindergarten through Grade 12, 2003

HUMAN RIGHTS CAMPAIGN FOUNDATION PUBLICATIONS

California LGBTQ Youth Report, January 2019

WEB SITES

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

American Academy of Pediatrics: <http://www.aap.org>

American College of Obstetricians and Gynecologists: <http://www.acog.org>

American Public Health Association: <http://www.apha.org>

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

California Department of Education, Sex Education and HIV/AIDS/STD Instruction: <http://www.cde.ca.gov/ls/he/se> <http://www.cde.ca.gov/ls/he/se>

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

California Healthy Kids Resource Center: <http://www.californiahealthykids.org> <http://www.californiahealthykids.org>

California Partnership to End Domestic Violence: <http://www.cpedv.org>

California Safe Schools Coalition: <http://www.casafeschools.org> <http://www.casafeschools.org>

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

National Academy of Sciences: ~~<http://www.nationalacademies.org>~~

U.S. Department of Health and Human Services, Office of the Surgeon
General: ~~<http://www.surgeongeneral.gov>~~

Human Rights Campaign: ~~<https://www.hrc.org/hrc-story/hrc-foundation>~~

U.S. Food and Drug Administration: ~~<http://www.fda.gov>~~ <http://www.fda.gov>

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

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

May 2019

SEXUAL HEALTH AND HIV/AIDS PREVENTION INSTRUCTION

The Governing Board desires to provide a well-planned, integrated sequence of medically accurate and inclusive instruction on comprehensive sexual health and human immunodeficiency virus (HIV) prevention. The district's educational program shall address the goals of the California Healthy Youth Act pursuant to Education Code 51930-51939, including providing students with the knowledge and skills necessary to protect them from risks presented by sexually transmitted infections, unintended pregnancy, sexual harassment, sexual assault, sexual abuse, and human trafficking and to have healthy, positive, and safe relationships and behaviors. The district's educational program shall also promote students' understanding of sexuality as a normal part of human development and their development of healthy attitudes and behaviors concerning adolescent growth and development, body image, gender, gender identity, gender expression, sexual orientation, relationships, marriage, and family.

(cf. 5030 - Student Wellness)

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.25 - Availability of Condoms)

(cf. 5146 - Married/Pregnant/Parenting Students)

(cf. 6142.8 - Comprehensive Health Education)

The district shall respect the rights of parents/guardians to supervise their children's education on these subjects and to impart values regarding human sexuality to their children.

Comprehensive sexual health education and HIV prevention education shall be offered to all students in grades 7-12 at least once in junior high or middle school and at least once in high school. (Education Code 51934)

(cf. 6143 - Courses of Study)

The district's comprehensive sexual health education program shall include information on the affirmative consent standard. *Affirmative consent* is defined as affirmative, conscious, and voluntary agreement to engage in sexual activity. Teachers delivering such instruction shall consult information related to sexual harassment and violence in the state health curriculum framework. (Education Code 51225.36, 67386)

The Superintendent or designee shall identify appropriate methods for informing the school community about subjects related to the district's comprehensive sexual health and HIV prevention education. The Superintendent or designee shall use such identified methods to inform parents/guardians of students in grades 6-12 about human trafficking prevention resources, as required pursuant to Education Code 49381.

Parent/Guardian Consent

At the beginning of each school year or at the time of a student's enrollment, parents/guardians shall be notified, in the manner specified in the accompanying administrative regulation, that they may request in writing that their child be excused from participating in comprehensive

sexual health and HIV prevention education. Students so excused by their parents/guardians shall be given an alternative educational activity. (Education Code 51240, 51938, 51939)

(cf. 5022 - Student and Family Privacy Rights)

A student shall not be subject to disciplinary action, academic penalty, or other sanction if the student's parent/guardian declines to permit the student to receive the instruction. (Education Code 51939)

Legal Reference:

EDUCATION CODE

220 Prohibition of discrimination

33544 Inclusion of sexual harassment and violence in health curriculum framework

48980 Notice at beginning of term

49381 Human trafficking prevention resources

51202 Instruction in personal and public health and safety

51210.8 Health education curriculum

51225.36 Instruction in sexual harassment and violence; districts that require health education for graduation

51240 Excuse from instruction due to religious beliefs

51513 Test, questionnaire, survey, or examination containing questions about beliefs or practices

51930-51939 California Healthy Youth Act

51950 Abuse, sexual abuse, and human trafficking prevention education

67386 Student safety; affirmative consent standard

HEALTH AND SAFETY CODE

1255.7 Parents surrendering physical custody of a baby

PENAL CODE

243.4 Sexual battery

261.5 Unlawful sexual intercourse

271.5 Parents voluntarily surrendering custody of a baby

UNITED STATES CODE, TITLE 20

1232h Protection of student rights

7906 Sex education requirements and prohibited use of funds

Management Resources:

CSBA PUBLICATIONS

Promoting Healthy Relationships for Adolescents: Board Policy Considerations, Governance Brief, August 2014

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Health Education Content Standards for California Public Schools, Kindergarten Through Grade 12, 2008

Health Framework for California Public Schools: Kindergarten through Grade 12, 2003

HUMAN RIGHTS CAMPAIGN FOUNDATION PUBLICATIONS

California LGBTQ Youth Report, January 2019

WEB SITES

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

California Department of Education, Sex Education and HIV/AIDS/STD Instruction: <http://www.cde.ca.gov/ls/he/se>

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

California Healthy Kids Resource Center: <http://www.californiahealthykids.org>

California Partnership to End Domestic Violence: <http://www.cpedv.org>

California Safe Schools Coalition: <http://www.casafeschools.org>

*Centers for Disease Control and Prevention: <http://www.cdc.gov>
Human Rights Campaign: <https://www.hrc.org/hrc-story/hrc-foundation>
U.S. Food and Drug Administration: <http://www.fda.gov>*

Policy ALAMEDA UNIFIED SCHOOL DISTRICT

adopted: August 25, 2009 Alameda, California

revised:

Policy 6142.5: Environmental Education

Status: ADOPTED

Original Adopted Date: 09/01/1990 | Last Revised Date: 06/01/2021 | Last Reviewed Date: 06/01/2021

~~Original Adopted Date: 08/25/2009~~

The ~~Governing Board of Education~~ recognizes that schools play a crucial role in educating students about the ~~importance of relationship between humans and the environment~~natural world and in preparing them to have the skills, knowledge, and principles needed to solve environmental problems. The Board believes that all students should understand ecological systems and the impact of human action on such systems, including, but not limited to, climate change. The district's environmental education program shall promote environmental literacy and shall prepare students to be stewards of natural resources.~~The Board believes that students should value the environment, respect all life forms, understand the basic ecological principles which support the planet, and live an ecologically responsible life-style~~environmentally sustainable lifestyle.

~~The Superintendent or designee shall develop and~~district's local control and accountability plan may include local goals and priorities for environmental education program that is aligned with state academic standards and curriculum frameworks.~~The Superintendent or designee shall determine how the literacy.~~

The district's environmental education program will~~may be integrated into~~taught across the district's district curriculum in science curriculum and other subjects, history-social science, English language arts, health, and courses in which the concepts may, to the extent practicable, mathematics. Such instruction shall be explicitly and systematically taught.

~~The goal of the district's environmental education program shall be to provide students with an understanding of~~aligned with state-adopted standards and curriculum frameworks and may include, but not be limited to, the interactions and interdependence of human societies and natural systems, people's dependence and influence on natural systems, the ways that natural systems change and how people can benefit and influence that change, the fact that there are no boundaries to prevent matter from flowing between systems, and the fact that decisions affecting resources and natural systems are complex and involve many factors.

The district's program ~~shall emphasize a coordination of instructional resources with~~may also provide for active student participation in onsite resource conservation and management programs and the promotion of service learning partnerships. The Superintendent or designee may collaborate with other local educational agencies and/or community-based organizations to enhance the curriculum and learning experiences provided to students.

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
Ed. Code 33541	Science requirements
Ed. Code 51210	Areas of study
Ed. Code 51220	Areas of study, grades 7 to 12
Ed. Code 51795-51797	School instructional gardens
Ed. Code 60041	Ecological systems and their protection
Ed. Code 8700-8707	Environmental education
Ed. Code 8720-8723	Conservation education service
Ed. Code 8760-8773	Outdoor science, conservation, and forestry
Pub. Res. Code 71300-71305	Statewide environmental education
Management Resources	Description
Website	<u>AASA The School Superintendents Association</u>

Cross-References

Code	Description
1400	<u>Relations Between Other Governmental Agencies And The Schools</u>
3260	<u>Fees And Charges</u>
3260	<u>Fees And Charges</u>
3510	<u>Green School Operations</u>
3511	<u>Energy And Water Management</u>
3511	<u>Energy And Water Management</u>
3511.1	<u>Integrated Waste Management</u>
3511.1	<u>Integrated Waste Management</u>
3514	<u>Environmental Safety</u>
3514	<u>Environmental Safety</u>
4131	<u>Staff Development</u>
4131	<u>Staff Development</u>
5030	<u>Student Wellness</u>
6000	<u>Concepts And Roles</u>
6011	<u>Academic Standards</u>

6141	<u>Curriculum Development And Evaluation</u>
6141	<u>Curriculum Development And Evaluation</u>
6142.3	<u>Civic Education</u>
6142.4	<u>Service Learning/Community Service Classes</u>
6142.8	<u>Comprehensive Health Education</u>
6142.93	<u>Science Instruction</u>
6143	<u>Courses Of Study</u>
6143	<u>Courses Of Study</u>
6153	<u>School Sponsored Trips</u>
6153	<u>School Sponsored Trips</u>

The Superintendent or designee shall ensure that environment-based learning experiences are made available on an equitable basis and that the environmental literacy curriculum reflects the linguistic, ethnic, and socioeconomic diversity of California.

As appropriate, the Superintendent or designee shall provide professional development for teachers in the development and effective implementation of curriculum and activities inside and outside of the classroom that promote environmental literacy.

Policy 6142.5: Environmental Education

Status: ADOPTED

Original Adopted Date: August 25, 2009 | Last Revised Date: | Last Reviewed Date:

The Governing Board recognizes that schools play a crucial role in educating students about the relationship between humans and the natural world and in preparing them to have the skills, knowledge, and principles needed to solve environmental problems. The Board believes that all students should understand ecological systems and the impact of human action on such systems, including, but not limited to, climate change. The district's environmental education program shall promote environmental literacy and shall prepare students to be stewards of natural resources and live an environmentally sustainable lifestyle.

The district's local control and accountability plan may include local goals and priorities for environmental literacy.

The district's environmental education program may be taught across the district curriculum in science, history-social science, English language arts, health, and, to the extent practicable, mathematics. Such instruction shall be aligned with state-adopted standards and curriculum frameworks and may include, but not be limited to, the interactions and interdependence of human societies and natural systems, people's dependence and influence on natural systems, the ways that natural systems change and how people can benefit and influence that change, the fact that there are no boundaries to prevent matter from flowing between systems, and the fact that decisions affecting resources and natural systems are complex and involve many factors.

The district's program may also provide for active student participation in onsite resource conservation and management programs and the promotion of service learning partnerships. The Superintendent or designee may collaborate with other local educational agencies and/or community-based organizations to enhance the curriculum and learning experiences provided to students.

The Superintendent or designee shall ensure that environment-based learning experiences are made available on an equitable basis and that the environmental literacy curriculum reflects the linguistic, ethnic, and socioeconomic diversity of California.

As appropriate, the Superintendent or designee shall provide professional development for teachers in the development and effective implementation of curriculum and activities inside and outside of the classroom that promote environmental literacy.

Comprehensive Health Education



Instruction

BP 6142.8(a)

COMPREHENSIVE HEALTH EDUCATION

The Governing Board of Education believes that health education should foster the knowledge, skills, and attitudes that students need in order to lead healthy lives and avoid high-risk behaviors, and that creating a safe, supportive, inclusive, and nonjudgmental environment is crucial in promoting healthy development for all students. The district's health education program shall be part of a coordinated school health system which supports the physical, mental, and social well-being of students and is linked to district and community services and resources.

(cf. 0415 - Equity)

(cf. 3513.3 - Tobacco-Free Schools)

(cf. 3514 - Environmental Safety)

(cf. 3550 - Food Service/Child Nutrition Program)

(cf. 3554 - Other Food Sales)

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5131.62 - Tobacco)

(cf. 5131.63 - Steroids)

(cf. 5137 - Positive School Climate)

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.23 - Asthma Management)

(cf. 5141.3 - Health Examinations)

(cf. 5141.32 - Health Screening for School Entry)

(cf. 5141.4 - Child Abuse Prevention and Reporting)

(cf. 5141.5 - Mental Health)

(cf. 5141.52 - Suicide Prevention)

(cf. 5141.6 - School Health Services)

(cf. 5141.7 - Sun Safety)

(cf. 5142 - Safety)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5146 - Married/Pregnant/Parenting Students)

(cf. 6164.2 - Guidance/Counseling Services)

Goals for the district's health education program shall be designed to promote student wellness and shall include, but not be limited to, goals for nutrition promotion and education ~~and~~, physical activity, and other school-based activities that promote student well-being.

(cf. 0200 - Goals for the School District)

(cf. 5030 - Student Wellness)

(cf. 6142.7 - Physical Education and Activity)

The district shall provide a planned, sequential, research-based, and developmentally appropriate health education curriculum for students in grades K-12 which is aligned with the state's content standards and curriculum framework and integrated with other content areas of the district's curriculum. The Superintendent or designee shall determine the grade levels and

subject areas in which health-related topics will be addressed, in accordance with law, Board policy, and administrative regulation.

(cf. 6011 - Academic Standards)

(cf. 6141 - Curriculum Development and Evaluation)

(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)

(cf. 6143 - Courses of Study)

BP 6142.8(b)

COMPREHENSIVE HEALTH EDUCATION (continued)

As appropriate, the Superintendent or designee shall involve school administrators, teachers, school nurses, health professionals representing various fields of health care, parents/guardians, community-based organizations, and other community members in the development, implementation, and evaluation of the district's health education program. Health and safety professionals may be invited to provide related instruction in the classroom, school assemblies, and other instructional settings.

(cf. 1220 - Citizen Advisory Committees)

(cf. 1240 - Volunteer Assistance)

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)

(cf. 1700 - Relations Between Private Industry and the Schools)

(cf. 6020 - Parent Involvement)

(cf. 6145.8 - Assemblies and Special Events)

(cf. 6162.8 - Research)

The Superintendent or designee shall provide professional development as needed to ensure that health education teachers are knowledgeable about academic content standards, the state curriculum framework, and effective instructional methodologies.

(cf. 4131 - Staff Development)

The Superintendent or designee shall provide periodic reports to the Board regarding the implementation and effectiveness of the district's health education program, which may include, but not be limited to, a description of the district's program and the extent to which it is aligned with the state's content standards and curriculum framework, the amount of time allotted for health instruction at each grade level, student achievement of district standards for health education, and the manner in which the district's health education program supports the physical, mental, and social well-being of students.

(cf. 0500 - Accountability)

(cf. 6190 - Evaluation of the Instructional Program)

Legal Reference: (see next page)

COMPREHENSIVE HEALTH EDUCATION (continued)

Legal Reference:

EDUCATION CODE

~~8850.5~~ 8850.5 *Family relationships and parenting education*

~~35183.5~~ 35183.5 *Sun protection*

~~49413~~ 49413 *First aid and cardiopulmonary resuscitation training*

~~49430~~ 49436 ~~49430~~ 49434 *Pupil Nutrition, Health and Achievement Act of 2001*

~~49490~~ 49494 ~~49490~~ 49494 *School breakfast and lunch programs*

49500-49505 School meals

~~51202~~ 49500-49505 *School meals*

51202 *Instruction in personal and public health and safety*

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

51210 Areas of study

~~51210.8~~ 51210 *Areas of study; grades 1-6*

51210.8 *State content standards for health education*

~~51220.5~~ 51220.5 *Parenting skills; areas of instruction*

51260-51269 Drug education

~~51513~~ 51225.36 *Sexual harassment and violence instruction; affirmative consent standard*

51225.6 *Compression-only cardiopulmonary resuscitation instruction*

51260-51269 *Drug education*

51513 *Personal beliefs; exams, questionnaires, and surveys*

~~51880~~ ~~51881.5~~ 51880-51881.5 *Health education, legislative findings and intent*

~~51890~~ ~~51891~~ 51890-51891 *Comprehensive health education programs and community participation; definitions*

~~51913~~ 51900.6 *Sexual abuse and sexual assault awareness and prevention*

51913 *District health education plan*

~~51920~~ 51920 *Inservice training, health education*

~~51930~~ ~~51939~~ 51930-51939 *California Healthy Youth Act; Comprehensive sexual health and HIV/AIDS prevention education*

67386 *Affirmative consent; definition*

CALIFORNIA CODE OF REGULATIONS, TITLE 5

~~11800~~ ~~11801~~ 11800-11801 *District health education plan*

UNITED STATES CODE, TITLE 42

1751-1769j *National School Lunch Program, especially:*

1758b *Local wellness policy*

1771-1793 Child nutrition programs, including National School Breakfast Program

Management Resources:

CSBA PUBLICATIONS

Why Schools Hold the Promise for Adolescent Mental Health, Governance Brief, May 2019

The Impact of Marijuana Legalization on K-12: The Effect of Marijuana on the Brain, November 2018

Preventing Catastrophic Health Illness, Governance Brief, July 2018

Integrating Physical Activity into the School Day, April 2016

Promoting Healthy Relationships for Adolescents: Board Policy Considerations, August 2014

Monitoring for Success: A Guide for Assessing and Strengthening Student Wellness Policies, 2012

Promoting Oral Health for California's Students: New Roles, New Opportunities for Schools, Policy Brief, November 2008

Asthma Management in the Schools, Policy Brief, March 2008

Monitoring for Success: Student Wellness Policy Implementation Monitoring Report and Guide, 2007

Physical Education and California Schools, Policy Brief, rev. October 2007

Promoting Oral Health for California's Students: New Roles, New Opportunities for Schools, Policy Brief, March 2007

Sun Safety in Schools, Policy Brief, July 2006

Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, rev. April 2006

Management Resources continued: (see next page)

BP 6142.8(d)

COMPREHENSIVE HEALTH EDUCATION (continued)

Management Resources: (continued)

AMERICAN ASSOCIATION FOR HEALTH EDUCATION PUBLICATIONS

National Health Education Standards: Achieving Excellence, 2007 rev. November 2012

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Health Education Framework for California Public Schools: Kindergarten Through Grade Twelve, 2019

Health Education Content Standards for California Public Schools, Kindergarten Through Grade Twelve, 2008

Health Framework for California Public Schools: Kindergarten Through Grade Twelve, 2003

HUMAN RIGHTS CAMPAIGN FOUNDATION PUBLICATIONS

California LGBTQ Youth Report, January 2019

WEB SITES

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

American Association for Health Education: <http://www.aahperd.org>

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

American School Health Association: ~~<http://www.ashaweb.org>~~ <http://www.ashaweb.org>

California Association of School Health Educators: ~~<http://www.cashe.org>~~ <http://www.cashe.org>

*California Department of Education, Health Education: ~~<http://www.cde.ca.gov/ei/he>~~
~~<http://www.cde.ca.gov/ci/he>~~*

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

*California Healthy Kids Resource Center: ~~<http://www.californiahealthykids.org>~~
~~<http://www.californiahealthykids.org>~~*

*California Subject Matter Project, Physical Education-Health Project: ~~<http://csmp.ucop.edu/epehp>~~
~~<https://csmp.online>~~*

Center for Injury Prevention Policy and Practice: ~~<http://www.cippp.org>~~ <http://www.cippp.org>

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

Human Rights Campaign Foundation: <https://www.hrc.org>

National Center for Health Education: ~~<http://www.nche.org>~~ <http://www.nche.org>

*National Hearing Conservation Association: ~~<http://www.hearingconservation.org>~~
~~<http://www.hearingconservation.org>~~*

Shape America Society of Health and Physical Educators: <https://www.shapeamerica.org>

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

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

March 2021

COMPREHENSIVE HEALTH EDUCATION

The Governing Board believes that health education should foster the knowledge, skills, and attitudes that students need in order to lead healthy lives and avoid high-risk behaviors, and that creating a safe, supportive, inclusive, and nonjudgmental environment is crucial in promoting healthy development for all students. The district's health education program shall be part of a coordinated school health system which supports the physical, mental, and social well-being of students and is linked to district and community services and resources.

(cf. 0415 - Equity)
(cf. 3513.3 - Tobacco-Free Schools)
(cf. 3514 - Environmental Safety)
(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 3554 - Other Food Sales)
(cf. 5131.6 - Alcohol and Other Drugs)
(cf. 5131.62 - Tobacco)
(cf. 5131.63 - Steroids)
(cf. 5137 - Positive School Climate)
(cf. 5141.22 - Infectious Diseases)
(cf. 5141.23 - Asthma Management)
(cf. 5141.3 - Health Examinations)
(cf. 5141.32 - Health Screening for School Entry)
(cf. 5141.4 - Child Abuse Prevention and Reporting)
(cf. 5141.5 - Mental Health)
(cf. 5141.52 - Suicide Prevention)
(cf. 5141.6 - School Health Services)
(cf. 5141.7 - Sun Safety)
(cf. 5142 - Safety)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5146 - Married/Pregnant/Parenting Students)
(cf. 6164.2 - Guidance/Counseling Services)

Goals for the district's health education program shall be designed to promote student wellness and shall include, but not be limited to, goals for nutrition promotion and education, physical activity, and other school-based activities that promote student well-being.

(cf. 0200 - Goals for the School District)
(cf. 5030 - Student Wellness)
(cf. 6142.7 - Physical Education and Activity)

The district shall provide a planned, sequential, research-based, and developmentally appropriate health education curriculum for students in grades K-12 which is aligned with the state's content standards and curriculum framework and integrated with other content areas of the district's curriculum. The Superintendent or designee shall determine the grade levels and subject areas in which health-related topics will be addressed, in accordance with law, Board policy, and administrative regulation.

(cf. 6011 - Academic Standards)
(cf. 6141 - Curriculum Development and Evaluation)
(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)
(cf. 6143 - Courses of Study)

As appropriate, the Superintendent or designee shall involve school administrators, teachers, school nurses, health professionals representing various fields of health care, parents/guardians, community-based organizations, and other community members in the development, implementation, and evaluation of the district's health education program. Health and safety professionals may be invited to provide related instruction in the classroom, school assemblies, and other instructional settings.

(cf. 1220 - Citizen Advisory Committees)
(cf. 1240 - Volunteer Assistance)
(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 1700 - Relations Between Private Industry and the Schools)
(cf. 6020 - Parent Involvement)
(cf. 6145.8 - Assemblies and Special Events)
(cf. 6162.8 - Research)

The Superintendent or designee shall provide professional development as needed to ensure that health education teachers are knowledgeable about academic content standards, the state curriculum framework, and effective instructional methodologies.

(cf. 4131 - Staff Development)

The Superintendent or designee shall provide periodic reports to the Board regarding the implementation and effectiveness of the district's health education program, which may include, but not be limited to, a description of the district's program and the extent to which it is aligned with the state's content standards and curriculum framework, the amount of time allotted for health instruction at each grade level, student achievement of district standards for health education, and the manner in which the district's health education program supports the physical, mental, and social well-being of students.

(cf. 0500 - Accountability)
(cf. 6190 - Evaluation of the Instructional Program)

Legal Reference:

EDUCATION CODE

8850.5 Family relationships and parenting education
35183.5 Sun protection
49413 First aid and cardiopulmonary resuscitation training
49430-49434 Pupil Nutrition, Health and Achievement Act of 2001
49490-49494 School breakfast and lunch programs
49500-49505 School meals
51202 Instruction in personal and public health and safety
51203 Instruction on alcohol, narcotics and dangerous drugs
51210 Areas of study; grades 1-6
51210.8 State content standards for health education
51220.5 Parenting skills; areas of instruction
51225.36 Sexual harassment and violence instruction; affirmative consent standard
51225.6 Compression-only cardiopulmonary resuscitation instruction
51260-51269 Drug education
51513 Personal beliefs; exams, questionnaires, and surveys
51880-51881.5 Health education, legislative findings and intent
51890-51891 Comprehensive health education programs and community participation; definitions
51900.6 Sexual abuse and sexual assault awareness and prevention
51913 District health education plan

51920 Inservice training, health education
 51930-51939 California Healthy Youth Act; Comprehensive sexual health and HIV/AIDS prevention education
 67386 Affirmative consent; definition
CALIFORNIA CODE OF REGULATIONS, TITLE 5
 11800-11801 District health education plan
UNITED STATES CODE, TITLE 42
 1751-1769j National School Lunch Program, especially:
 1758b Local wellness policy
 1771-1793 Child nutrition programs, including National School Breakfast Program

Management Resources:

CSBA PUBLICATIONS

Why Schools Hold the Promise for Adolescent Mental Health, Governance Brief, May 2019
The Impact of Marijuana Legalization on K-12: The Effect of Marijuana on the Brain, November 2018
Preventing Catastrophic Health Illness, Governance Brief, July 2018
Integrating Physical Activity into the School Day, April 2016
Promoting Healthy Relationships for Adolescents: Board Policy Considerations, August 2014
Monitoring for Success: A Guide for Assessing and Strengthening Student Wellness Policies, 2012
Promoting Oral Health for California's Students: New Roles, New Opportunities for Schools, Policy Brief, November 2008
Asthma Management in the Schools, Policy Brief, March 2008
Sun Safety in Schools, Policy Brief, July 2006

Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, rev. April 2006

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National Health Education Standards: Achieving Excellence, rev. November 2012

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Health Education Framework for California Public Schools: Kindergarten Through Grade Twelve, 2019

Health Education Content Standards for California Public Schools, Kindergarten Through Grade Twelve, 2008

HUMAN RIGHTS CAMPAIGN FOUNDATION PUBLICATIONS

California LGBTQ Youth Report, January 2019

WEB SITES

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

American School Health Association: <http://www.ashaweb.org>

California Association of School Health Educators: <http://www.cashe.org>

California Department of Education, Health Education: <http://www.cde.ca.gov/ci/he>

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

California Healthy Kids Resource Center: <http://www.californiahealthykids.org>

California Subject Matter Project, Physical Education-Health Project: <https://csmp.online>

Center for Injury Prevention Policy and Practice: <http://www.cipp.org>

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

Human Rights Campaign Foundation: <https://www.hrc.org>

National Center for Health Education: <http://www.nche.org>

National Hearing Conservation Association: <http://www.hearingconservation.org>

Shape America Society of Health and Physical Educators: <https://www.shapeamerica.org>

Policy ALAMEDA UNIFIED SCHOOL DISTRICT

adopted: August 25, 2009 Alameda, California

revised:

Policy 6143: Courses Of Study

Status:
ADOPTED

Original Adopted Date: 08/25/2009 | **Last Revised Date:** 02/11/2020 | **Last Reviewed Date:** 02/11/2020

Instruction

BP 6143(a)

COURSES OF STUDY

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

(cf. 6011 - Academic Standards)

(cf. 6141 - Curriculum Development and Evaluation)

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

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

The district shall not provide any course separately 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, ~~or~~ mental or physical disability ~~or require or refuse participation by any of its students on, 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 basis. ~~(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. ~~(Education Code 51228)~~

The district's course of study may provide

BP 6143(b)

COURSES OF STUDY (continued)

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 - Advanced Placement)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6178 - Career Technical Education)

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

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

Policy

Legal Reference Disclaimer: (see next page)

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 10020-10043~~

~~5 CCR 10060~~

~~5 CCR 4940~~

~~Ed. Code 33319.3~~

~~Ed. Code 33540~~

~~Ed. Code 48980~~

~~Ed. Code 51202~~

~~Ed. Code 51203~~

~~Ed. Code 51204~~

~~Ed. Code 51204.5~~

~~Ed. Code 51210-51212~~

~~Ed. Code 51220-51229~~

~~Ed. Code 51241~~

~~Ed. Code 51911-51921~~

~~Ed. Code 51930-51939~~

~~Ed. Code 51940~~

~~Ed. Code 60040-60052~~

~~Ed. Code 66204~~

~~H&S Code 11032~~

Federal

~~20 USC 6111-6251~~

Management Resources

~~Website~~

~~Website~~

~~Website~~

~~Website~~

~~Website~~

~~Website~~

~~Website~~

~~Website~~

~~Website~~

Description

~~Automobile driver education and training~~

~~Criteria for high school physical education programs~~

~~Nondiscrimination; course access~~

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

~~Standards for government and civics instruction~~

~~Parental notifications~~

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

~~Instruction on alcohol, narcotics and dangerous drugs~~

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

~~History of California; contributions of men, women, and ethnic groups~~

~~Course of study for grades 1-6~~

~~Course of study for grades 7-12~~

~~Temporary, two-year or permanent exemption from physical education~~

~~Comprehensive health education~~

~~California Healthy Youth Act~~

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

~~Requirements for instructional materials~~

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

~~Definition of dangerous drugs~~

Description

~~School-to-Work Opportunities Act of 1994~~

Description

~~American Health Association~~

~~American Red Cross, Hands Only CPR~~

~~California Career Resource Network~~

~~California State University, Admission Requirements~~

~~University of California, a-g Course Submissions~~

~~University of California, List of Approved a-g Courses~~

~~California Colleges.edu~~

~~California Department of Education~~

~~CSBA~~

Cross-References

Code

~~0415~~

~~0460~~

~~0460~~

~~3270~~

Description

~~Equity~~

~~Local Control And Accountability Plan~~

~~Local Control And Accountability Plan~~

~~Sale And Disposal Of Books, Equipment And Supplies~~

3270	<u>Sale And Disposal Of Books, Equipment And Supplies</u>
3513.3	<u>Tobacco Free Schools</u>
3513.3	<u>Tobacco Free Schools</u>
5121	<u>Grades/Evaluation Of Student Achievement</u>
5121	<u>Grades/Evaluation Of Student Achievement</u>
5131.6	<u>Alcohol And Other Drugs</u>
5131.6	<u>Alcohol And Other Drugs</u>
5138	<u>Conflict Resolution/Peer Mediation</u>
5145.3	<u>Nondiscrimination/Harassment</u>
5145.3	<u>Nondiscrimination/Harassment</u>
5145.6	<u>Parental Notifications</u>
5145.6 E(1)	<u>Parental Notifications</u>
5146	<u>Married/Pregnant/Parenting Students</u>
5146	<u>Married/Pregnant/Parenting Students</u>
6000	<u>Concepts And Roles</u>
6011	<u>Academic Standards</u>
6141	<u>Curriculum Development And Evaluation</u>
6141	<u>Curriculum Development And Evaluation</u>
6141.2	<u>Recognition Of Religious Beliefs And Customs</u>
6141.2	<u>Recognition Of Religious Beliefs And Customs</u>
6141.5	<u>Advanced Placement</u>
6141.5	<u>Advanced Placement</u>
6142.1	<u>Sexual Health And HIV/AIDS Prevention Instruction</u>
6142.1	<u>Sexual Health And HIV/AIDS Prevention Instruction</u>
6142.2	<u>World Language Instruction</u>
6142.2	<u>World Language Instruction</u>
6142.3	<u>Civic Education</u>
6142.4	<u>Service Learning/Community Service Classes</u>
6142.5	<u>Environmental Education</u>
6142.6	<u>Visual And Performing Arts Education</u>
6142.7	<u>Physical Education And Activity</u>
6142.7	<u>Physical Education And Activity</u>
6142.8	<u>Comprehensive Health Education</u>
6142.91	<u>Reading/Language Arts Instruction</u>
6142.91	<u>Reading/Language Arts Instruction</u>
6142.92	<u>Mathematics Instruction</u>
6142.93	<u>Science Instruction</u>
6142.94	<u>History Social Science Instruction</u>
6144	<u>Controversial Issues</u>
6144	<u>Controversial Issues</u>
6145	<u>Extracurricular And Cocurricular Activities</u>
6145	<u>Extracurricular And Cocurricular Activities</u>
6145.8	<u>Assemblies And Special Events</u>
6146.1	<u>High School Graduation Requirements</u>
6146.1	<u>High School Graduation Requirements</u>
6146.11	<u>Alternative Credits Toward Graduation</u>
6146.11	<u>Alternative Credits Toward Graduation</u>
6146.3	<u>Reciprocity Of Academic Credit</u>
6146.3	<u>Reciprocity Of Academic Credit</u>

6146.5	<u>Elementary/Middle School Graduation Requirements</u>
6151	<u>Class Size</u>
6151	<u>Class Size</u>
6152.1	<u>Placement In Mathematics Courses</u>
6152.1	<u>Placement In Mathematics Courses</u>
6153	<u>School-Sponsored Trips</u>
6153	<u>School-Sponsored Trips</u>
6155	<u>Challenging Courses By Examination</u>
6155	<u>Challenging Courses By Examination</u>
6158	<u>Independent Study</u>
6158	<u>Independent Study</u>
6161.1	<u>Selection And Evaluation Of Instructional Materials</u>
6161.1	<u>Selection And Evaluation Of Instructional Materials</u>
6161.1-E(1)	<u>Selection And Evaluation Of Instructional Materials</u>
6164.2	<u>Guidance/Counseling Services</u>
6164.2	<u>Guidance/Counseling Services</u>
6172.1	<u>Concurrent Enrollment In College Classes</u>
6172.1	<u>Concurrent Enrollment In College Classes</u>
6173	<u>Education For Homeless Children</u>
6173	<u>Education For Homeless Children</u>
6173-E(1)	<u>Education For Homeless Children</u>
6173.2	<u>Education Of Children Of Military Families</u>
6177	<u>Summer Learning Programs</u>
6178	<u>Career Technical Education</u>
6178	<u>Career Technical Education</u>
6178.1	<u>Work-Based Learning</u>
6178.1	<u>Work-Based Learning</u>
6181	<u>Alternative Schools/Programs Of Choice</u>
6181	<u>Alternative Schools/Programs Of Choice</u>
6184	<u>Continuation Education</u>
6184	<u>Continuation Education</u>

COURSES OF STUDY (continued)**Legal Reference:****EDUCATION CODE**200 Educational equity220 Prohibition of discrimination234.1 Categorical program monitoring and prohibition of discrimination, harassment, intimidation, and bullying234.7 Student protections relating to immigration and citizenship status33319.3 Driver education; CDE materials on road rage33540 Government and civics instruction in interaction with government agencies48980 Parental notifications49060-49079 Student records51202 Instruction in personal and public health and safety51203 Instruction on alcohol, narcotics and restricted dangerous drugs51204 Course of study designed for student's needs51204.5 Social science instruction; history of California; contributions of various groups51210-51212 Course of study for grades 1-651220-51230 Course of study for grades 7-1251241 Exemption from physical education51911-51921 Comprehensive health education51930-51939 California Healthy Youth Act51940 Curriculum for brain and spinal cord injury prevention60040-60052 Requirements for instructional materials66204 Certification of high school courses as meeting university admission criteria**GOVERNMENT CODE**7282-7282.5 Standards for responding to U.S. Immigration and Customs enforcement holds7283-7283.2 Standards for participation in U.S. Immigration and Customs enforcement programs7284-7284.12 Cooperation with immigration authorities11135 Discrimination**HEALTH AND SAFETY CODE**11032 Definitions of dangerous drugs**PENAL CODE**422.55 Hate crime**CODE OF REGULATIONS, TITLE 5**430-438 Student Records4940 Nondiscrimination; course access10020-10043 Automobile driver education and training10060 Physical education program**UNITED STATES CODE, TITLE 20**1232g Family Educational Rights and Privacy Act**CODE OF FEDERAL REGULATIONS, TITLE 34**99.1-99.67 Family Educational Rights and Privacy Act**Management Resources: (see next page)**

COURSES OF STUDY (continued)

Management Resources:

WEB SITES

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

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

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

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

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

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

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

California Student Aid Commission: <https://www.csac.ca.gov>

Federal Student Aid: <https://studentaid.gov>

University of California, a-g Course Submissions:

<https://hs-articulation.ucop.edu/guide/update-your-a-g-list/submitting-courses>

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

U.S. Department of Education: <https://www.ed.gov>

COURSES OF STUDY

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

(cf. 6011 - Academic Standards)

(cf. 6141 - Curriculum Development and Evaluation)

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

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

The district shall not provide any course separately 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, 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 - Advanced Placement)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6178 - Career Technical Education)

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

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

Legal Reference:

EDUCATION CODE

200 Educational equity

220 Prohibition of discrimination

234.1 Categorical program monitoring and prohibition of discrimination, harassment, intimidation, and bullying

234.7 Student protections relating to immigration and citizenship status

33319.3 Driver education; CDE materials on road rage

33540 Government and civics instruction in interaction with government agencies

48980 Parental notifications

49060-49079 Student records

51202 Instruction in personal and public health and safety

51203 Instruction on alcohol, narcotics and restricted dangerous drugs

51204 Course of study designed for student's needs

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

51210-51212 Course of study for grades 1-6

51220-51230 Course of study for grades 7-12

51241 Exemption from physical education

51911-51921 Comprehensive health education

51930-51939 California Healthy Youth Act

51940 Curriculum for brain and spinal cord injury prevention

60040-60052 Requirements for instructional materials

66204 Certification of high school courses as meeting university admission criteria

GOVERNMENT CODE

7282-7282.5 Standards for responding to U.S. Immigration and Customs enforcement holds

7283-7283.2 Standards for participation in U.S. Immigration and Customs enforcement programs

7284-7284.12 Cooperation with immigration authorities

11135 Discrimination

HEALTH AND SAFETY CODE

11032 Definitions of dangerous drugs
PENAL CODE
422.55 Hate crime
CODE OF REGULATIONS, TITLE 5
430-438 Student Records
4940 Nondiscrimination; course access
10020-10043 Automobile driver education and training
10060 Physical education program
UNITED STATES CODE, TITLE 20
1232g Family Educational Rights and Privacy Act
CODE OF FEDERAL REGULATIONS, TITLE 34
99.1-99.67 Family Educational Rights and Privacy Act

Management Resources:

WEB SITES

CSBA: <http://www.csba.org>
American Heart Association: <https://www.heart.org>
American Red Cross, Hands-Only CPR: <https://www.redcross.org/take-a-class>
California Career Resource Network: <http://www.californiacareers.info>
California Colleges.edu: <http://www.californiacolleges.edu>
California Department of Education: <https://www.cde.ca.gov>
California State University, Admission Requirements: http://www.csumentor.edu/planning/high_school
California Student Aid Commission: <https://www.csac.ca.gov>
Federal Student Aid: <https://studentaid.gov>
*University of California, a-g Course Submissions:
<https://hs-articulation.ucop.edu/guide/update-your-a-g-list/submitting-courses>*
University of California, List of Approved a-g Courses: <https://hs-articulation.ucop.edu/agcourselist>
U.S. Department of Education: <https://www.ed.gov>

Policy ALAMEDA UNIFIED SCHOOL DISTRICT

adopted: August 25, 2009 Alameda, California

revised: May 8, 2012

revised: February 11, 2020

revised:

Policy 6146.1: High School Graduation Requirements

Status:
ADOPTED

Original Adopted Date: 06/12/2012 | **Last Revised Date:** 06/08/2021 | **Last Reviewed Date:** 06/08/2021

Instruction

BP 6146.1(a)

HIGH SCHOOL GRADUATION REQUIREMENTS

The Governing Board desires to prepare all students to successfully complete the high school course of study and obtain a diploma that represents their educational achievement and increases their opportunities for postsecondary education and employment.

Pathway

Support

~~Alameda Unified School District is to support 9th—12th-grade students understand the multiple pathways to earning high school credit toward graduation along with the necessary classes that need to be taken in order to achieve A-G readiness. Students' will be given multiple opportunities to engage with staff to learn about opportunities that exist outside the traditional high school such as concurrent enrollment at the Peralta colleges or alternative programs to help plan their own path to college and career.~~

Course

Requirements

(cf. 5127 - Graduation Ceremonies and Activities)

(cf. 5147 - Dropout Prevention)

(cf. 6011 - Academic Standards)

(cf. 6143 - Courses of Study)

(cf. 6146.3 - Reciprocity of Academic Credit)

Course Requirements

To obtain a high school diploma, students shall complete the following courses in grades 9-12, with each course being one year unless otherwise specified:

~~Four~~

~~1.~~ 1. _____ Three courses in English - (Education Code 51225.3)

(cf. 6142.91 - Reading/Language Arts Instruction)

2. _____ Two courses in mathematics - _____ (Education Code 51225.3)

~~At~~

~~Students shall complete at least one mathematics course, or a combination of the two mathematics courses, shall meet or exceed that meets the~~ state academic content standards for Algebra I or Mathematics I. ~~Completion of~~ Students may complete such coursework prior to grade 9 ~~shall satisfy the Algebra I or Mathematics I requirement, but shall not exempt a student from the requirement to~~ provided that they also complete two mathematics courses in grades 9-12. - (Education Code 51224.5)

~~2.~~ S
tudents may be awarded up to one mathematics course credit for successful completion of an approved computer science course that is classified as a "category c" course based on the "a-g" course requirements for college admission. ~~-, which may be counted toward additional graduation requirements in mathematics.~~ (Education Code 51225.3, 51225.35)
-

~~3. Two courses in laboratory sciences (including a year each in both biological and physical lab sciences that are approved UC "d" requirements). Students shall be counseled that foundational science requirements for state public college admission include completion of 1) Biology and 2) Chemistry or Physics. Students shall be counseled that these two years of laboratory science are required for UC-CSU admission but that three years of lab science are recommended. This graduation requirement takes effect for AUSD students graduating in 2020 and thereafter. (Education Code 51225.3)~~
-

~~Four~~

~~(cf. 6142.92 - Mathematics Instruction)~~

~~(cf. 6152.1 - Placement in Mathematics Courses)~~

~~3. Two courses in science, including biological and physical sciences (Education Code 51225.3)~~

~~(cf. 6142.93 - Science Instruction)~~

~~4. 4.~~ ~~Three~~ courses in social studies, including United States history and geography; world history, culture, and geography; a one-semester course in ~~Ethnic Studies, a one-semester course in~~ American ~~Government~~ government and ~~Civics~~ civics; and a one-semester course in ~~Economics~~ economics (Education Code 51225.3)
-

~~(cf. 6142.3 - Civic Education)~~

~~(cf. 6142.94 - History-Social Science Instruction)~~

BP 6146.1(b)

HIGH SCHOOL GRADUATION REQUIREMENTS (continued)

5. One course in visual or performing arts, world language, or career technical education (CTE). - For purposes of this requirement, a course in American Sign Language shall be deemed a course in world language. - (Education Code 51225.3)

~~5.~~ To be counted towards meeting graduation requirements, a CTE course shall be aligned to the CTE model curriculum standards and framework adopted by the State Board of Education. - (Education Code 51225.3)

(cf. 6142.2 - World Language Instruction)

(cf. 6142.6 - Visual and Performing Arts Education)

(cf. 6178 - Career Technical Education)

(cf. 6178.2 - Regional Occupational Center/Program)

6. 6. Two courses in physical education, unless the student has been otherwise exempted pursuant to other sections of the Education Code (Education Code 51225.3)

~~7. One course in Navigating Life (one semester)~~

~~The normal course load for students is six courses per semester.~~

~~a. Each student must complete a total of 220 credits for graduation.~~

~~b. Each student shall complete a total of 20 hours of community service work during the 10th, 11th, and/or 12th grade(s) with the exception of the Class of 2021 and 2022.~~

~~Only passing grades of "D" or above will be used to establish credit. Class standing will be based upon the individual accumulation of credit as follows:~~

(cf. 6142.7 - Physical Education and Activity)

(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)

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

(cf. 6142.8 - Comprehensive Health Education)

Because the prescribed course of study may not accommodate the needs of some students, the Board shall provide alternative means for the completion of prescribed courses in accordance with law.

(cf. 6146.11 - Alternative Credits Toward Graduation)
(cf. 6146.2 - Certificate of Proficiency/High School Equivalency)
(cf. 6146.4 - Differential Graduation and Competency Standards for Students with Disabilities)

Exemptions from District-Adopted Graduation Requirements

District students are required to complete graduation course requirements specified above, including the requirements imposed by Education Code 51225.3 and those adopted by the Board. However, a foster youth, homeless student, former juvenile court school student, child of a military family, or migrant student who transfers into the district or between district schools any time after completing the second year of high school, or a newly arrived immigrant student who is in the third or fourth year of high school and is participating in a

BP 6146.1(c)

HIGH SCHOOL GRADUATION REQUIREMENTS (continued)

newcomer program, shall be exempted from any graduation requirements adopted by the Board that are in addition to statewide course requirements.

This exemption shall not apply if the Superintendent or designee makes a finding that the student is reasonably able to complete the requirements in time to graduate by the end of the fourth year of high school.

Within 30 days of the transfer into a school or of the commencement of participation in a newcomer program, as applicable, the Superintendent or designee shall notify any eligible student of the availability of the exemption and whether the student qualifies for it. -(Education Code 51225.1)

(cf. 1312.3 - Uniform Complaint Procedures)
(cf. 5145.6 - Parental Notifications)
(cf. 6173 - Education for Homeless Children)
(cf. 6173.1 - Education for Foster Youth)
(cf. 6173.2 - Education of Children of Military Families)
(cf. 6173.3 - Education for Juvenile Court School Students)
(cf. 6175 - Migrant Education Program)

If during the 2020-21 school year a student was in the third or fourth year of high school and is not on track to graduate in four years, the district shall exempt the student from any local graduation requirements adopted by the Board that are in addition to statewide course requirements specified in Education Code 51225.3. (Education Code 51225)

Continuation High School Graduation Requirements

The following requirements are specific to AUSD's continuation high school program. Students who return to a comprehensive or other non-continuation program will be required to complete the standard AUSD graduation requirements outlined in BP 6146.1.

Course Requirements

To obtain a diploma of graduation from the district's continuation high school, AUSD students shall complete at least the following courses in grades 9-12, with each course being an equivalent of one year unless otherwise specified (Education Code 51225.3):

1. Three courses in English. (Education Code 51225.3)
2. Two courses in mathematics, one which must be Algebra I. A student who completes coursework in grades 7 through 12 that meets or exceeds state academic content standards for Algebra I in less than two courses shall be considered to have met the requirement for Algebra I. Completion, prior to grade 9, of algebra coursework that meets or exceeds state academic content standards shall not exempt a student from the requirement to complete two mathematics courses in grades 9-12. (Education Code 51224.5 and 51225.3)
3. Two courses in laboratory sciences (including a year each in both biological and physical lab sciences). Students shall be counseled that foundational science requirements for state public college admission include completion of 1) Biology and 2) Chemistry or Physics. Students shall be counseled that two years of approved laboratory science are required for UC-CSU admission but that three years of lab science are recommended. (Education Code 51225.3)
4. Four courses in social studies, including United States history and geography; world history, culture, and geography; a one semester course in Ethnic Studies; a one-semester course in American government and civics; and a one-semester course in economics. (Education Code 51225 .3)
5. One course in visual and performing arts and one course in world language. For purposes of this requirement, American Sign Language shall qualify as a world language (Education Code 51225.3). Students may substitute a course in career technical education for one of these required courses (Assembly Bill 1330). Students shall be counseled that one year of visual and performing arts and two years of world language are required for UC-CSU admission but three years of a world language are recommended for UC-CSU admission. This graduation requirement takes effect for students graduating in 2016 and thereafter.
6. Two courses in physical education, unless the student has been otherwise exempted pursuant to other sections of the Education Code (Education Code 51225.3). Because the prescribed course of study may not accommodate the needs of some students, the Board shall provide alternative means for the completion of prescribed courses in accordance with law.
7. One course in Navigating Life (one semester).

The Superintendent or designee shall exempt or waive specific course requirements for foster youth or children of military families in accordance with Education Code 51225.3 and 49701.

1. Each student must complete a total of 200 credits for graduation.
2. Each student must attain a cumulative Grade Point Average (GPA) of not less than 1.75.
3. Each student shall complete a total of 20 hours of community service work during the 10th, 11th, and/or 12th grade(s).
4. Each student must complete at least two (2) of the following community college experiences:
 - a. Meet with a community college counselor
 - b. Complete a community college course
 - c. Create a community college online account
 - d. Participate in an official tour of a community college campus
5. Each student must complete all of the following as part of a career planning course or portfolio:
 - a. Resume
 - b. Cover Letter
 - c. Career Interest Survey/Inventory

Only passing grades of "D" or above will be used to establish credit. Class standing will be based upon the individual accumulation of credit as follows:

Because the prescribed course of study may not accommodate needs of some students, the Board shall provide alternative means for the completion of prescribed course in accordance with law.

Additional Opportunities to Complete Required Coursework

The Superintendent or designee shall provide a student who was enrolled in the third or fourth year of high school during the 2020-21 school year and is not on track to graduate in the 2020-21 or 2021-22 school years the opportunity to complete the statewide coursework required for graduation, which may include, but is not limited to, completion of the coursework through a fifth year of instruction, credit recovery, or other opportunity to complete the required coursework. (Education Code 51225)

Retroactive

Diplomas

Any student who completed grade 12 in the 2003-04 through 2014-15 school year and met all applicable graduation requirements other than the passage of the high school exit examination shall be granted a high school diploma. ~~(Education Code 51413)~~

~~In addition, the district may retroactively grant high school diplomas to former students who: (Education Code 48204.4, 51430, 51440) (Education Code 51413)~~

In addition, the district may retroactively grant high school diplomas to former students who: (Education Code 48204.4, 51430, 51440)

1. Departed California against their will while in grade 12 and did not receive a diploma because the departure interrupted their education, provided that they were in good academic standing at the time of the departure

BP 6146.1(d)

HIGH SCHOOL GRADUATION REQUIREMENTS (continued)

Persons may be considered to have departed California against their will if they were in custody of a government agency and were transferred to another state, were subject to a lawful order from a court or government agency that authorized their removal from California, were subject to a lawful order and were permitted to depart California before being removed from California pursuant to the lawful order, were removed or were permitted to depart voluntarily pursuant to the federal Immigration and Nationality Act, or departed due to other circumstances determined by the district that are consistent with the purposes of Education Code 48204.4.

- ~~1.~~ In determining whether to award a diploma under these circumstances, the Superintendent or designee shall consider any coursework that may have been completed outside of the United States or through online or virtual courses.

2. Were interned by order of the federal government during World War II or are honorably discharged veterans of World War II, the Korean War, or the Vietnam War, provided that they were enrolled in a district school immediately preceding the internment or military service and did not receive a diploma because their education was interrupted due to the internment or military service in those wars.

- ~~2.~~ Deceased former students who satisfy these conditions may be granted a retroactive diploma to be received by their next of kin.

- ~~3.~~ 3. Are veterans who entered the military service of the United States while in grade 12 and who had satisfactorily completed the first half of the work required for grade 12 in a district school.

4. ~~4.~~ Were in their senior year of high school during the 2019-20 school year, were in good academic standing and on track to graduate at the end of the 2019-20 school year as of March 1, 2020, and were unable to complete the statewide graduation requirements as a result of the COVID-19 crisis-

Honorary

Diplomas

The Board may grant an honorary high school diploma to: ~~-(Education Code 51225.5)~~

- ~~1.~~ 1. An international exchange student who has not completed the course of study ordinarily required for graduation and who is returning to the student's home country following the completion of one academic school year in the district

(cf. 6145.6 - International Exchange)

- ~~2.~~ 2. _____ A student who is terminally ill

BP 6146.1(e)

HIGH SCHOOL GRADUATION REQUIREMENTS (continued)

The honorary diploma shall be clearly distinguishable from the regular diploma of graduation awarded by the district. ~~-(Education Code 51225.5)~~

~~Certificates _____ of _____ Completion~~

~~Any Special Education student who completes a course of study as prescribed in the Individual Education Plan (but whose IEP Team determines s/he is unable to meet AUSD graduation requirements because of disability) will receive an AUSD Certificate of Completion and may participate in commencement exercise. (Education Code 51225.5)~~

Policy

Legal 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 1600-1651~~

~~5 CCR 4600-4670~~

~~Ed. Code 47612~~

~~Ed. Code 48200~~

~~Ed. Code 48204.4~~

~~Ed. Code 48412~~

Description

~~Graduation of students from grade 12 and credit toward graduation~~

~~Uniform complaint procedures~~

~~Enrollment in charter school~~

~~Compulsory attendance~~

~~Parents/guardians departing California against their will~~

~~Certificate of proficiency~~

Ed. Code 48430	Continuation education schools and classes
Ed. Code 48645.5	Former juvenile court school students, enrollment
Ed. Code 48980	Required notification at beginning of term
Ed. Code 49701	Provisions of the interstate compact on educational opportunities for military children
Ed. Code 51224	Skills and knowledge required for adult life
Ed. Code 51224.5	Algebra in course of study for grades 7-12
Ed. Code 51225.1	Exemption from district graduation requirements
Ed. Code 51225.2	Former juvenile court school student defined; acceptance of coursework, credits, retaking of course
Ed. Code 51225.3	High school graduation
Ed. Code 51225.35	Mathematics course requirements; computer science
Ed. Code 51225.36	Instruction in sexual harassment and violence; districts that require health education for graduation
Ed. Code 51225.5	Honorary diplomas; foreign exchange students
Ed. Code 51225.6	Instruction in cardiopulmonary resuscitation
Ed. Code 51228	Graduation requirements
Ed. Code 51230	Credit for community emergency response training
Ed. Code 51240-51246	Exemptions from requirements
Ed. Code 51250-51251	Assistance to military dependents
Ed. Code 51410-51413	Diplomas
Ed. Code 51420-51427	High school equivalency certificates
Ed. Code 51430	Retroactive high school diplomas
Ed. Code 51440	Retroactive high school diplomas
Ed. Code 51450-51455	Golden State Seal Merit Diploma
Ed. Code 51745	Independent study
Ed. Code 56390-56392	Recognition for educational achievement, special education
Ed. Code 66204	Certification of high school courses as meeting university admission criteria
Ed. Code 67386	Student safety; affirmative consent standard
Management Resources	Description
Court Decision	O'Connell v. Superior Court (Valenzuela), (2006) 141 Cal.App.4th 1452
Website	University of California, List of Approved a-g Courses
Website	California Department of Education, High School
Website	CSBA

Cross-References

Code	Description
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3-E(1)	Uniform Complaint Procedures
4112.2	Certification
4112.2	Certification
5127	Graduation Ceremonies And Activities
5145.6	Parental Notifications
5145.6-E(1)	Parental Notifications

5147	<u>Dropout Prevention</u>
6000	<u>Concepts And Roles</u>
6011	<u>Academic Standards</u>
6141	<u>Curriculum Development And Evaluation</u>
6141	<u>Curriculum Development And Evaluation</u>
6142.1	<u>Sexual Health And HIV/AIDS Prevention Instruction</u>
6142.1	<u>Sexual Health And HIV/AIDS Prevention Instruction</u>
6142.2	<u>World Language Instruction</u>
6142.2	<u>World Language Instruction</u>
6142.3	<u>Civic Education</u>
6142.4	<u>Service Learning/Community Service Classes</u>
6142.6	<u>Visual And Performing Arts Education</u>
6142.7	<u>Physical Education And Activity</u>
6142.7	<u>Physical Education And Activity</u>
6142.8	<u>Comprehensive Health Education</u>
6142.91	<u>Reading/Language Arts Instruction</u>
6142.91	<u>Reading/Language Arts Instruction</u>
6142.92	<u>Mathematics Instruction</u>
6142.93	<u>Science Instruction</u>
6142.94	<u>History Social Science Instruction</u>
6143	<u>Courses Of Study</u>
6143	<u>Courses Of Study</u>
6145	<u>Extracurricular And Cocurricular Activities</u>
6145	<u>Extracurricular And Cocurricular Activities</u>
6145.2	<u>Athletic Competition</u>
6145.2	<u>Athletic Competition</u>
6145.6	<u>International Exchange</u>
6145.6	<u>International Exchange</u>
6146.11	<u>Alternative Credits Toward Graduation</u>
6146.11	<u>Alternative Credits Toward Graduation</u>
6146.2	<u>Certificate Of Proficiency/High School Equivalency</u>
6146.2	<u>Certificate Of Proficiency/High School Equivalency</u>
6146.2 E(1)	<u>Certificate Of Proficiency/High School Equivalency</u>
6146.3	<u>Reciprocity Of Academic Credit</u>
6146.3	<u>Reciprocity Of Academic Credit</u>
6146.4	<u>Differential Graduation And Competency Standards For Students With Disabilities</u>
6151	<u>Class Size</u>
6151	<u>Class Size</u>
6152.1	<u>Placement In Mathematics Courses</u>
6152.1	<u>Placement In Mathematics Courses</u>
6155	<u>Challenging Courses By Examination</u>
6155	<u>Challenging Courses By Examination</u>
6158	<u>Independent Study</u>
6158	<u>Independent Study</u>
6159	<u>Individualized Education Program</u>
6159	<u>Individualized Education Program</u>
6159.2	<u>Nonpublic, Nonsectarian School And Agency Services For Special Education</u>

6159.2	<u>Nonpublic, Nonsectarian School And Agency Services For Special Education</u>
6161.1	<u>Selection And Evaluation Of Instructional Materials</u>
6161.1	<u>Selection And Evaluation Of Instructional Materials</u>
6161.1-E(1)	<u>Selection And Evaluation Of Instructional Materials</u>
6162.5	<u>Student Assessment</u>
6172.1	<u>Concurrent Enrollment In College Classes</u>
6172.1	<u>Concurrent Enrollment In College Classes</u>
6173	<u>Education For Homeless Children</u>
6173	<u>Education For Homeless Children</u>
6173-E(1)	<u>Education For Homeless Children</u>
6173.1	<u>Education For Foster Youth</u>
6173.1	<u>Education For Foster Youth</u>
6173.2	<u>Education Of Children Of Military Families</u>
6175	<u>Migrant Education Program</u>
6175	<u>Migrant Education Program</u>
6176	<u>Weekend/Saturday Classes</u>
6176	<u>Weekend/Saturday Classes</u>
6177	<u>Summer Learning Programs</u>
6178	<u>Career Technical Education</u>
6178	<u>Career Technical Education</u>
6178.1	<u>Work-Based Learning</u>
6178.1	<u>Work-Based Learning</u>
6178.2	<u>Regional Occupational Center/Program</u>
6179	<u>Supplemental Instruction</u>
6179	<u>Supplemental Instruction</u>
6181	<u>Alternative Schools/Programs Of Choice</u>
6181	<u>Alternative Schools/Programs Of Choice</u>
6184	<u>Continuation Education</u>
6184	<u>Continuation Education</u>
6200	<u>Adult Education</u>
6200	<u>Adult Education</u>
6200-E(1)	<u>Adult Education</u>
9000	<u>Role Of The Board</u>

EDUCATION CODE

47612 Enrollment in charter school

48200 Compulsory attendance

48204.4 Parents/guardians departing California against their will

48412 Certificate of proficiency

48430 Continuation education schools and classes

48645.5 Acceptance of coursework

48980 Required notification at beginning of term

49701 Interstate Compact on Educational Opportunity for Military Children

51224 Skills and knowledge required for adult life

51224.5 Algebra instruction

51225 2020-21 exemption from graduation requirements

51225.1 Exemption from district graduation requirements

51225.2 Student in foster care defined; acceptance of coursework, credits, retaking of course

51225.3 High school graduation

51225.35 Mathematics course requirements; computer science

51225.36 Instruction in sexual harassment and violence; districts that require health education for graduation

51225.5 Honorary diplomas
51225.6 Compression-only cardiopulmonary resuscitation
51228 Graduation requirements
51230 Credit for community emergency response training
51240-51246 Exemptions from requirements
51250-51251 Assistance to military dependents
51410-51413 Diplomas
51420-51427 High school equivalency certificates
51430 Retroactive high school diplomas
51440 Retroactive high school diplomas
51450-51455 Golden State Seal Merit Diploma
51745 Independent study restrictions
56390-56392 Recognition for educational achievement, special education
66204 Certification of high school courses as meeting university admissions criteria
67386 Student safety; affirmative consent standard
CODE OF REGULATIONS, TITLE 5
1600-1651 Graduation of students from grade 12 and credit toward graduation
4600-4670 Uniform complaint procedures
COURT DECISIONS
O'Connell v. Superior Court (Valenzuela), (2006) 141 Cal.App.4th 1452

Management Resources: (see next page)

BP 6146.1(f)

HIGH SCHOOL GRADUATION REQUIREMENTS (continued)

Management Resources:

WEB SITES

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

California Department of Education, High School: <http://www.cde.ca.gov/ci/gs/hs>

University of California, List of Approved a-g Courses:

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

<u>Policy</u>	<u>CSBA POLICY MANUAL UPDATE</u>
<u>adopted:</u>	<u>September 2021</u>

HIGH SCHOOL GRADUATION REQUIREMENTS

The Governing Board desires to prepare all students to successfully complete the high school course of study and obtain a diploma that represents their educational achievement and increases their opportunities for postsecondary education and employment.

Pathway Support

Alameda Unified School District is to support 9th – 12th grade students understand the multiple pathways to earning high school credit toward graduation along with the necessary classes that need to be taken in order to achieve A-G readiness. Students' will be given multiple opportunities to engage with staff to learn about opportunities that exist outside the traditional high school such as concurrent enrollment at the Peralta colleges or alternative programs to help plan their own path to college and career.

(cf. 5127 - Graduation Ceremonies and Activities)

(cf. 5147 - Dropout Prevention)

(cf. 6011 - Academic Standards)

(cf. 6143 - Courses of Study)

(cf. 6146.3 - Reciprocity of Academic Credit)

Course Requirements

To obtain a high school diploma, students shall complete the following courses in grades 9-12, with each course being one year unless otherwise specified:

1. Four courses in English (Education Code 51225.3)

(cf. 6142.91 - Reading/Language Arts Instruction)

2. Two courses in Mathematics (Education Code 51225.3)

Students shall complete at least one mathematics course that meets the state academic content standards for Algebra I or Mathematics I. Students may complete such coursework prior to grade 9 provided that they also complete two mathematics courses in grades 9-12. (Education Code 51224.5)

Students may be awarded up to one mathematics course credit for successful completion of an approved computer science course that is classified as a "category c" course based on the "a-g" course requirements for college admission, which may be counted toward additional graduation requirements in mathematics. (Education Code 51225.3, 51225.35)

(cf. 6142.92 - Mathematics Instruction)

(cf. 6152.1 - Placement in Mathematics Courses)

3. Two courses in Laboratory Sciences (including a year each in both biological and physical lab sciences that are approved UC "d" requirements). Students shall be counseled that foundational science requirements for state public college admission include completion of 1) Biology and 2) Chemistry or Physics. Students shall be counseled that these two years of laboratory science are required for UC-CSU admission but that three years of lab science are recommended. This graduation requirement takes effect for AUSD students graduating in 2020 and thereafter. (Education Code 51225.3)

(cf. 6142.93 - Science Instruction)

4. Four courses in Social Studies, including United States History and Geography; World History, Culture, and Geography; a one-semester course in American Government and Civics; and a one-semester course in Economics (Education Code 51225.3)

(cf. 6142.3 - Civic Education)

(cf. 6142.94 - History-Social Science Instruction)

5. One course in Visual or Performing Arts, World Language, or Career Technical Education (CTE). For purposes of this requirement, a course in American Sign Language shall be deemed a course in World Language. (Education Code 51225.3)

To be counted towards meeting graduation requirements, a CTE course shall be aligned to the CTE model curriculum standards and framework adopted by the State Board of Education. (Education Code 51225.3)

(cf. 6142.2 - World Language Instruction)

(cf. 6142.6 - Visual and Performing Arts Education)

(cf. 6178 - Career Technical Education)

(cf. 6178.2 - Regional Occupational Center/Program)

6. Two courses in Physical Education, unless the student has been otherwise exempted pursuant to other sections of the Education Code (Education Code 51225.3)

(cf. 6142.7 - Physical Education and Activity)

7. One course in Navigating Life (one semester)

The normal course load for students is six courses per semester.

- a. Each student must complete a total of 220 credits for graduation.
- b. Each student shall complete a total of 20 hours of community service work during the 10th, 11th, and/or 12th grade(s) with the exception of the Class of 2021 and 2022.

(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)

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

(cf. 6142.8 - Comprehensive Health Education)

Only passing grades of "D" or above will be used to establish credit. Class standing will be based upon the individual accumulation of credit as follows:

Because the prescribed course of study may not accommodate the needs of some students, the Board shall provide alternative means for the completion of prescribed courses in accordance with law.

(cf. 6146.11 - Alternative Credits Toward Graduation)

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

(cf. 6146.4 - Differential Graduation and Competency Standards for Students with Disabilities)

Exemptions from District-Adopted Graduation Requirements

District students are required to complete graduation course requirements specified above, including the requirements imposed by Education Code 51225.3 and those adopted by the Board. However, a foster youth, homeless student, former juvenile court school student, child of a military family, or migrant student who transfers into the district or between district schools any time after completing the second year of high school, or a newly arrived immigrant student who is in the third or fourth year of high school and is participating in a newcomer program, shall be exempted from any graduation requirements adopted by the Board that are in addition to statewide course requirements. This exemption shall not apply if the Superintendent or designee makes a finding that the student is reasonably able to complete the requirements in time to graduate by the end of the fourth year of high school.

Within 30 days of the transfer into a school or of the commencement of participation in a newcomer program, as applicable, the Superintendent or designee shall notify any eligible student of the availability of the exemption and whether the student qualifies for it. (Education Code 51225.1)

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 5145.6 - Parental Notifications)

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

(cf. 6173.2 - Education of Children of Military Families)

(cf. 6173.3 - Education for Juvenile Court School Students)

(cf. 6175 - Migrant Education Program)

If during the 2020-21 school year a student was in the third or fourth year of high school and is not on track to graduate in four years, the district shall exempt the student from any local graduation requirements adopted by the Board that are in addition to statewide course requirements specified in Education Code 51225.3. (Education Code 51225)

Continuation High School Graduation Requirements

The following requirements are specific to AUSD's continuation high school program. Students who return to a comprehensive or other non-continuation program will be required to complete the standard AUSD graduation requirements outlined in BP 6146.1.

Course Requirements

To obtain a diploma of graduation from the district's continuation high school, AUSD students shall complete at least the following courses in grades 9-12, with each course being an equivalent of one year unless otherwise specified (Education Code [51225.3](#)):

1. Three courses in English. (Education Code [51225.3](#))
2. Two courses in mathematics, one which must be Algebra I. A student who completes coursework in grades 7 through 12 that meets or exceeds state academic content standards for Algebra I in less than two courses shall be considered to have met the requirement for Algebra I. Completion, prior to grade 9, of algebra coursework that meets or exceeds state academic content standards shall not exempt a student from the requirement to complete two mathematics courses in grades 9-12. (Education Code [51224.5](#) and [51225.3](#))
3. Two courses in laboratory sciences (including a year each in both biological and physical lab sciences). Students shall be counseled that foundational science requirements for state public college admission include completion of 1) Biology and 2) Chemistry or Physics. Students shall be counseled that two years of approved laboratory science are required for

UC-CSU admission but that three years of lab science are recommended. (Education Code [51225.3](#))

4. Four courses in social studies, including United States history and geography; world history, culture, and geography; a one semester course in Ethnic Studies; a one-semester course in American government and civics; and a one-semester course in economics. (Education Code 51225 .3)
5. One course in visual and performing arts and one course in world language. For purposes of this requirement, American Sign Language shall qualify as a world language (Education Code [51225.3](#)). Students may substitute a course in career technical education for one of these required courses (Assembly Bill 1330). Students shall be counseled that one year of visual and performing arts and two years of world language are required for UC-CSU admission but three years of a world language are recommended for UC-CSU admission. This graduation requirement takes effect for students graduating in 2016 and thereafter.
6. Two courses in physical education, unless the student has been otherwise exempted pursuant to other sections of the Education Code (Education Code [51225.3](#)). Because the prescribed course of study may not accommodate the needs of some students, the Board shall provide alternative means for the completion of prescribed courses in accordance with law.
7. One course in Navigating Life (one semester).

The Superintendent or designee shall exempt or waive specific course requirements for foster youth or children of military families in accordance with Education Code [51225.3](#) and [49701](#).

1. Each student must complete a total of 200 credits for graduation.
2. Each student must attain a cumulative Grade Point Average (GPA) of not less than 1.75.
3. Each student shall complete a total of 20 hours of community service work during the 10th, 11th, and/or 12th grade(s).
4. Each student must complete at least two (2) of the following community college experiences:
 - a. Meet with a community college counselor
 - b. Complete a community college course
 - c. Create a community college online account
 - d. Participate in an official tour of a community college campus
5. Each student must complete all of the following as part of a career planning course or portfolio:
 - a. Resume
 - b. Cover Letter
 - c. Career Interest Survey/Inventory

Only passing grades of "D" or above will be used to establish credit. Class standing will be based upon the individual accumulation of credit as follows:

Because the prescribed course of study may not accommodate needs of some students, the Board shall provide alternative means for the completion of prescribed course in accordance with law.

Additional Opportunities to Complete Required Coursework

The Superintendent or designee shall provide a student who was enrolled in the third or fourth year of high school during the 2020-21 school year and is not on track to graduate in the 2020-21 or 2021-22 school years the opportunity to complete the statewide coursework required for graduation, which may include, but is not limited to, completion of the coursework through a fifth year of instruction, credit recovery, or other opportunity to complete the required coursework. (Education Code 51225)

Retroactive Diplomas

Any student who completed grade 12 in the 2003-04 through 2014-15 school year and met all applicable graduation requirements other than the passage of the high school exit examination shall be granted a high school diploma. (Education Code 51413)

In addition, the district may retroactively grant high school diplomas to former students who: (Education Code 48204.4, 51430, 51440)

1. Departed California against their will while in grade 12 and did not receive a diploma because the departure interrupted their education, provided that they were in good academic standing at the time of the departure

Persons may be considered to have departed California against their will if they were in custody of a government agency and were transferred to another state, were subject to a lawful order from a court or government agency that authorized their removal from California, were subject to a lawful order and were permitted to depart California before being removed from California pursuant to the lawful order, were removed or were permitted to depart voluntarily pursuant to the federal Immigration and Nationality Act, or departed due to other circumstances determined by the district that are consistent with the purposes of Education Code 48204.4.

In determining whether to award a diploma under these circumstances, the Superintendent or designee shall consider any coursework that may have been completed outside of the United States or through online or virtual courses.

2. Were interned by order of the federal government during World War II or are honorably discharged veterans of World War II, the Korean War, or the Vietnam War, provided that they were enrolled in a district school immediately preceding the internment or military service and did not receive a diploma because their education was interrupted due to the internment or military service in those wars

Deceased former students who satisfy these conditions may be granted a retroactive diploma to be received by their next of kin.

3. Are veterans who entered the military service of the United States while in grade 12 and who had satisfactorily completed the first half of the work required for grade 12 in a district school
4. Were in their senior year of high school during the 2019-20 school year, were in good academic standing and on track to graduate at the end of the 2019-20 school year as of March 1, 2020, and were unable to complete the statewide graduation requirements as a result of the COVID-19 crisis

Honorary Diplomas

The Board may grant an honorary high school diploma to: (Education Code 51225.5)

1. An international exchange student who has not completed the course of study ordinarily required for graduation and who is returning to the student's home country following the completion of one academic school year in the district

(cf. 6145.6 - International Exchange)

2. A student who is terminally ill

The honorary diploma shall be clearly distinguishable from the regular diploma of graduation awarded by the district.

Certificates of Completion

Any Special Education student who completes a course of study as prescribed in the Individual Education Plan (but whose IEP Team determines s/he is unable to meet AUSD graduation requirements because of disability) will receive an AUSD Certificate of Completion and may participate in commencement exercise. (Education Code 51225.5)

Legal Reference:

EDUCATION CODE

47612 Enrollment in charter school
48200 Compulsory attendance
48204.4 Parents/guardians departing California against their will
48412 Certificate of proficiency
48430 Continuation education schools and classes
48645.5 Acceptance of coursework
48980 Required notification at beginning of term
49701 Interstate Compact on Educational Opportunity for Military Children
51224 Skills and knowledge required for adult life
51224.5 Algebra instruction
51225 2020-21 exemption from graduation requirements
51225.1 Exemption from district graduation requirements
51225.2 Student in foster care defined; acceptance of coursework, credits, retaking of course
51225.3 High school graduation
51225.35 Mathematics course requirements; computer science
51225.36 Instruction in sexual harassment and violence; districts that require health education for graduation
51225.5 Honorary diplomas
51225.6 Compression-only cardiopulmonary resuscitation
51228 Graduation requirements
51230 Credit for community emergency response training
51240-51246 Exemptions from requirements
51250-51251 Assistance to military dependents
51410-51413 Diplomas
51420-51427 High school equivalency certificates
51430 Retroactive high school diplomas
51440 Retroactive high school diplomas
51450-51455 Golden State Seal Merit Diploma
51745 Independent study restrictions
56390-56392 Recognition for educational achievement, special education
66204 Certification of high school courses as meeting university admissions criteria
67386 Student safety; affirmative consent standard

CODE OF REGULATIONS, TITLE 5

1600-1651 Graduation of students from grade 12 and credit toward graduation
4600-4670 Uniform complaint procedures

COURT DECISIONS

O'Connell v. Superior Court (Valenzuela), (2006) 141 Cal.App.4th 1452

Management Resources:

WEB SITES

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

California Department of Education, High School: <http://www.cde.ca.gov/ci/gs/hs>

University of California, List of Approved a-g Courses:

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

Policy ALAMEDA UNIFIED SCHOOL DISTRICT

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CSBA POLICY MANUAL UPDATE
September 2021

Policy 6158: Independent Study

Status:
ADOPTED

Original Adopted Date: 09/28/2010 | Last Revised Date: 11/10/2015 | Last Reviewed Date: 11/10/2015

Instruction

BP 6158(a)

INDEPENDENT STUDY

The Governing Board authorizes independent study as an optional alternative instructional strategy for ~~eligible~~ students whose needs may be best met through study outside of the regular classroom setting. Independent study shall offer a means of individualizing the educational plan to serve students who desire a more challenging educational experience, whose health or other personal circumstances make classroom attendance difficult, who are unable to access course(s) due to scheduling problems, and/or who need to make up credits or fill gaps in their learning. As necessary to meet student needs, independent study may be offered on a full-time ~~basis or on a~~ part-time basis and in conjunction with part- or full-time classroom study.

The Superintendent or designee may provide a variety of independent study opportunities, including, but not limited to, through a program or class within a comprehensive school, an alternative school or program of choice, a ~~home-based format~~ charter school, and an online course.

~~A student's~~

(cf. 0420.4 - Charter School Authorization)

(cf. 6181 - Alternative Schools/Programs of Choice)

Except for students who, during the 2021-2022 school year, cannot participate in classroom-based instruction due to quarantine or school closure for exposure to or infection with COVID-19, student participation in independent study shall be voluntary. ~~Students participating in independent study shall have the right, at any time, to enter or return to the regular classroom mode of instruction.~~ (Education Code 51747.5, 51749.5-CCR 41700, 51749.6)

Parents/guardians

Independent study for each student shall be under the general supervision of ~~students who are interested in~~ a district employee who possesses a valid certification document pursuant to Education Code 44865 or an emergency credential pursuant to Education Code 44300. Students' independent study shall ~~contact~~ be coordinated, evaluated, and documented, as prescribed by law and reflected in the accompanying administrative regulation. (Education Code 51747.5)

With the exception of students who, during the 2021-2022 school year, cannot participate in classroom-based instruction due to a quarantine or school closure for exposure to or infection with COVID-19, the minimum period of time for any independent study option shall be three consecutive school days. (Education Code 51747)

General Independent Study Requirements

For the 2021-22 school year, the district shall offer independent study, as specified in Education Code 51745, to meet the educational needs of students unless the district has obtained a waiver. (Education Code 51745)

For the 2022-23 school year and thereafter, the Superintendent or designee ~~The Superintendent or designee shall~~ may offer and approve independent study for an individual student ~~only~~ upon determining that the student is prepared to meet the district's requirements for independent study and is likely to succeed in independent study as well as or better than ~~he/she~~ the student would in the regular classroom setting.

BP 6158(b)

INDEPENDENT STUDY (continued)

(cf. 5147 - Dropout Prevention)

(cf. 6011 - Academic Standards)

(cf. 6143 - Courses of Study)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6146.11 - Alternative Credits Toward Graduation)

(cf. 6172 - Gifted and Talented Student Program)

(cf. 6200 - Adult Education)

The minimum ~~period of time for any instructional~~ minutes for students participating in independent study ~~option~~ shall be ~~five consecutive~~ the same as required for their peers at the school ~~days who are receiving in-person instruction, except~~

Written Agreements

~~The Superintendent or designee shall ensure that a written master agreement and, as appropriate, a learning agreement for students participating in course-based independent study exist for each participating student as prescribed otherwise permitted by law. (Education Code 51747, 51749.546100)~~

~~The master agreement shall specify the length of time in which each independent study assignment must be completed.~~

Because excessive leniency in the duration of independent study assignments may result in a student falling behind ~~his/her~~ peers and increase the risk of dropping out of school, independent study assignments shall be completed no more than ~~three weeks~~ one week after assigned for all grade levels and types of program. ~~However, when~~ When necessary based on the specific circumstances of the student's approved program, the Superintendent or designee may allow for a longer period of time between the date an assignment is made and when it is due, ~~up to~~. However, in no event shall the due date of an assignment be extended beyond the termination date of the agreement.

An evaluation shall be conducted to determine whether it is in a student's best interest to remain in independent study whenever the student fails to make satisfactory educational progress and/or misses three assignments, ~~unless the student's written agreement specifies a lower or higher number of missed assignments~~. Satisfactory educational progress shall be determined based on ~~the nature of the assignments, the total number of assignments, and/or other unique circumstances~~. all of the following indicators: (Education Code 51747)

~~Student-Teacher Conferences~~

~~Supervising teachers should establish an appropriate schedule for student teacher conferences in order to help identify students falling behind in their work or in danger of failing or dropping out of school. Teachers are expected to monitor student progress and work closely with each student to determine the amount and type of contact needed for the student to be successful in the program.~~

~~Missing appointments with the supervising teacher without valid reasons may trigger an evaluation to determine whether the student should remain in independent study.~~

~~Home-Based Independent Study~~

- ~~1. The student's achievement and engagement in the independent study program, as indicated by the student's performance on applicable student-level measures of student achievement and engagement specified in Education Code 52060~~
- ~~2. The completion of assignments, assessments, or other indicators that evidence that the student is working on assignments~~
- ~~3. Learning of required concepts, as determined by the supervising teacher~~
- ~~4. Progress towards successful completion of the course of study or individual course, as determined by the supervising teacher~~

~~The Superintendent or designee shall encourage parents/guardians desiring to teach their children at home to have their children participate in ensure that students participating in independent study. Such participation allows continued contact and cooperation between the school system and the home-based student and ensures that the student will be offered a are provided with content aligned to grade level standards-based education at a level of quality and intellectual challenge substantially equivalent to in-person instruction. For high schools, this shall include access to all courses offered by the district for graduation and approved by the University of California or the California State University as creditable under the A-G admissions criteria. (Education Code 51747)~~

BP 6158(c)

INDEPENDENT STUDY (continued)

The Superintendent or designee shall ensure that students participating in independent study for 15 school days or more receive the following throughout the school year: (Education Code 51747)

1. For students in grades transitional kindergarten, kindergarten, and grades 1 to 3, opportunities for daily synchronous instruction
2. For students in quality and quantity to grades 4-8, opportunities for both daily live interaction and at least weekly synchronous instruction

3. For students in grades 9-12, opportunities for at least weekly synchronous instruction

The Superintendent or designee shall ensure that procedures for tiered reengagement strategies are used for all students participating in an independent study program for 15 school days or more who: (Education Code 51747)

1. Are not generating attendance for more than three school days or 60 percent of the instructional days in a school week, or 10 percent of required minimum instructional time over four continuous weeks of the district's approved instructional calendar
2. Are found to be not participatory pursuant to Section 51747.5 for more than the greater of three schooldays or 60 percent of the scheduled days of synchronous instruction in a school month as applicable by grade span
3. Are in violation of their written agreement

Tiered reengagement strategies procedures used in district independent study programs shall include, but are not necessarily limited to, all of the following: (Education Code 51747)

1. Verification of current contact information for each enrolled student
2. Notification to parents/guardians of lack of participation within one school day of the recording of a non-attendance day or lack of participation
3. A plan for outreach from the school to determine student needs, including connection with health and social services as necessary
4. A clear standard for requiring a student-parent-educator conference to review a student's written agreement and reconsider the independent study program's impact on the student's achievement and well-being

BP 6158(d)

INDEPENDENT STUDY (continued)

The Superintendent or designee shall develop a plan to transition students whose families wish to return to in-person instruction from independent study expeditiously, and, in no case later, than five instructional days. This requirement only applies to students participating in an independent study program for 15 school days or more. (Education Code 51747)

The Superintendent or designee shall ensure that a written master agreement exists for each participating student as prescribed by law. (Education Code 51747, 51749.5)

The district shall provide written notice to the parents/guardians of all enrolled students of the option to enroll their child in in-person instruction or independent study during the 2021-22 school year. This notice shall be posted on the district's web site, and shall include, at a minimum, information about the right to request a student-parent-educator conference before enrollment, student rights regarding procedures for enrolling, disenrolling, and reenrolling in independent study, and the instructional time, including synchronous and asynchronous learning, that a student will have access to as part of independent study. (Education Code 51747)

Upon the request of the parent/guardian of a student, and before signing a written agreement as described below in the section "Master Agreement," the district shall conduct a telephone, videoconference, or in-person student-parent-educator conference or other meeting during which the student, parent/guardian, and, if requested, their advocate may ask questions about the educational options, including which curriculum offerings and nonacademic supports will be available to the student in independent study. (Education Code 51747)

Master Agreement

A written agreement shall be developed and implemented for each student participating in independent study for three or more consecutive school days. (Education Code 46300, 51747; 5 CCR 11703)

However, for the 2021-22 school year only, the district shall obtain a signed written agreement from each student participating in an independent study program for any length of time, no later than 30 days after the first day of instruction in the independent study program.

The agreement shall include general student data, including the student's name, address, grade level, birth date, school of enrollment, and program placement.

The independent study agreement for each participating student also shall include, but are not limited to, all of the following: (Education Code 51747; 5 CCR 11700, 11702)

1. The frequency, time, place and manner for submitting the student's assignments, reporting the student's academic progress, and communicating with a student's parent/guardian regarding the student's academic progress

BP 6158(e)

INDEPENDENT STUDY (continued)

2. The objectives and methods of study for the student's work and the methods used to evaluate that work
3. The specific resources that will be made available to the student, including materials and personnel, and access to Internet connectivity and devices adequate to participate in the educational program and complete assigned work
4. A statement of the Board's policy detailing the maximum length of time allowed

between an assignment and its completion, the level of satisfactory educational progress, and the number of missed assignments which will trigger an evaluation of whether the student should be allowed to continue in independent study

5. The duration of the independent study agreement, including the beginning and ending dates for the student's participation in independent study under the agreement, with a maximum of one school year
6. A statement of the number of course credits or, for the elementary grades, other measures of academic accomplishment appropriate to the agreement, to be earned by the student upon completion
7. A statement detailing the academic and other supports that will be provided to address the needs of students who are not performing at grade level, or need support in other areas, such as English learners, students with disabilities with an individualized education program or a Section 504 plan in order to be consistent with their program or plan, students in foster care or experiencing homelessness, and students requiring mental health supports.
8. A statement that independent study is an optional educational alternative in which no student may be required to participate

For the 2021-22 school year, this statement shall not be required for a student's participation in independent study if the student is unable to attend in-person instruction because of a quarantine or school closure mandated by a local or state health order or guidance due to the student's exposure to or infection with COVID-19.

9. In the case of a suspended or expelled student who is referred or assigned to any school, class, or program pursuant to Education Code 48915 or 48917, a statement that instruction may be provided through independent study only if the student is offered the alternative of classroom instruction-

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

BP 6158(f)

INDEPENDENT STUDY (continued)

10. Before the commencement of independent study, the agreement shall be signed and dated by the student, the student's parent/guardian or caregiver if the student is under age 18 years, the certificated employee responsible for the general supervision of independent study, and all persons who have direct responsibility for providing assistance to the student.

However, for the 2021-22 school year, the district shall obtain a signed written agreement for independent study from the student, or the student's parent/guardian if

the student is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of independent study, and all persons who have direct responsibility for providing assistance to the student, no later than 30 days after the first day of instruction in the independent study program or October 15, whichever date comes later.

Written agreements may be signed using an electronic signature that complies with state and federal standards, as determined by the California Department of Education (CDE). (Education Code 51747)

The parent/guardian's signature on the agreement shall constitute permission for the student to receive instruction through independent study.

Course-Based Independent Study

The district's course-based independent study program for students in grades K-12 shall be subject to the following requirements: (Education Code 51749.5)

1. A signed learning agreement shall be completed and on file for each participating student, pursuant to Education Code 51749.6
2. Courses shall be taught under the general supervision of certificated employees who hold the appropriate subject matter credential and are employed by the district or by another district, charter school, or county office of education with which the district has a memorandum of understanding to provide the instruction.

(cf. 4112.2 - Certification)

3. Courses shall be annually certified by Board resolution to be of the same rigor and educational quality and to provide intellectual challenge that is substantially equivalent to in-person, classroom-based instruction, and shall be aligned to all relevant local and state content standards. For high schools, this shall include access to all courses offered by the district for graduation and approved by the University of California or the California State University as creditable under the A-G admissions

BP 6158(g)

INDEPENDENT STUDY (continued)

criteria. The certification shall, at a minimum, include the duration, number of equivalent daily instructional minutes for each school day that student is enrolled, number of equivalent total instructional minutes, and number of course credits for each course, consistent with that of equivalent classroom-based courses. The certification shall also include plans to provide opportunities throughout the school year, for students in transitional kindergarten, kindergarten, and grades 1-3 to receive daily synchronous instruction, for students in grades 4-8, to receive both daily live interaction and at least weekly synchronous instruction, and for students in grades 9-12 to receive

at least weekly synchronous instruction.

4. Students enrolled in independent study courses shall meet the applicable age requirements established pursuant to Education Code 46300.1, 46300.4, 47612, and 47612.1, and the applicable residency and enrollment requirements established pursuant to Education Code 46300.2, 47612, 48204, and 51747.3.
5. For each student participating in an independent study course, satisfactory educational progress shall be determined based on the student's achievement and engagement in the independent study program, as indicated by their performance on applicable student-level measures of student achievement and student engagement set forth in Education Code 52060, completion of assignments, assessments, or other indicators that evidence that the student is working on assignments, learning of required concepts, as determined by the supervising teacher, and progress toward successful completion of the course of study or individual course, as determined by the supervising teacher.

If satisfactory educational progress in an independent study class is not being made, the teacher shall notify the student and, if the student is under age 18 years, the student's parent/guardian. The teacher shall conduct an evaluation to determine whether it is in the student's best interest to remain in the course or whether the student should be referred to an alternative program, which may include, but is not limited to, a regular school program. A written record of the evaluation findings shall be a mandatory interim student record maintained for three years from the date of the evaluation. If the student transfers to another California public school, the record shall be forwarded to that school.

Procedures for tiered reengagement strategies shall be used for all students who are not making satisfactory educational progress in one or more courses or who are in violation of the written learning agreement, as described in the section "Learning Agreement for Course-Based Independent Study" below. These procedures shall include, but are not necessarily limited to, the verification of current contact information for each enrolled student, notification to parents/guardians of lack of participation within one school day of the absence or lack of participation, a plan for

BP 6158(h)

INDEPENDENT STUDY (continued)

outreach from the school to determine student needs, including connection with health and social services as necessary, and a clear standard for requiring a student-parent-educator conference to review a student's written agreement and reconsider the independent study program's impact on the student's achievement and well-being.

(cf. 5125 - Student Records)

6. Examinations shall be administered by a proctor.

7. Statewide testing results shall be reported and assigned to the school at which the student is enrolled and shall be included in the aggregate results of the district. Test results also shall be disaggregated for purposes of comparisons with the test results of students enrolled in classroom-based courses.

(cf. 6162.51 - State Academic Achievement Tests)

8. A student shall not be required to enroll in courses included in the course-based independent study program.
9. The student-teacher ratio in the courses in this program shall meet the requirements of Education Code 51745.6.
10. For each student, the combined equivalent daily instructional minutes for courses in this program and all other courses shall meet applicable minimum instructional day requirements, and the student shall be offered the minimum annual total equivalent instructional minutes pursuant to Education Code 46200-46208.

(cf. 6111 - School Calendar)

(cf. 6112 - School Day)

11. Courses required for high school graduation or for admission to the University of California or California State University shall not be offered exclusively through independent study.
12. A student participating in this program shall not be assessed a fee that is prohibited by Education Code 49011.

(cf. 3260 - Fees and Charges)

13. A student shall not be prohibited from participating in independent study solely on the basis that the student does not have the materials, equipment, or access to Internet connectivity necessary to participate in the course.

BP 6158(i)

INDEPENDENT STUDY (continued)

14. A student with disabilities, as defined in Education Code 56026, shall not participate in course-based independent study, unless the student's individualized education program specifically provides for that participation.
15. A temporarily disabled student shall not receive individual instruction pursuant to Education Code 48206.3 through course-based independent study.
16. The district shall maintain a plan to transition any student whose family wishes to return to in-person instruction from course-based independent study expeditiously, and, in no

case, later than five instructional days.

Learning Agreement for Course-Based Independent Study

Before enrolling a student in a course within this program, the Superintendent or designee shall provide the student and, if the student is under age 18 years, the student's parent/guardian with a written learning agreement that includes all of the following: (Education Code 51749.6)

1. A summary of the district's policies and procedures related to course-based independent study pursuant to Education Code 51749.5
2. The duration of the enrolled course(s) and the number of course credits for each enrolled course, consistent with the Board certifications made pursuant to item #3 of the Course-Based Independent Study section above
3. The duration of the learning agreement, which shall not exceed a school year or span multiple school years
4. The learning objectives and expectations for each course, including, but not limited to, a description of how satisfactory educational progress is measured and when a student evaluation is required to determine whether the student should remain in the course or be referred to an alternative program, which may include, but is not limited to, a regular school program
5. The specific resources that will be made available to the student, including materials and personnel, and access to Internet connectivity and devices adequate to participate in the educational program and complete assigned work
6. A statement detailing the academic and other supports that will be provided to address the needs of students who are not performing at grade level, or need support in other areas, such as English learners, students with disabilities with an individualized education program or a Section 504 plan in order to be consistent with

BP 6158(j)

INDEPENDENT STUDY (continued)

their program or plan, students in foster care or experiencing homelessness, and students requiring mental health supports.

7. A statement that enrollment is an optional educational alternative in which no student may be required to participate. In the case of a student who is suspended or expelled, or who is referred or assigned to any school, class, or program pursuant to Education Code 48915 or 48917, the agreement also shall include the statement that instruction may be provided to the student through course-based independent study only if the student is offered the alternative of classroom instruction.

8. The manner, time, frequency, and place for submitting a student's assignments, for reporting the student's academic progress, and for communicating with a student's parent/guardian regarding a student's academic progress.
9. The objectives and methods of study for the student's work, and the methods used to evaluate that work.
10. A statement of the adopted policies regarding the maximum length of time allowed between the assignment and the completion of a student's assigned work, the level of satisfactory educational progress, and the number of missed assignments allowed before an evaluation of whether the student should be allowed to continue in course-based independent study.
11. A statement of the number of course credits or, for the elementary grades, other measures of academic accomplishment appropriate to the learning agreement, to be earned by the student upon completion.
12. For 2022-23 school year and thereafter, before the commencement of an independent study course, the learning agreement shall be signed and dated by the student, and by the student's parent/guardian or caregiver if the student is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of the independent study course, and all persons who have direct responsibility for providing assistance to the student. For purposes of this paragraph "caregiver" means a person who has met the requirements of Family Code 6550-6552.

For the 2021-22 school year only, the district shall obtain a signed written agreement for independent study from the student, or the student's parent/guardian if the student is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of the independent study course, and all persons who have direct responsibility for providing assistance to the pupil no later than 30 days after the first day of instruction.

BP 6158(k)

INDEPENDENT STUDY (continued)

Written agreements may be signed using an electronic signature that complies with state and federal standards, as determined by the CDE. (Education Code 51749.6)

A signed learning agreement from a parent/guardian of a student who is less than 18 years of age shall constitute the parent/guardian's permission for the student to receive instruction through course-based independent study. (Education Code 51749.6)

The Superintendent or designee shall retain a physical or electronic copy of the signed learning agreement for at least three years and as appropriate for auditing purposes. (Education Code 51749.6)

Upon the request of a student's parent/guardian, and before signing a written agreement as described above, the district shall conduct a telephone, videoconference, or in-person student-parent-educator conference, or other meeting during which the student, parent/guardian, or their advocate may ask questions about the educational options, including which curriculum offerings and nonacademic supports will be available to the student in independent study. (Education Code 51749.6)

Student-Parent-Educator Conferences

A student-parent-educator conference shall be held as appropriate including, but not limited to, as a reengagement strategy and/or, if requested by a parent/guardian, prior to enrollment or disenrollment from independent study. (Education Code 51745.5, 51747, 51749.5)

Records

The Superintendent or designee shall ensure that records are maintained for audit purposes.

These records shall include, but not be limited to: (Education Code 51748; 5 CCR 11703)

1. A copy of the Board policy, administrative regulation, and other procedures related to independent study
2. A listing of the students, by grade level, program, and school, who have participated in independent study, along with the units of the curriculum attempted and completed by students in grades K-8 and the course credits attempted by and awarded to students in grades 9-12 and adult education
3. A file of all agreements, with representative samples of each student's work products bearing the supervising teacher's notations indicating that the teacher has personally evaluated the work or personally reviewed the evaluations made by another certificated teacher

BP 6158(l)

INDEPENDENT STUDY (continued)

4. As appropriate to the program in which the students are participating, a daily or hourly attendance register that is separate from classroom attendance records, maintained on a current basis as time values of student work products judged by a certificated teacher, and reviewed by the supervising teacher if they are two different persons
5. Appropriate documentation of compliance with the teacher-student ratios required by Education Code 51745.6 and 51749.5 (Education Code 51745.6 and 51749.5)
6. Appropriate documentation of compliance with the requirements pursuant to Education Code 51747.5 to ensure the coordination, evaluation, and supervision of the independent study of each student by a district employee who possesses a valid

certification document pursuant to Education Code 44865 or an emergency credential pursuant to Education Code 44300 (Education Code 51747.5)

The district shall document each student's participation in live interaction and synchronous instruction pursuant to Education Code 51747 on each school day, as applicable, in whole or in part, for which live interaction or synchronous instruction is provided as part of the independent study program. A student who does not participate in scheduled live interaction or synchronous instruction shall be documented as nonparticipatory for that school day. (Education Code 51747.5)

The Superintendent or designee shall also maintain a written or computer-based record such as a grade book or summary document of student engagement, for each class, of all grades, assignments, and assessments for each student for independent study assignments. (Education Code 51747.5)

(cf. 3580 - District Records)

The signed, dated agreement, any supplemental agreement, assignment records, work samples, and attendance records may be maintained on file electronically. (Education Code 51747)

Program Evaluation

The Superintendent or designee shall annually report to the Board the number of district students participating in independent study, the average daily attendance generated for apportionment purposes, student performance as measured by standard indicators and in comparison to students in classroom-based instruction, and the number and proportion of independent study students who graduate or successfully complete independent study. Based on the program evaluation, the Board and Superintendent shall determine areas for program improvement as needed.

Policy _____ BP 6158(m)

INDEPENDENT STUDY (continued)

(cf. 0500 - Accountability)

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

(cf. 6162.5 - Student Assessment)

Legal 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 11700-11703

Ed. Code 17289

Ed. Code 41976.2

Description

Independent study

Exemption for facilities

Independent study programs; adult education funding

Ed. Code 42238	Revenue limits
Ed. Code 42238.05	Local control funding formula; average daily attendance
Ed. Code 44865	Qualifications for home teachers
Ed. Code 46200-46208	Incentives for longer instructional day and year
Ed. Code 46300-46307.1	Methods of computing average daily attendance
Ed. Code 46390-46393	Emergency average daily attendance
Ed. Code 47612-47612.1	Charter School Operation
Ed. Code 47612.5	Charter schools operations, general requirements
Ed. Code 48204	Residency requirements for school attendance
Ed. Code 48206.3	Home or hospital instruction; students with temporary disabilities
Ed. Code 48220	Classes of children exempted
Ed. Code 48340	Improvement of pupil attendance
Ed. Code 48915	Expulsion; particular circumstances
Ed. Code 48916.1	Educational program requirements for expelled students
Ed. Code 48917	Suspension of expulsion order
Ed. Code 49011	Student fees
Ed. Code 51225.3	High school graduation
Ed. Code 51745-51749.6	Independent study
Ed. Code 52522	Adult education alternative instructional delivery
Ed. Code 52523	Adult education as supplement to high school curriculum; criteria
Ed. Code 56026	Individual with exceptional needs
Ed. Code 58500-58512	Alternative schools and programs of choice
Federal	Description
20 USC 6301	Highly qualified teachers
Management Resources	Description
California Department of Education Publication	California Digital Learning Integration and Standards Guidance, April 2021
California Department of Education Publication	Elements of Exemplary Independent Study
Court Decision	Modesto City Schools v. Education Audits Appeal Panel, (2004) 123 Cal.App.4th 1365
Website	<u>California Consortium for Independent Study</u>
Website	<u>California Department of Education, Independent Study</u>
Website	<u>Education Audit Appeals Panel</u>

Cross References

Code	Description
0410	<u>Nondiscrimination In District Programs And Activities</u>
0420.4	<u>Charter School Authorization</u>
0420.4	<u>Charter School Authorization</u>
0500	<u>Accountability</u>
3260	<u>Fees And Charges</u>
3260	<u>Fees And Charges</u>
3580	<u>District Records</u>
3580	<u>District Records</u>
4112.2	<u>Certification</u>
4112.2	<u>Certification</u>

4131	<u>Staff Development</u>
4131	<u>Staff Development</u>
5111.1	<u>District Residency</u>
5111.1	<u>District Residency</u>
5112.3	<u>Student Leave Of Absence</u>
5112.3	<u>Student Leave Of Absence</u>
5113	<u>Absences And Excuses</u>
5113	<u>Absences And Excuses</u>
5121	<u>Grades/Evaluation Of Student Achievement</u>
5121	<u>Grades/Evaluation Of Student Achievement</u>
5125	<u>Student Records</u>
5125	<u>Student Records</u>
5126	<u>Awards For Achievement</u>
5126	<u>Awards For Achievement</u>
5144.1	<u>Suspension And Expulsion/Due Process</u>
5144.1	<u>Suspension And Expulsion/Due Process</u>
5146	<u>Married/Pregnant/Parenting Students</u>
5146	<u>Married/Pregnant/Parenting Students</u>
5147	<u>Dropout Prevention</u>
6000	<u>Concepts And Roles</u>
6011	<u>Academic Standards</u>
6111	<u>School Calendar</u>
6112	<u>School Day</u>
6112	<u>School Day</u>
6142.4	<u>Service Learning/Community Service Classes</u>
6143	<u>Courses Of Study</u>
6143	<u>Courses Of Study</u>
6146.1	<u>High School Graduation Requirements</u>
6146.1	<u>High School Graduation Requirements</u>
6146.11	<u>Alternative Credits Toward Graduation</u>
6146.11	<u>Alternative Credits Toward Graduation</u>
6152	<u>Class Assignment</u>
6159	<u>Individualized Education Program</u>
6159	<u>Individualized Education Program</u>
6162.5	<u>Student Assessment</u>
6162.51	<u>State Academic Achievement Tests</u>
6162.51	<u>State Academic Achievement Tests</u>
6164.5	<u>Student Success Teams</u>
6164.5	<u>Student Success Teams</u>
6181	<u>Alternative Schools/Programs Of Choice</u>
6181	<u>Alternative Schools/Programs Of Choice</u>
6183	<u>Home And Hospital Instruction</u>
6184	<u>Continuation Education</u>
6184	<u>Continuation Education</u>
6185	<u>Community Day School</u>
6185	<u>Community Day School</u>
6200	<u>Adult Education</u>
6200	<u>Adult Education</u>
6200-E(1)	<u>Adult Education</u>

EDUCATION CODE

17289 Exemption for facilities

41020 Audit guidelines

41422 Apportionment credit for student inability to attend in-person or school closure due to COVID-19

41976.2 Independent study programs; adult education funding

42238 Revenue limits

42238.05 Local control funding formula; average daily attendance

44865 Qualifications for home teachers and teachers in special classes and schools

46100 Length of school day

46200-46208 Instructional day and year

46300-46307.1 Methods of computing average daily attendance

46390-46393 Emergency average daily attendance

46600 Interdistrict attendance computation

47612-47612.1 Charter school operation

47612.5 Independent study in charter schools

48204 Residency

48206.3 Home or hospital instruction; students with temporary disabilities

48220 Classes of children exempted

48340 Improvement of pupil attendance

48915 Expulsion; particular circumstances

48916.1 Educational program requirements for expelled students

48917 Suspension of expulsion order

49011 Student fees

51225.3 Requirements for high school graduation

51745-51749.6 Independent study programs

52060 Local control and accountability plan

52522 Adult education alternative instructional delivery

52523 Adult education as supplement to high school curriculum; criteria

56026 Individuals with exceptional needs

58500-58512 Alternative schools and programs of choice

FAMILY CODE

6550-6552 Authorization affidavits

CODE OF REGULATIONS, TITLE 5

11700-11703 Independent study

UNITED STATES CODE, TITLE 20

6301 Highly qualified teachers

6311 State plans

COURT DECISIONS

Modesto City Schools v. Education Audits Appeal Panel, (2004) 123 Cal.App.4th 1365

Management Resources: (see next page)

BP 6158(n)

INDEPENDENT STUDY (continued)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

2021-22 AA & IT Independent Study FAQs, 2021

Clarifications for Student Learning in Quarantine, 2021

Conducting Individualized Determinations of Need, 2021

Legal Requirements for Independent Study, 2021

Elements of Exemplary Independent Study

California Digital Learning Integration and Standards Guidance, April 2021
EDUCATION AUDIT APPEALS PANEL PUBLICATIONS
Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting
WEB SITES
California Consortium for Independent Study: <http://www.ccis.org>
California Department of Education, Independent Study: <http://www.cde.ca.gov/sp/eo/is>
Education Audit Appeals Panel: <http://www.eaap.ca.gov>

Policy
adopted:

CSBA POLICY MANUAL UPDATE
December 2021

Policy 6158: Independent Study

Status:
ADOPTED

Original Adopted Date: 09/28/2010 | **Last Revised Date:** 11/10/2015 | **Last Reviewed Date:** 11/10/2015

The Governing Board authorizes independent study as an optional alternative instructional strategy for students whose needs may be best met through study outside of the regular classroom setting. Independent study shall offer a means of individualizing the educational plan to serve students who desire a more challenging educational experience, whose health or other personal circumstances make classroom attendance difficult, who are unable to access course(s) due to scheduling problems, and/or who need to make up credits or fill gaps in their learning. As necessary to meet student needs, independent study may be offered on a full-time or part-time basis and in conjunction with part- or full-time classroom study.

The Superintendent or designee may provide a variety of independent study opportunities, including, but not limited to, through a program or class within a comprehensive school, an alternative school or program of choice, a charter school, and an online course.

(cf. 0420.4 - Charter School Authorization)

(cf. 6181 - Alternative Schools/Programs of Choice)

Except for students who, during the 2021-2022 school year, cannot participate in classroom-based instruction due to quarantine or school closure for exposure to or infection with COVID-19, student participation in independent study shall be voluntary. (Education Code 51747, 51749.5, 51749.6)

Independent study for each student shall be under the general supervision of a district employee who possesses a valid certification document pursuant to Education Code 44865 or an emergency credential pursuant to Education Code 44300. Students' independent study shall be coordinated, evaluated, and documented, as prescribed by law and reflected in the accompanying administrative regulation. (Education Code 51747.5)

With the exception of students who, during the 2021-2022 school year, cannot participate in classroom-based instruction due to a quarantine or school closure for exposure to or infection with COVID-19, the minimum period of time for any independent study option shall be three consecutive school days. (Education Code 51747)

General Independent Study Requirements

For the 2021-22 school year, the district shall offer independent study, as specified in Education Code 51745, to meet the educational needs of students unless the district has obtained a waiver. (Education Code 51745)

For the 2022-23 school year and thereafter, the Superintendent or designee may offer and approve independent study for an individual student upon determining that the student is prepared to meet the district's requirements for independent study and is likely to succeed in independent study as well as or better than the student would in the regular classroom setting.

(cf. 5147 - Dropout Prevention)
(cf. 6011 - Academic Standards)
(cf. 6143 - Courses of Study)
(cf. 6146.1 - High School Graduation Requirements)
(cf. 6146.11 - Alternative Credits Toward Graduation)
(cf. 6172 - Gifted and Talented Student Program)
(cf. 6200 - Adult Education)

The minimum instructional minutes for students participating in independent study shall be the same as required for their peers at the school who are receiving in-person instruction, except as otherwise permitted by law. (Education Code 46100)

Because excessive leniency in the duration of independent study assignments may result in a student falling behind peers and increase the risk of dropping out of school, independent study assignments shall be completed no more than one week after assigned for all grade levels and types of program. When necessary based on the specific circumstances of the student's approved program, the Superintendent or designee may allow for a longer period of time between the date an assignment is made and when it is due. However, in no event shall the due date of an assignment be extended beyond the termination date of the agreement.

An evaluation shall be conducted to determine whether it is in a student's best interest to remain in independent study whenever the student fails to make satisfactory educational progress and/or misses three assignments. Satisfactory educational progress shall be determined based on all of the following indicators: (Education Code 51747)

1. The student's achievement and engagement in the independent study program, as indicated by the student's performance on applicable student-level measures of student achievement and engagement specified in Education Code 52060
2. The completion of assignments, assessments, or other indicators that evidence that the student is working on assignments
3. Learning of required concepts, as determined by the supervising teacher
4. Progress towards successful completion of the course of study or individual course, as determined by the supervising teacher

The Superintendent or designee shall ensure that students participating in independent study are provided with content aligned to grade level standards at a level of quality and intellectual challenge substantially equivalent to in-person instruction. For high schools, this shall include access to all courses offered by the district for graduation and approved by the University of California or the California State University as creditable under the A-G admissions criteria. (Education Code 51747)

The Superintendent or designee shall ensure that students participating in independent study for 15 school days or more receive the following throughout the school year: (Education Code 51747)

1. For students in grades transitional kindergarten, kindergarten, and grades 1 to 3, opportunities for daily synchronous instruction

2. For students in grades 4-8, opportunities for both daily live interaction and at least weekly synchronous instruction
3. For students in grades 9-12, opportunities for at least weekly synchronous instruction

The Superintendent or designee shall ensure that procedures for tiered reengagement strategies are used for all students participating in an independent study program for 15 school days or more who: (Education Code 51747)

1. Are not generating attendance for more than three school days or 60 percent of the instructional days in a school week, or 10 percent of required minimum instructional time over four continuous weeks of the district's approved instructional calendar
2. Are found to be not participatory pursuant to Section 51747.5 for more than the greater of three schooldays or 60 percent of the scheduled days of synchronous instruction in a school month as applicable by grade span
3. Are in violation of their written agreement

Tiered reengagement strategies procedures used in district independent study programs shall include, but are not necessarily limited to, all of the following: (Education Code 51747)

1. Verification of current contact information for each enrolled student
2. Notification to parents/guardians of lack of participation within one school day of the recording of a non-attendance day or lack of participation
3. A plan for outreach from the school to determine student needs, including connection with health and social services as necessary
4. A clear standard for requiring a student-parent-educator conference to review a student's written agreement and reconsider the independent study program's impact on the student's achievement and well-being

The Superintendent or designee shall develop a plan to transition students whose families wish to return to in-person instruction from independent study expeditiously, and, in no case later, than five instructional days. This requirement only applies to students participating in an independent study program for 15 school days or more. (Education Code 51747)

The Superintendent or designee shall ensure that a written master agreement exists for each participating student as prescribed by law. (Education Code 51747, 51749.5)

The district shall provide written notice to the parents/guardians of all enrolled students of the option to enroll their child in in-person instruction or independent study during the 2021-22 school year. This notice shall be posted on the district's web site, and shall include, at a minimum, information about the right to request a student-parent-educator conference before enrollment, student rights regarding procedures for enrolling, disenrolling, and reenrolling in independent study, and the instructional time, including synchronous and asynchronous

learning, that a student will have access to as part of independent study. (Education Code 51747)

Upon the request of the parent/guardian of a student, and before signing a written agreement as described below in the section "Master Agreement," the district shall conduct a telephone, videoconference, or in-person student-parent-educator conference or other meeting during which the student, parent/guardian, and, if requested, their advocate may ask questions about the educational options, including which curriculum offerings and nonacademic supports will be available to the student in independent study. (Education Code 51747)

Master Agreement

A written agreement shall be developed and implemented for each student participating in independent study for three or more consecutive school days. (Education Code 46300, 51747; 5 CCR 11703)

However, for the 2021-22 school year only, the district shall obtain a signed written agreement from each student participating in an independent study program for any length of time, no later than 30 days after the first day of instruction in the independent study program.

The agreement shall include general student data, including the student's name, address, grade level, birth date, school of enrollment, and program placement.

The independent study agreement for each participating student also shall include, but are not limited to, all of the following: (Education Code 51747; 5 CCR 11700, 11702)

1. The frequency, time, place and manner for submitting the student's assignments, reporting the student's academic progress, and communicating with a student's parent/guardian regarding the student's academic progress
2. The objectives and methods of study for the student's work and the methods used to evaluate that work
3. The specific resources that will be made available to the student, including materials and personnel, and access to Internet connectivity and devices adequate to participate in the educational program and complete assigned work
4. A statement of the Board's policy detailing the maximum length of time allowed between an assignment and its completion, the level of satisfactory educational progress, and the number of missed assignments which will trigger an evaluation of whether the student should be allowed to continue in independent study
5. The duration of the independent study agreement, including the beginning and ending dates for the student's participation in independent study under the agreement, with a maximum of one school year
6. A statement of the number of course credits or, for the elementary grades, other measures of academic accomplishment appropriate to the agreement, to be earned by the student upon completion

7. A statement detailing the academic and other supports that will be provided to address the needs of students who are not performing at grade level, or need support in other areas, such as English learners, students with disabilities with an individualized education program or a Section 504 plan in order to be consistent with their program or plan, students in foster care or experiencing homelessness, and students requiring mental health supports.
8. A statement that independent study is an optional educational alternative in which no student may be required to participate

For the 2021-22 school year, this statement shall not be required for a student's participation in independent study if the student is unable to attend in-person instruction because of a quarantine or school closure mandated by a local or state health order or guidance due to the student's exposure to or infection with COVID-19.

9. In the case of a suspended or expelled student who is referred or assigned to any school, class, or program pursuant to Education Code 48915 or 48917, a statement that instruction may be provided through independent study only if the student is offered the alternative of classroom instruction

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

10. Before the commencement of independent study, the agreement shall be signed and dated by the student, the student's parent/guardian or caregiver if the student is under age 18 years, the certificated employee responsible for the general supervision of independent study, and all persons who have direct responsibility for providing assistance to the student.

However, for the 2021-22 school year, the district shall obtain a signed written agreement for independent study from the student, or the student's parent/guardian if the student is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of independent study, and all persons who have direct responsibility for providing assistance to the student, no later than 30 days after the first day of instruction in the independent study program or October 15, whichever date comes later.

Written agreements may be signed using an electronic signature that complies with state and federal standards, as determined by the California Department of Education (CDE). (Education Code 51747)

The parent/guardian's signature on the agreement shall constitute permission for the student to receive instruction through independent study.

Student-Parent-Educator Conferences

A student-parent-educator conference shall be held as appropriate including, but not limited to, as a reengagement strategy and/or, if requested by a parent/guardian, prior to enrollment or disenrollment from independent study. (Education Code 51745.5, 51747, 51749.5)

Records

The Superintendent or designee shall ensure that records are maintained for audit purposes.

These records shall include, but not be limited to: (Education Code 51748; 5 CCR 11703)

1. A copy of the Board policy, administrative regulation, and other procedures related to independent study
2. A listing of the students, by grade level, program, and school, who have participated in independent study, along with the units of the curriculum attempted and completed by students in grades K-8 and the course credits attempted by and awarded to students in grades 9-12 and adult education
3. A file of all agreements, with representative samples of each student's work products bearing the supervising teacher's notations indicating that the teacher has personally evaluated the work or personally reviewed the evaluations made by another certificated teacher
4. As appropriate to the program in which the students are participating, a daily or hourly attendance register that is separate from classroom attendance records, maintained on a current basis as time values of student work products judged by a certificated teacher, and reviewed by the supervising teacher if they are two different persons
5. Appropriate documentation of compliance with the teacher-student ratios required by Education Code 51745.6 and 51749.5 (Education Code 51745.6 and 51749.5)
6. Appropriate documentation of compliance with the requirements pursuant to Education Code 51747.5 to ensure the coordination, evaluation, and supervision of the independent study of each student by a district employee who possesses a valid certification document pursuant to Education Code 44865 or an emergency credential pursuant to Education Code 44300 (Education Code 51747.5)

The district shall document each student's participation in live interaction and synchronous instruction pursuant to Education Code 51747 on each school day, as applicable, in whole or in part, for which live interaction or synchronous instruction is provided as part of the independent study program. A student who does not participate in scheduled live interaction or synchronous instruction shall be documented as nonparticipatory for that school day. (Education Code 51747.5)

The Superintendent or designee shall also maintain a written or computer-based record such as a grade book or summary document of student engagement, for each class, of all grades, assignments, and assessments for each student for independent study assignments. (Education Code 51747.5)

(cf. 3580 - District Records)

The signed, dated agreement, any supplemental agreement, assignment records, work samples, and attendance records may be maintained on file electronically. (Education Code 51747)

Program Evaluation

The Superintendent or designee shall annually report to the Board the number of district students participating in independent study, the average daily attendance generated for apportionment purposes, student performance as measured by standard indicators and in comparison to students in classroom-based instruction, and the number and proportion of independent study students who graduate or successfully complete independent study. Based on the program evaluation, the Board and Superintendent shall determine areas for program improvement as needed.

(cf. 0500 - Accountability)

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

(cf. 6162.5 - Student Assessment)

Legal Reference:

EDUCATION CODE

17289 *Exemption for facilities*

41020 *Audit guidelines*

41422 *Apportionment credit for student inability to attend in-person or school closure due to COVID-19*

41976.2 *Independent study programs; adult education funding*

42238 *Revenue limits*

42238.05 *Local control funding formula; average daily attendance*

44865 *Qualifications for home teachers and teachers in special classes and schools*

46100 *Length of school day*

46200-46208 *Instructional day and year*

46300-46307.1 *Methods of computing average daily attendance*

46390-46393 *Emergency average daily attendance*

46600 *Interdistrict attendance computation*

47612-47612.1 *Charter school operation*

47612.5 *Independent study in charter schools*

48204 *Residency*

48206.3 *Home or hospital instruction; students with temporary disabilities*

48220 *Classes of children exempted*

48340 *Improvement of pupil attendance*

48915 *Expulsion; particular circumstances*

48916.1 *Educational program requirements for expelled students*

48917 *Suspension of expulsion order*

49011 *Student fees*

51225.3 *Requirements for high school graduation*

51745-51749.6 *Independent study programs*

52060 *Local control and accountability plan*

52522 *Adult education alternative instructional delivery*

52523 *Adult education as supplement to high school curriculum; criteria*

56026 *Individuals with exceptional needs*

58500-58512 *Alternative schools and programs of choice*

FAMILY CODE

6550-6552 *Authorization affidavits*

CODE OF REGULATIONS, TITLE 5

11700-11703 *Independent study*

UNITED STATES CODE, TITLE 20

6301 *Highly qualified teachers*

6311 *State plans*

COURT DECISIONS

Modesto City Schools v. Education Audits Appeal Panel, (2004) 123 Cal.App.4th 1365

Management Resources:

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Conducting Individualized Determinations of Need, 2021

Legal Requirements for Independent Study, 2021

Elements of Exemplary Independent Study

California Digital Learning Integration and Standards Guidance, April 2021

EDUCATION AUDIT APPEALS PANEL PUBLICATIONS

Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting

WEB SITES

California Consortium for Independent Study: <http://www.ccis.org>

California Department of Education, Independent Study: <http://www.cde.ca.gov/sp/eo/is>

Education Audit Appeals Panel: <http://www.eaap.ca.gov>

IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION

The Governing Board ~~Policy Manual~~
~~Alameda Unified School District~~

~~Policy 6164.4: Identification And Evaluation Of Individuals For Status: Special Education~~ **ADOPTED**

~~Original Adopted Date: 08/25/2009 | Last Revised Date: 01/25/2011 | Last Reviewed Date: 01/25/2011~~

~~The Board of Education~~ recognizes the need to actively seek out and evaluate district residents from birth to age 21 who have disabilities in order to provide them with appropriate educational opportunities in accordance with state and federal law.

(cf. 0430 - Comprehensive Local Plan for Special Education)

(cf. 6164.41 - Children with Disabilities Enrolled by Their Parents in Private School)

(cf. 6164.6 - Identification and Education Under Section 504)

The Superintendent or designee shall establish a comprehensive child find system that includes procedures for the identification, screening, referral, ~~and regular assessment~~, and triennial assessment of individuals eligible for special education, as well as procedures for the planning, implementation, and review of the special education and related services provided to such individuals. (Education Code 56301)

The district's identification procedures shall include systematic methods for utilizing referrals from parents/guardians, teachers, agencies, appropriate professionals, and ~~others~~ other members of the public, and shall be coordinated with school site procedures for referral of students whose needs cannot be met with modifications to the regular instructional program. (Education Code 56302)

The Superintendent or designee shall notify parents/guardians, in writing, of their rights related to identification, referral, assessment, instructional planning, implementation, and review, including the right to consent to any assessment concerning their child. In addition, the Superintendent or designee shall notify parents/guardians of procedures for initiating a referral for assessment to identify individuals ~~who need for~~ special education services. (Education Code 56301)

~~Policy~~ *(cf. 3541.2 - Transportation for Students with Disabilities)*

(cf. 4112.23 - Special Education Staff)

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

(cf. 5145.6 - Parental Notifications)

(cf. 6159 - Individualized Education Program)

(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)

(cf. 6159.2 - Nonpublic, Nonsectarian School and Agency Services for Special Education)

(cf. 6159.3 - Appointment of Surrogate Parent for Special Education Students)

(cf. 6162.51 - State Academic Achievement Tests)

Legal Reference-Disclaimer: (see next page)

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 3021-3029~~
~~5 CCR 3030-3031~~
~~Ed. Code 44265.5~~
~~Ed. Code 56000-56885~~
~~Ed. Code 56195.8~~
~~Ed. Code 56300-56304~~
~~Ed. Code 56320-56331~~
~~Ed. Code 56333-56338~~
~~Ed. Code 56340-56347~~
~~Ed. Code 56381~~
~~Ed. Code 56425-56432~~
~~Ed. Code 56441.11~~
~~Ed. Code 56445~~
~~Ed. Code 56500-56509~~
~~Gov. Code 95000-95029.5~~

Federal

~~20 USC 1232g~~
~~20 USC 1412~~
~~20 USC 1415~~
~~34 CFR 104.35~~
~~34 CFR 104.36~~
~~34 CFR 300.1-300.818~~
~~34 CFR 300.301-300.306~~

Management Resources

~~Court Decision~~

~~Federal Register~~

~~Website~~

~~Website~~

Description

~~Identification, referral and assessment~~
~~Eligibility criteria~~
~~Professional preparation for teachers of impaired students~~
~~Special education programs~~
~~Adoption of policies~~
~~Identification of individuals with disabilities~~
~~Assessment~~
~~Eligibility for specific learning disabilities~~
~~Individualized education program teams~~
~~Reassessment of students~~
~~Early education for individuals with disabilities~~
~~Eligibility criteria, children ages 3-5~~
~~Transition to grade school; reassessment~~
~~Procedural safeguards~~
~~California Early Intervention Services Act~~

Description

~~Family Educational Rights and Privacy Act (FERPA) of 1974~~
~~State eligibility~~
~~Procedural safeguards~~
~~Evaluation and placement~~
~~Procedural safeguards~~
~~Individuals with Disabilities Education Act~~
~~Evaluations and reevaluations~~

Description

~~Hood v. Encinitas Union School District, (2007) 486 F.3d 1099~~

~~Rules and Regulations, August 14, 2006, Vol. 71, Number 156, pages 46539-46845~~

~~California Department of Education, Special Education~~

~~U.S. Department of Education, Office of Special Education Programs~~

Cross-References

Code

~~0410~~
~~0430~~
~~0430~~
~~0460~~
~~0460~~
~~1312.3~~
~~1312.3~~
~~1312.3-E(1)~~
~~3541.2~~

Description

~~Nondiscrimination In District Programs And Activities~~
~~Comprehensive Local Plan For Special Education~~
~~Comprehensive Local Plan For Special Education~~
~~Local Control And Accountability Plan~~
~~Local Control And Accountability Plan~~
~~Uniform Complaint Procedures~~
~~Uniform Complaint Procedures~~
~~Uniform Complaint Procedures~~
~~Transportation For Students With Disabilities~~

3541.2	<u>Transportation For Students With Disabilities</u>
3552	<u>Summer Meal Program</u>
4112.23	<u>Special Education Staff</u>
5144.2	<u>Suspension And Expulsion/Due Process (Students With Disabilities)</u>
5145.6	<u>Parental Notifications</u>
5145.6 E(1)	<u>Parental Notifications</u>
5148.3	<u>Preschool/Early Childhood Education</u>
5148.3	<u>Preschool/Early Childhood Education</u>
6146.4	<u>Differential Graduation And Competency Standards For Students With Disabilities</u>
6159	<u>Individualized Education Program</u>
6159	<u>Individualized Education Program</u>
6159.1	<u>Procedural Safeguards And Complaints For Special Education</u>
6159.1	<u>Procedural Safeguards And Complaints For Special Education</u>
6159.2	<u>Nonpublic, Nonsectarian School And Agency Services For Special Education</u>
6159.2	<u>Nonpublic, Nonsectarian School And Agency Services For Special Education</u>
6159.3	<u>Appointment Of Surrogate Parent For Special Education Students</u>
6159.3	<u>Appointment Of Surrogate Parent For Special Education Students</u>
6162.5	<u>Student Assessment</u>
6162.51	<u>State Academic Achievement Tests</u>
6162.51	<u>State Academic Achievement Tests</u>
6163.2	<u>Animals At School</u>
6163.2	<u>Animals At School</u>
6164.41	<u>Children With Disabilities Enrolled By Their Parents In Private School</u>
6164.41	<u>Children With Disabilities Enrolled By Their Parents In Private School</u>
6164.6	<u>Identification And Education Under Section 504</u>
6164.6	<u>Identification And Education Under Section 504</u>
6173.1	<u>Education For Foster Youth</u>
6173.1	<u>Education For Foster Youth</u>
6173.2	<u>Education Of Children Of Military Families</u>
6183	<u>Home And Hospital Instruction</u>

BP 6164.4(b)

IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION (continued)

Legal Reference:

EDUCATION CODE

44265.5 Professional preparation for teachers of impaired students

56000-56885 Special education programs, especially:

56043 Timelines affecting special education programs

56195.8 Adoption of policies

56300-56305 Identification of individuals with disabilities

56320-56330 Assessment

56333-56338 Eligibility criteria for specific learning disabilities

56340-56347 Instructional planning and individualized education program

56381 Reassessment of students

56425-56432 Early education for individuals with disabilities

56441.11 Eligibility criteria, children ages 3-5

56445 Transition to grade school; reassessment

56500-56509 Procedural safeguards

GOVERNMENT CODE

95000-95029.5 California Early Intervention Services Act

CODE OF REGULATIONS, TITLE 5

3021-3029 Identification, referral and assessment

3030-3031 Eligibility criteria

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act of 1974

1400-1482 Individuals with Disabilities Education Act, especially:

1412 State eligibility

1415 Procedural safeguards

CODE OF FEDERAL REGULATIONS, TITLE 34

104.35 Evaluation and placement

104.36 Procedural safeguards

300.1-300.818 Individuals with Disabilities Education Act, especially:

300.301-300.306 Evaluations and reevaluations

300.323 When IEPs must be in effect

300.502 Independent educational evaluation

FEDERAL REGISTER

Rules and Regulations, August 14, 2006, Vol. 71, Number 156, pages 46539-46845

COURT DECISIONS

Timothy O. v. Paso Robles Unified School District (9th Cir. 2016) 822 F.3d 1105

M.M. v. Lafayette School District (9th Cir. 2014) 767 F.3d 842

Compton Unified School District v. Addison, (9th Cir. 2010) 598 F.3d 1181

N.B. and C.B v. Hellgate Elementary School District (9th Cir. 2008) 541 F.3d 1202

Hood v. Encinitas Union School District (2007) 486 F.3d 1099

Management Resources: (see next page)

BP 6164.4(c)

**IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL
EDUCATION (continued)**

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California Practitioners' Guide for Educating English Learners with Disabilities, 2019

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Return to School Roadmap: Child Find Under Part B of the Individuals with Disabilities Education Act, August 2021

Long COVID under Section 504 and the IDEA: A Resource to Support Children, Students, Educators, Schools, Service Providers, and Families, July 2021

A Response to Intervention (RTI) Process Cannot Be Used to Delay-Deny an Evaluation for Eligibility under the Individuals with Disabilities Education Act (IDEA): Memorandum 11-07, January 2011

WEB SITES

California Department of Education, Special Education: <http://www.cde.ca.gov/sp/se>

U.S. Department of Education, Office of Special Education Programs:

<http://www.ed.gov/about/offices/list/osep/osep>

Policy
adopted:

CSBA POLICY MANUAL UPDATE
September 2021

IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION

The Governing Board recognizes the need to actively seek out and evaluate district residents from birth to age 21 who have disabilities in order to provide them with appropriate educational opportunities in accordance with state and federal law.

(cf. 0430 - Comprehensive Local Plan for Special Education)

(cf. 6164.41 - Children with Disabilities Enrolled by Their Parents in Private School)

(cf. 6164.6 - Identification and Education Under Section 504)

The Superintendent or designee shall establish a comprehensive child find system that includes procedures for the identification, screening, referral, assessment, and triennial assessment of individuals eligible for special education, as well as procedures for the planning, implementation, and review of the special education and related services provided to such individuals. (Education Code 56301)

The district's identification procedures shall include systematic methods for utilizing referrals from parents/guardians, teachers, agencies, appropriate professionals, and other members of the public, and shall be coordinated with school site procedures for referral of students whose needs cannot be met with modifications to the regular instructional program. (Education Code 56302)

The Superintendent or designee shall notify parents/guardians, in writing, of their rights related to identification, referral, assessment, instructional planning, implementation, and review, including the right to consent to any assessment concerning their child. In addition, the Superintendent or designee shall notify parents/guardians of procedures for initiating a referral for assessment to identify individuals for special education services. (Education Code 56301)

(cf. 3541.2 - Transportation for Students with Disabilities)

(cf. 4112.23 - Special Education Staff)

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

(cf. 5145.6 - Parental Notifications)

(cf. 6159 - Individualized Education Program)

(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)

(cf. 6159.2 - Nonpublic, Nonsectarian School and Agency Services for Special Education)

(cf. 6159.3 - Appointment of Surrogate Parent for Special Education Students)

(cf. 6162.51 - State Academic Achievement Tests)

Legal Reference:

EDUCATION CODE

44265.5 Professional preparation for teachers of impaired students

56000-56885 Special education programs, especially:

56043 Timelines affecting special education programs

56195.8 Adoption of policies

56300-56305 Identification of individuals with disabilities

56320-56330 Assessment

56333-56338 Eligibility criteria for specific learning disabilities

56340-56347 Instructional planning and individualized education program

56381 *Reassessment of students*
 56425-56432 *Early education for individuals with disabilities*
 56441.11 *Eligibility criteria, children ages 3-5*
 56445 *Transition to grade school; reassessment*
 56500-56509 *Procedural safeguards*
GOVERNMENT CODE
 95000-95029.5 *California Early Intervention Services Act*
CODE OF REGULATIONS, TITLE 5
 3021-3029 *Identification, referral and assessment*
 3030-3031 *Eligibility criteria*
UNITED STATES CODE, TITLE 20
 1232g *Family Educational Rights and Privacy Act of 1974*
 1400-1482 *Individuals with Disabilities Education Act, especially:*
 1412 *State eligibility*
 1415 *Procedural safeguards*
CODE OF FEDERAL REGULATIONS, TITLE 34
 104.35 *Evaluation and placement*
 104.36 *Procedural safeguards*
 300.1-300.818 *Individuals with Disabilities Education Act, especially:*
 300.301-300.306 *Evaluations and reevaluations*
 300.323 *When IEPs must be in effect*
 300.502 *Independent educational evaluation*
FEDERAL REGISTER
Rules and Regulations, August 14, 2006, Vol. 71, Number 156, pages 46539-46845
COURT DECISIONS
Timothy O. v. Paso Robles Unified School District (9th Cir. 2016) 822 F.3d 1105
M.M. v. Lafayette School District (9th Cir. 2014) 767 F.3d 842
Compton Unified School District v. Addison, (9th Cir. 2010) 598 F.3d 1181
N.B. and C.B. v. Hellgate Elementary School District (9th Cir. 2008) 541 F.3d 1202
Hood v. Encinitas Union School District (2007) 486 F.3d 1099

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
California Practitioners' Guide for Educating English Learners with Disabilities, 2019
U.S. DEPARTMENT OF EDUCATION PUBLICATIONS
Return to School Roadmap: Child Find Under Part B of the Individuals with Disabilities Education Act, August 2021
Long COVID under Section 504 and the IDEA: A Resource to Support Children, Students, Educators, Schools, Service Providers, and Families, July 2021
A Response to Intervention (RTI) Process Cannot Be Used to Delay-Deny an Evaluation for Eligibility under the Individuals with Disabilities Education Act (IDEA): Memorandum 11-07, January 2011
WEB SITES
California Department of Education, Special Education: <http://www.cde.ca.gov/sp/se>
U.S. Department of Education, Office of Special Education Programs: <http://www.ed.gov/about/offices/list/osep>

Policy ALAMEDA UNIFIED SCHOOL DISTRICT
 adopted: August 25, 2009 Alameda, California
 revised: January 25, 2011
 revised:

STUDENT SUCCESS TEAMS

The SST is an early intervention process that brings together parents/guardians, certificated and classified staff, administrators, and/or the student, as appropriate, to identify student needs and develop an improvement plan to address those needs.

The Governing Board Policy Manual
Alameda Unified School District

Policy 6164.5: Student Success Teams

Status:
ADOPTED

Original Adopted Date: 08/25/2009 | **Last Revised Date:** 05/11/2021 | **Last Reviewed Date:** 05/11/2021

~~The Board of Education~~ encourages the collaboration of parents/guardians, ~~teachers, resource personnel~~ certificated and classified staff, administrators and students, and/or the student, as appropriate, in evaluating the strengths and needs of students having academic, attendance, social, emotional, or behavioral difficulties and in identifying strategies and programs that may assist ~~thesuch~~ students, in maximizing their potential. The Superintendent or designee shall establish student study success teams (SST) as needed to address individual ~~students'~~ student needs.

(cf. 5113.1 - Chronic Absence and Truancy)

(cf. 5147 - Dropout Prevention)

(cf. 6159 - Individualized Education Program)

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

(cf. 6164.6 - Identification and Education under Section 504)

The Superintendent or designee shall establish and maintain a process for initiating ~~referrals~~ the referral of students to ~~the student study team~~ SSTs, which may include referral by district staff, parents/guardians, and/or agency representatives. The Superintendent or designee may also establish and maintain a process for responding to SST referrals, which may include a determination by the district as to whether an SST

~~Each student study team~~ shall be convened for an individual student.

Each SST may collect and analyze relevant student data, as appropriate. The SST may also review the student's educational history, work samples, strengths and areas for growth, and identify available resources and strategies.

(cf. 5022 - Student and Family Privacy Rights)

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

(cf. 5125 - Student Records)

(cf. 5141.6 - School Health Services)

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - State Academic Achievement Tests)

(cf. 6164.2 - Guidance/Counseling Services)

Each SST shall develop a plan to support the student which incorporates intervention strategies ~~to assist the student.~~ Such strategies may include changes in program placement or instructional

methods, recommendation of supplemental educational services, parent involvement strategies, social, emotional and/or behavioral interventions, discipline, referrals to other agencies or resources, and/or other appropriate interventions.

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 5123 - Promotion/Acceleration/Retention)
(cf. 5141.3 - Health Examinations)
(cf. 5141.5 - Mental Health)
(cf. 5144 - Discipline)

BP 6164.5(b)

STUDENT SUCCESS TEAMS (continued)

(cf. 5146 - Married/Pregnant/Parenting Students)
(cf. 6020 - Parent Involvement)
(cf. 6120 - Response to Instruction and Intervention)
(cf. 6158 - Independent Study)
(cf. 6159.4 - Behavioral Interventions for Special Education Students)
(cf. 6171 - Title I Programs)
(cf. 6172 - Gifted and Talented Student Program)
(cf. 6173 - Education for Homeless Children)
(cf. 6173.1 - Education for Foster Youth)
(cf. 6173.2 - Education of Children of Military Families)
(cf. 6174 - Education for English Learners)
(cf. 6175 - Migrant Education Program)
(cf. 6176 - Weekend/Saturday Classes)
(cf. 6177 - Summer Learning Programs)
(cf. 6178 - Career Technical Education)
(cf. 6178.1 - Work-Based Learning)
(cf. 6179 - Supplemental Instruction)
(cf. 6181 - Alternative Schools/Programs of Choice)
(cf. 6183 - Home and Hospital Instruction)
(cf. 6184 - Continuation Education)
(cf. 6185 - Community Day School)

The ~~student study team~~SST shall monitor the student's progress, evaluate the extent to which the recommended strategies have been implemented, make adjustments to the plan, and develop additional interventions as needed.

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

Ed. Code 48260-48273
 Ed. Code 48400-48454
 Ed. Code 49600-49604
 Ed. Code 51745-51749.3
 Ed. Code 54400-54425
 Ed. Code 54440-54445
 Ed. Code 8800-8807

Description

Truants
 Compulsory continuation education
 Educational counseling
 Independent study
 Programs for disadvantaged children
 Migrant children
 Healthy Start support services for children

W&I Code 18986.40-18986.46	Interagency children's services
W&I Code 4343-4352.5	Primary interventions program, mental health
Management Resources	Description
California Department of Education Publication	SB-65 School-Based Pupil Motivation and Maintenance Program Guidelines (2000-01 Edition), 2000
California Department of Education Publication	Student Success Teams: Supporting Teachers in General Education, 1997
California Dropout Prevention Network Publication	SST: Student Success Teams, 2000
Website	California Dropout Prevention Network
Website	National Dropout Prevention Center
Website	California Department of Education

Cross-References

Code	Description
0415	Equity
1400	Relations Between Other Governmental Agencies And The Schools
5113.1	Chronic Absence And Truancy
5113.1	Chronic Absence And Truancy
5123	Promotion/Acceleration/Retention
5123	Promotion/Acceleration/Retention
5141.3	Health Examinations
5141.3	Health Examinations
5141.6	School Health Services
5141.6	School Health Services
5144	Discipline
5144	Discipline
5146	Married/Pregnant/Parenting Students
5146	Married/Pregnant/Parenting Students
5147	Dropout Prevention
6000	Concepts And Roles
6020	Parent Involvement
6020	Parent Involvement
6158	Independent Study
6158	Independent Study
6159	Individualized Education Program
6159	Individualized Education Program
6159.4	Behavioral Interventions For Special Education Students
6164.2	Guidance/Counseling Services
6164.2	Guidance/Counseling Services
6164.6	Identification And Education Under Section 504
6164.6	Identification And Education Under Section 504
6171	Title I Programs
6171	Title I Programs
6174	Education For English Learners
6174	Education For English Learners
6174-E(1)	Education For English Learners
6175	Migrant Education Program

6175	<u>Migrant Education Program</u>
6176	<u>Weekend/Saturday Classes</u>
6176	<u>Weekend/Saturday Classes</u>
6177	<u>Summer Learning Programs</u>
6178	<u>Career Technical Education</u>
6178	<u>Career Technical Education</u>
6178.1	<u>Work-Based Learning</u>
6178.1	<u>Work-Based Learning</u>
6179	<u>Supplemental Instruction</u>
6179	<u>Supplemental Instruction</u>
6181	<u>Alternative Schools/Programs Of Choice</u>
6181	<u>Alternative Schools/Programs Of Choice</u>
6183	<u>Home And Hospital Instruction</u>
6184	<u>Continuation Education</u>
6184	<u>Continuation Education</u>
6185	<u>Community Day School</u>
6185	<u>Community Day School</u>

The SST process shall not delay or deny a referral for evaluation for eligibility for special education, as may be required under state or federal law.

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

The Superintendent or designee may integrate SSTs into the district's multi-tiered system of support, including identification of students who need additional support, the level(s) of support, appropriate interventions, monitoring of progress, and whether the goal of intervention has been met.

(cf. 0460 - Local Control and Accountability Plan)

To strengthen the effectiveness of SSTs, the Superintendent or designee may provide staff development in the identification of students who may need additional support, implementation of measurable and targeted interventions, and monitoring of progress and goal attainment.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

Legal Reference: (see next page)

BP 6164.5(c)

STUDENT SUCCESS TEAMS (continued)

Legal Reference:

EDUCATION CODE

8800-8807 Healthy Start support services for children

48260-48273 Truancy

48400-48454 Continuation education

49600-49604 Educational counseling
51745-51749.6 Independent study programs
52060-52077 Local control and accountability plan
54400-54425 Programs for disadvantaged children
54440-54445 Migrant children
56300-56305 Identification and referral
WELFARE AND INSTITUTIONS CODE
4343-4352.5 Primary interventions program, mental health
18986.40-18986.46 Interagency children's services

Management Resources:

CSBA PUBLICATIONS

Best Practices in Special Education, Governance Brief, May 2019

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Return to School Roadmap: Child Find Under Part B of the Individuals with Disabilities Education Act, August 2021

A Response to Intervention (RTI) Process Cannot Be Used to Delay-Deny an Evaluation for Eligibility under the Individuals with Disabilities Education Act (IDEA): Memorandum 11-07, January 2011

WEB SITES

California Department of Education, multi-tiered systems of support: <http://www.cde.ca.gov/ci/cr/ri>

National Dropout Prevention Center: <http://www.dropoutprevention.org>

U.S. Department of Education, Office of Special Education Programs:

<https://www2.ed.gov/about/offices/list/osep/>

Policy
adopted:

CSBA POLICY MANUAL UPDATE
September 2021

STUDENT SUCCESS TEAMS

The SST is an early intervention process that brings together parents/guardians, certificated and classified staff, administrators, and/or the student, as appropriate, to identify student needs and develop an improvement plan to address those needs.

The Governing Board encourages the collaboration of parents/guardians, certificated and classified staff, administrators, and/or the student, as appropriate, in evaluating the strengths and needs of students having academic, attendance, social, emotional, or behavioral difficulties and in identifying strategies and programs that may assist such students in maximizing their potential. The Superintendent or designee shall establish student success teams (SST) as needed to address individual student needs.

(cf. 5113.1 - Chronic Absence and Truancy)

(cf. 5147 - Dropout Prevention)

(cf. 6159 - Individualized Education Program)

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

(cf. 6164.6 - Identification and Education under Section 504)

The Superintendent or designee shall establish and maintain a process for initiating the referral of students to SSTs, which may include referral by district staff, parents/guardians, and/or agency representatives. The Superintendent or designee may also establish and maintain a process for responding to SST referrals, which may include a determination by the district as to whether an SST shall be convened for an individual student.

Each SST may collect and analyze relevant student data, as appropriate. The SST may also review the student's educational history, work samples, strengths and areas for growth, and identify available resources and strategies.

(cf. 5022 - Student and Family Privacy Rights)

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

(cf. 5125 - Student Records)

(cf. 5141.6 - School Health Services)

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - State Academic Achievement Tests)

(cf. 6164.2 - Guidance/Counseling Services)

Each SST shall develop a plan to support the student which incorporates intervention strategies. Such strategies may include changes in program placement or instructional methods, recommendation of supplemental educational services, parent involvement strategies, social, emotional and/or behavioral interventions, discipline, referrals to other agencies or resources, and/or other appropriate interventions.

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)

(cf. 5123 - Promotion/Acceleration/Retention)

(cf. 5141.3 - Health Examinations)

(cf. 5141.5 - Mental Health)

(cf. 5144 - Discipline)

(cf. 5146 - Married/Pregnant/Parenting Students)
(cf. 6020 - Parent Involvement)
(cf. 6120 - Response to Instruction and Intervention)
(cf. 6158 - Independent Study)
(cf. 6159.4 - Behavioral Interventions for Special Education Students)
(cf. 6171 - Title I Programs)
(cf. 6172 - Gifted and Talented Student Program)
(cf. 6173 - Education for Homeless Children)
(cf. 6173.1 - Education for Foster Youth)
(cf. 6173.2 - Education of Children of Military Families)
(cf. 6174 - Education for English Learners)
(cf. 6175 - Migrant Education Program)
(cf. 6176 - Weekend/Saturday Classes)
(cf. 6177 - Summer Learning Programs)
(cf. 6178 - Career Technical Education)
(cf. 6178.1 - Work-Based Learning)
(cf. 6179 - Supplemental Instruction)
(cf. 6181 - Alternative Schools/Programs of Choice)
(cf. 6183 - Home and Hospital Instruction)
(cf. 6184 - Continuation Education)
(cf. 6185 - Community Day School)

The SST shall monitor the student's progress, evaluate the extent to which the recommended strategies have been implemented, make adjustments to the plan, and develop additional interventions as needed.

The SST process shall not delay or deny a referral for evaluation for eligibility for special education, as may be required under state or federal law.

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

The Superintendent or designee may integrate SSTs into the district's multi-tiered system of support, including identification of students who need additional support, the level(s) of support, appropriate interventions, monitoring of progress, and whether the goal of intervention has been met.

(cf. 0460 - Local Control and Accountability Plan)

To strengthen the effectiveness of SSTs, the Superintendent or designee may provide staff development in the identification of students who may need additional support, implementation of measurable and targeted interventions, and monitoring of progress and goal attainment.

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

Legal Reference:

EDUCATION CODE

8800-8807 Healthy Start support services for children

48260-48273 Truancy

48400-48454 Continuation education

49600-49604 Educational counseling

51745-51749.6 *Independent study programs*
52060-52077 *Local control and accountability plan*
54400-54425 *Programs for disadvantaged children*
54440-54445 *Migrant children*
56300-56305 *Identification and referral*
WELFARE AND INSTITUTIONS CODE
4343-4352.5 *Primary interventions program, mental health*
18986.40-18986.46 *Interagency children's services*

Management Resources:

CSBA PUBLICATIONS

Best Practices in Special Education, Governance Brief, May 2019

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

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National Dropout Prevention Center: <http://www.dropoutprevention.org>

U.S. Department of Education, Office of Special Education Programs:
<https://www2.ed.gov/about/offices/list/osep/osep>

Policy ALAMDA UNIFIED SCHOOL DISTRICT
adopted: August 25, 2009
revised: May 11, 2021
revised:

CHILDREN WITH DISABILITIES ENROLLED BY THEIR PARENTS IN PRIVATE SCHOOL

The Governing Board **Policy Manual**
Alameda Unified School District

Policy 6164.41: Children With Disabilities Enrolled By Their Parents Status:
In Private School **ADOPTED**

Original Adopted Date: 08/25/2009

~~The Board of Education~~ recognizes its obligations under state and federal ~~and state law~~ to locate, identify, evaluate, and provide equitable services to children voluntarily enrolled by their parents/guardians in private schools located within the district.

(cf. 0430 - Comprehensive Local Plan for Special Education)

The Superintendent or designee shall ensure that activities to locate, identify, and evaluate children with disabilities enrolled by their parents/guardians in private schools within the district are comparable to activities undertaken for individuals with disabilities aged three to 22 in public schools within the district. ~~(34 CFR 300.131; (~~Education Code 56171; 34 CFR 300.131)

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

The Superintendent or designee shall develop a budget for the provision of services to children with disabilities enrolled by their parents/guardians in private school based on the proportionate share of federal funds received and the number of eligible children, including the possibility of mid-year enrollees, and the types of services to be provided.

Policy

Legal 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

~~Ed. Code 56000
Ed. Code 56020-56035
Ed. Code 56170-56177
Ed. Code 56195.8
Ed. Code 56300-56385
Ed. Code 56500-56509
Ed. Code 56600-56606~~

Federal

~~20 USC 1232g
20 USC 1400-1482
29 USC 794~~

Description

~~Special education; legislative findings and declarations
Definitions
Children enrolled in private schools
Adoption of policies
Identification and referral, assessment
Procedural safeguards
Evaluation, audits and information~~

Description

~~Family Educational Rights and Privacy Act (FERPA) of 1974
Individuals with Disabilities Education Act
Rehabilitation Act of 1973, Section 504~~

34 CFR 300.1-300.818	Assistance to states for the education of students with disabilities
34 CFR 300.130-300.140	Children with disabilities enrolled by their parents in private schools
Management Resources	Description
Court Decision	Agostini v. Felton, (1997) 521 U.S. 203, 117 S.Ct. 1997
Federal Register	Rules and Regulations, August 14, 2006, Vol. 71, Number 156, pages 46539-46845
U.S. Department of Education	Questions and Answers on Serving Children with Disabilities Placed by Their Parents at Private Schools, March 2006
Publication	California Department of Education, Special Education
Website	U.S. Department of Education, Office of Special Education
Website	<u>Programs</u>

Cross References

Code	Description
0430	<u>Comprehensive Local Plan For Special Education</u>
0430	<u>Comprehensive Local Plan For Special Education</u>
6159	<u>Individualized Education Program</u>
6159	<u>Individualized Education Program</u>
6159.1	<u>Procedural Safeguards And Complaints For Special Education</u>
6159.1	<u>Procedural Safeguards And Complaints For Special Education</u>
6164.4	<u>Identification And Evaluation Of Individuals For Special Education</u>
6164.4	<u>Identification And Evaluation Of Individuals For Special Education</u>

EDUCATION CODE

56000 Education for individuals with exceptional needs

56020-56035 Definitions

56170-56177 Children in private schools

56195.8 Adoption of policies for programs and services

56300-56385 Identification and referral, assessment

56500-56509 Procedural safeguards, including due process rights

56600-56606 Evaluation, audits and information

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act

1400-1482 Individuals with Disabilities Education Act, especially:

1412 State eligibility

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act

CODE OF FEDERAL REGULATIONS, TITLE 34

300.1-300.818 Assistance to states for the education of students with disabilities, especially:

300.130-300.144 Children with disabilities enrolled by their parents in private schools

FEDERAL REGISTER

Rules and Regulations, August 14, 2006, Vol. 71, Number 156, pages 46539-46845

COURT DECISIONS

Agostini v. Felton (1997) 521 U.S. 203

Management Resources: (see next page)

**CHILDREN WITH DISABILITIES ENROLLED BY THEIR PARENTS IN
PRIVATE SCHOOL (continued)**

Management Resources:

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Return to School Roadmap: Child Find Under Part B of the Individuals with Disabilities Education Act, August 2021

Long COVID under Section 504 and the IDEA: A Resource to Support Children, Students, Educators, Schools, Service Providers, and Families, July 2021

A Response to Intervention (RTI) Process Cannot Be Used to Delay-Deny an Evaluation for Eligibility under the Individuals with Disabilities Education Act (IDEA): Memorandum 11-07, January 2011

Questions and Answers on Serving Children with Disabilities Placed by Their Parents in Private Schools, April 2011

WEB SITES

California Department of Education, Special Education: <http://www.cde.ca.gov/sp/se>

U.S. Department of Education, Office of Special Education and Rehabilitative Services: <http://www.ed.gov/about/offices/list/osers>

CHILDREN WITH DISABILITIES ENROLLED BY THEIR PARENTS IN PRIVATE SCHOOL

The Governing Board recognizes its obligations under state and federal to locate, identify, evaluate, and provide equitable services to children voluntarily enrolled by their parents/guardians in private schools located within the district.

(cf. 0430 - Comprehensive Local Plan for Special Education)

The Superintendent or designee shall ensure that activities to locate, identify, and evaluate children with disabilities enrolled by their parents/guardians in private schools within the district are comparable to activities undertaken for individuals with disabilities aged three to 22 in public schools within the district. (Education Code 56171; 34 CFR 300.131)

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

The Superintendent or designee shall develop a budget for the provision of services to children with disabilities enrolled by their parents/guardians in private school based on the proportionate share of federal funds received and the number of eligible children, including the possibility of mid-year enrollees, and the types of services to be provided.

Legal Reference:

EDUCATION CODE

56000 Education for individuals with exceptional needs

56020-56035 Definitions

56170-56177 Children in private schools

56195.8 Adoption of policies for programs and services

56300-56385 Identification and referral, assessment

56500-56509 Procedural safeguards, including due process rights

56600-56606 Evaluation, audits and information

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act

1400-1482 Individuals with Disabilities Education Act, especially:

1412 State eligibility

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act

CODE OF FEDERAL REGULATIONS, TITLE 34

300.1-300.818 Assistance to states for the education of students with disabilities, especially:

300.130-300.144 Children with disabilities enrolled by their parents in private schools

FEDERAL REGISTER

Rules and Regulations, August 14, 2006, Vol. 71, Number 156, pages 46539-46845

COURT DECISIONS

Agostini v. Felton (1997) 521 U.S. 203

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Long COVID under Section 504 and the IDEA: A Resource to Support Children, Students, Educators, Schools, Service Providers, and Families, July 2021

A Response to Intervention (RTI) Process Cannot Be Used to Delay-Deny an Evaluation for Eligibility under the Individuals with Disabilities Education Act (IDEA): Memorandum 11-07, January 2011

Questions and Answers on Serving Children with Disabilities Placed by Their Parents in Private Schools, April 2011

WEB SITES

California Department of Education, Special Education: <http://www.cde.ca.gov/sp/se>

U.S. Department of Education, Office of Special Education and Rehabilitative Services:
<http://www.ed.gov/about/offices/list/osers>

Policy ALAMEDA UNIFIED SCHOOL DISTRICT
adopted: August 25, 2009 Alameda, California
revised:

FACILITIES FINANCING

The Governing Board recognizes its responsibility to identify the most cost-efficient and effective method of financing when purchasing or modifying district facilities. Financing—

◀ Previous | Next ▶

~~When~~ may be necessary when it is determined that school facilities must be built or expanded to accommodate ~~aan~~ increased or projected increased enrollment, ~~the Board of Education shall consider appropriate methods of financing for the purchase of school sites and the construction of buildings. In addition, financing may be needed~~ or when safety considerations and educational program improvements require the replacement, reconstruction, or modernization of existing facilities.

The Superintendent or designee shall research funding alternatives and recommend to the Board the method of funding that ~~would~~will best serve district needs as identified in the district's master plan for school facilities.

~~These funding~~

(cf. 7110 - Facilities Master Plan)

Funding alternatives may include, but are not be limited to:

- 1.- Levying developer fees pursuant to Education Code ~~17620~~ 17620 and Government Code ~~65995-65998~~ 65995-65998

(cf. 7211- Developer Fees)

- 2.- Forming a community facilities district pursuant to Government Code ~~53311-53368.3~~, 53311-53368.3, the Mello-Roos Community Facilities Act

(cf. 7212 - Mello-Roos Districts)

- 3.- Forming a school facilities improvement district pursuant to Education Code ~~15300-15425~~ 15300-15425

(cf. 7213 - School Facilities Improvement Districts)

- 4.- Issuing voter-approved general obligation bonds

(cf. 7214 - General Obligation Bonds)

- 5.- Imposing a ~~qualified~~ parcel tax pursuant to Government Code ~~50079~~ 50079

(cf. 3471 - Parcel Taxes)

- 6.- Using lease revenues for capital outlay purposes from surplus school property

(cf. 3280 - Sale or Lease of District-Owned Real Property)

7. Applying for state facilities funding pursuant to the Leroy F. Greene School Facilities Act (Education Code 17070.10-17079.30)

BP 7210(b)

FACILITIES FINANCING (continued)

The district shall provide reports, maintain records, and provide for audits of the expenditure of state facilities funds as required by law and AR 3460 - Financial Reports and Accountability. (Education Code 41024)

(cf. 3460 - Financial Reports and Accountability)

As applicable, the district shall comply with BP 3470 - Debt Issuance and Management.

(cf. 3470 - Debt Issuance and Management)

Legal Reference: (see next page)

FACILITIES FINANCING (continued)

Legal Reference:

EDUCATION CODE

~~15100-17059.2 School bonds, especially:~~

~~15122.5-15100-17199.6 School bonds, especially:~~

~~15122.5 Ballot statement~~

~~15300-15327-15300-15327 School facilities improvement districts~~

~~17000-17059.2-17000-17059.2 State School Building Lease-Purchase Law of 1976~~

~~17060-17066-17060-17066 Joint venture school facilities construction projects~~

~~17070.10-17076.10-17070.10-17079.30 Leroy F. Greene School Facilities Act of 1998~~

~~17085-17095-17085-17096 State Relocatable Classroom Law of 1979~~

~~17582-17582 District deferred maintenance fund~~

~~17620-17626-17620-17626 Levies against development projects by school districts, especially:~~

~~17621-17621 Procedures for levying fees~~

~~41024 Accounting system and audits~~

GOVERNMENT CODE

~~6061 One time notice~~

~~6066-6061 Manner of notice as prescribed in designated section~~

~~6066 Two weeks' notice~~

~~50075-50077 Voter-approved special taxes~~

~~50079-8855 Debt issuance and management~~

~~50075-50077.5 Voter-approved special taxes~~

~~50079 School districts; qualified special taxes~~

~~53175-53187-53175-53187 Integrated Financing District Act~~

~~53311-53368.3-53311-53368.3 Mello-Roos Community Facilities Act of 1982~~

~~53753-53753 Assessment notice and hearing requirements~~

~~53753.5 Exemptions~~

~~54954.1 Mailed notice to property owners~~

~~54954.6-53753.5 Exemptions~~

~~54954.1 Mailing of agenda~~

~~54954.6 New or increased tax or assessment; public meetings and hearings; notice~~

~~65864-65867 Development agreements~~

~~65970-65980.1-65864-65869.5 Development agreements~~

~~65970-65981 School facilities development project~~

~~65995-65998-65995-65998 Payment of fees against a development project~~

~~66000-66008 Fees for development projects~~

~~66016-66018.5 Development project fees~~

~~66020-66025 Protests and audits~~

~~66000-66008 Fees for development projects~~

~~66016-66019 Development project fees~~

~~66020-66025 Protests and audits~~

~~HEALTH AND SAFETY CODE~~

~~33445.5-33445.5 Overcrowding of schools resulting from redevelopment~~

~~33446-33446 School construction by redevelopment agency~~

~~CALIFORNIA CONSTITUTION~~

~~Article 13D, Sections 1-6 Assessment and property related fee reform~~

~~UNCODIFIED STATUTES~~

~~17696-17696.98 Greene-Hughes School Building Lease-Purchase Bond Law of 1986~~

~~CODE OF REGULATIONS, TITLE 2~~

~~1859-1859.106 School facility program~~

~~1859-1859.199 School facility program~~

~~COURT DECISIONS~~

~~*Ehrlich v. City of Culver City* (1996) 12 Cal.4th 854~~

~~*Loyola Marymount University v. Los Angeles Unified School District* (1996) 45 Cal.App.4th 1256~~

~~*Ehrlich v. City of Culver City* (1996) 12 Cal.4th 854~~

~~*Dolan v. City of Tigard* (1994) 114 S.Ct. 2309~~

~~*Canyon North Co. v. Conejo Valley Unified School District* (1993) 19 Cal.App.4th 243, 23 Cal.Rptr.2d 495~~

~~*Garlic Development Co. v. Hayward Unified School District* (1992) 3 Cal.App.4th 320, 4 Cal.Rptr.2d 897~~

~~*Nollan v. California Coastal Commission* (1987) 107 S.Ct. 3141~~

~~Legal Reference continued: (see next page)~~

BP 7210(d)

FACILITIES FINANCING (continued)

Legal Reference: (continued)

ATTORNEY GENERAL OPINIONS

79 Ops.Cal.Atty.Gen. 149 (1996)

Management Resources:

WEB SITES

California Department of Education: www.cde.ca.gov

California State Controller: www.sco.ca.gov

Department of General Services, Office of Public School Construction: <http://www.opsc.dgs.ca.gov>

<http://www.opsc.dgs.ca.gov>

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

adopted: ~~August 25, 2009 Alameda, California~~ March 2021

FACILITIES FINANCING

The Governing Board recognizes its responsibility to identify the most cost-efficient and effective method of financing when purchasing or modifying district facilities. Financing may be necessary when it is determined that school facilities must be built or expanded to accommodate an increased or projected increased enrollment or when safety considerations and educational program improvements require the replacement, reconstruction, or modernization of existing facilities.

The Superintendent or designee shall research funding alternatives and recommend to the Board the method of funding that will best serve district needs as identified in the district's master plan for school facilities.

(cf. 7110 - Facilities Master Plan)

Funding alternatives may include, but are not be limited to:

1. Levying developer fees pursuant to Education Code 17620 and Government Code 65995-65998

(cf. 7211- Developer Fees)

2. Forming a community facilities district pursuant to Government Code 53311-53368.3, the Mello-Roos Community Facilities Act

(cf. 7212 - Mello-Roos Districts)

3. Forming a school facilities improvement district pursuant to Education Code 15300-15425

(cf. 7213 - School Facilities Improvement Districts)

4. Issuing voter-approved general obligation bonds

(cf. 7214 - General Obligation Bonds)

5. Imposing a parcel tax pursuant to Government Code 50079

(cf. 3471 - Parcel Taxes)

6. Using lease revenues for capital outlay purposes from surplus school property

(cf. 3280 - Sale or Lease of District-Owned Real Property)

7. Applying for state facilities funding pursuant to the Leroy F. Greene School Facilities Act (Education Code 17070.10-17079.30)

The district shall provide reports, maintain records, and provide for audits of the expenditure of state facilities funds as required by law and AR 3460 - Financial Reports and Accountability. (Education Code 41024)

(cf. 3460 - Financial Reports and Accountability)

As applicable, the district shall comply with BP 3470 - Debt Issuance and Management.

(cf. 3470 - Debt Issuance and Management)

Legal Reference:

EDUCATION CODE

15100-17199.6 School bonds, especially:

15122.5 Ballot statement

15300-15327 School facilities improvement districts

17000-17059.2 State School Building Lease-Purchase Law of 1976

17060-17066 Joint venture school facilities construction projects

17070.10-17079.30 Leroy F. Greene School Facilities Act of 1998

17085-17096 State Relocatable Classroom Law of 1979

17582 District deferred maintenance fund

17620-17626 Levies against development projects by school districts, especially:

17621 Procedures for levying fees

41024 Accounting system and audits

GOVERNMENT CODE

6061 Manner of notice as prescribed in designated section

6066 Two weeks' notice

8855 Debt issuance and management

50075-50077.5 Voter-approved special taxes

50079 School districts; qualified special taxes

53175-53187 Integrated Financing District Act

53311-53368.3 Mello-Roos Community Facilities Act of 1982

53753 Assessment notice and hearing requirements

53753.5 Exemptions

54954.1 Mailing of agenda

54954.6 New or increased tax or assessment; public meetings and hearings; notice

65864-65869.5 Development agreements

65970-65981 School facilities development project

65995-65998 Payment of fees against a development project

66000-66008 Fees for development projects

66016-66019 Development project fees

66020-66025 Protests and audits

HEALTH AND SAFETY CODE

33445.5 Overcrowding of schools resulting from redevelopment

33446 School construction by redevelopment agency

CALIFORNIA CONSTITUTION

Article 13D, Sections 1-6 Assessment and property related fee reform

CODE OF REGULATIONS, TITLE 2

1859-1859.199 School facility program

COURT DECISIONS

Ehrlich v. City of Culver City (1996) 12 Cal.4th 854

Loyola Marymount University v. Los Angeles Unified School District (1996) 45 Cal.App.4th 1256

Dolan v. City of Tigard (1994) 114 S.Ct. 2309

Canyon North Co. v. Conejo Valley Unified School District (1993) 19 Cal.App.4th 243, 23 Cal.Rptr.2d 495

Garlic Development Co. v. Hayward Unified School District (1992) 3 Cal.App.4th 320
Nollan v. California Coastal Commission (1987) 107 S.Ct. 3141
ATTORNEY GENERAL OPINIONS
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Management Resources:

WEB SITES

California Department of Education: www.cde.ca.gov

California State Controller: www.sco.ca.gov

Department of General Services, Office of Public School Construction: <http://www.opsc.dgs.ca.gov>

Policy ALAMEDA UNIFIED SCHOOL DISTRICT

adopted: August 25, 2009 Alameda, California

revised:

ALAMEDA UNIFIED SCHOOL DISTRICT
SPECIAL AGENDA ITEM

Item Title:	Review and Discuss Staff Recommended Board Policy Updates (30 Mins/Discussion/Action)
Item Type:	Discussion/Action
Background:	<p>Below are policies and regulations brought forward by Staff for committee discussion. These are policies and regulations that staff have been directed to review and make updates to based on the current needs for policy change.</p> <ul style="list-style-type: none">• BP 0410 Nondiscrimination in District Programs and Activities• BP 3350 Travel Expenses• BP 6146.18 Continuation High School Graduation Requirements (DELETE)• BP 6173 Education for Homeless Children <p>Board Policies approved at the subcommittee meeting will be added to the Consent Calendar for approval by the Board of Education at a subsequent Board meeting. Board Policies requiring further discussion prior to approval by the Board of Education will be included as a General Business item.</p>
AUSD LCAP Goals:	1. Eliminate barriers to student success and maximize learning time. 2a. Support all students in becoming college and career ready. 2b. Support all English Learners (ELs) in becoming college and career ready. 3. Support parent/guardian development as knowledgeable partners and effective advocates for student success. 4. Ensure that all students have access to basic services.
Fiscal Analysis	
Amount (Savings) (Cost):	N/A
Recommendation:	This item is presented for information and will return to the Board for approval at a subsequent meeting.
AUSD Guiding Principle:	#1 - All students have the ability to achieve academic and personal success. #3 - Administrators must have the knowledge, leadership skills and ability to ensure student success. #4 - Parental involvement and community engagement are integral to student success. #5 - Accountability, transparency, and trust are necessary at all levels of the organization.
Submitted By:	Kirsten Zazo, Assistant Superintendent of Educational Services

ATTACHMENTS:

Description	Upload Date	Type
☐ Staff Updates_3.3.22	2/25/2022	Backup Material

Policy 0410: Nondiscrimination In District Programs And Activities

Status: ADOPTED

Original Adopted Date: 08/25/2009 | Last Revised Date: 07/06/2018 | Last Reviewed Date: 07/06/2018

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, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information; a perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics.

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 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, 1 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 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 need 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 ten (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 service, the District shall respond in writing, unless the timing of the request precludes or renders a written response unnecessary, impractical, or unfeasible.

~~Reasonable notification should be given prior to a school-sponsored function, program, or meeting.~~

~~The individual identified in AR 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~~ I ~~the district's ADA coordinator. He/she~~ 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.

~~Chief Academic Officer~~ ADA
Coordinator

2060 Challenger Dr.
Alameda, CA 94501
(510) 337.7092 7101
sfong@alamedaunified.org klonergan@alamedaunified.org

Policy 0410: Nondiscrimination In District Programs And Activities

Status: ADOPTED

Original Adopted Date: 08/25/2009 | Last Revised Date: 07/06/2018 | Last Reviewed Date: 07/06/2018

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, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information; a perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics.

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 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.

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 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 need 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 ten (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 service, 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

Policy ALAMEDA UNIFIED SCHOOL DISTRICT

adopted: August 25, 2009 Alameda, California

revised: July 6, 2018

revised:

Policy 3350: Travel Expenses

Status: ADOPTED

Original Adopted Date: 08/25/2009 | **Last Revised Date:** 03/11/2014 | **Last Reviewed Date:** 03/11/2014

The Board of Education recognizes that district employees may incur expenses in the course of performing their assigned duties and responsibilities. To ensure the prudent use of public funds, the Superintendent or designee shall establish rules to keep such expenses to a minimum while affording employees a reasonable level of safety and convenience.

The Board shall authorize payment for actual and necessary travel expenses incurred by any employee performing authorized services for the district, whether within or outside district boundaries. (Education Code 44032)

The Superintendent or designee shall establish procedures for the approval of travel requests and the submission and verification of expense claims. He/she also shall establish reimbursement rates in accordance with law and Board policy.

An employee shall obtain approval from the Superintendent or designee prior to traveling. The Superintendent or designee may approve travel requests in accordance with the adopted budget and upon determining that the travel is authorized or assigned by the employee's supervisor, is necessary to attend a conference or other staff development opportunity that will enhance employee performance, and/or is otherwise necessary to the performance of the employee's duties. Travel expenses not previously budgeted may be approved on a case-by-case basis by the Superintendent or designee if he/she determines that the travel is essential and that resources may be obtained or redirected for this purpose.

All out-of-state travel for which reimbursement will be claimed shall be approved in advance by the ~~Board~~ Superintendent.

Reimbursable travel expenses may include, but are not limited to, costs of transportation, parking fees, bridge or road tolls, lodging when district business reasonably requires an overnight stay, registration fees for seminars and conferences, telephone and other communication expenses incurred on district business, and other necessary incidental expenses.

The district shall not reimburse personal travel expenses including, but not limited to, tips or gratuities, alcohol, entertainment, laundry, expenses of any family member who is accompanying the employee on district-related business, personal use of an automobile, and personal losses or traffic violation fees incurred while on district business.

Except as otherwise provided, reimbursement of travel expenses shall be based on actual expenses as documented by itemized receipts.

Authorized employees shall be reimbursed for the use of their own private vehicles in the performance of assigned duties, on either a mileage or monthly basis as determined by the Superintendent or designee. (Education Code 44033)

The mileage allowance provided by the district for employees' use of their private vehicles shall be equal to the rate established by the Internal Revenue Service.

Vehicles should be shared whenever possible to minimize travel costs. No employee shall be entitled to reimbursement for automobile travel when he/she is transported free of charge or by another employee who is entitled to the expense reimbursement.

Meal costs shall be reimbursed based on documented actual expenses within the maximum amounts established by the Superintendent or designee and based on the time of day that travel for district business begins and ends.

All expense reimbursement claims shall be submitted on a district form, within 10 working days following return from travel when possible. The form shall be accompanied by receipts and any explanation necessary to document that the expenses meet district criteria for reimbursement.

The Superintendent or designee shall approve expense claims only upon verifying that all necessary documentation is provided and that all expenses are appropriate and related to district business. If an expense claim is disallowed due to lack of documentation or inappropriate expenses, the employee may be personally responsible for any improper costs incurred.

When approved by the Superintendent or designee, an employee may be issued a district credit card for use while on authorized district business. Itemized receipts documenting the expenses incurred on a district credit card shall be submitted within 45 days following return from travel. Under no circumstances shall personal expenses be charged on a district credit card, even if the employee intends to subsequently reimburse the district for the personal charges.

When necessary, the Superintendent or designee may approve a cash advance, not to exceed the estimated out-of-pocket reimbursable expenses, to an employee authorized to travel on district business. Within 10 working days following return from travel, the employee shall submit a final accounting with all necessary supporting documentation. He/she shall refund to the district any amount of cash advance exceeding the actual approved reimbursable expenses.

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
Ed. Code 42634	Itemization of expenses
Ed. Code 44016	Travel expense to employment interview
Ed. Code 44032	Travel expense payment
Ed. Code 44033	Automobile allowance
Ed. Code 44802	Student teacher's travel expense
Management Resources	Description
Internal Revenue Service Publication	Per Diem Rates (For Travel Within the Continental United States), Publication 1542
Website	U.S. General Services Administration, Per Diem Rates
Website	Internal Revenue Service

Cross References

Code	Description
1220	Citizen Advisory Committees
1220	Citizen Advisory Committees
2121	Superintendent's Contract
2230	Representative And Deliberative Groups
3100	Budget
3100	Budget
3110	Transfer Of Funds
3110	Transfer Of Funds

3230	<u>Federal Grant Funds</u>
3230	<u>Federal Grant Funds</u>
3300	<u>Expenditures And Purchases</u>
4131	<u>Staff Development</u>
4131	<u>Staff Development</u>
4231	<u>Staff Development</u>
4231	<u>Staff Development</u>
4331	<u>Staff Development</u>
4331	<u>Staff Development</u>
6159.3	<u>Appointment Of Surrogate Parent For Special Education Students</u>
6159.3	<u>Appointment Of Surrogate Parent For Special Education Students</u>
9150	<u>Student Board Members</u>
9150-E(1)	<u>Student Board Members</u>
9250	<u>Remuneration, Reimbursement And Other Benefits</u>

Policy 3350: Travel Expenses

Status: ADOPTED

Original Adopted Date: 08/25/2009 | **Last Revised Date:** 03/11/2014 | **Last Reviewed Date:** 03/11/2014

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All out-of-state travel for which reimbursement will be claimed shall be approved in advance by the Superintendent.

Reimbursable travel expenses may include, but are not limited to, costs of transportation, parking fees, bridge or road tolls, lodging when district business reasonably requires an overnight stay, registration fees for seminars and conferences, telephone and other communication expenses incurred on district business, and other necessary incidental expenses.

The district shall not reimburse personal travel expenses including, but not limited to, tips or gratuities, alcohol, entertainment, laundry, expenses of any family member who is accompanying the employee on district-related business, personal use of an automobile, and personal losses or traffic violation fees incurred while on district business.

Except as otherwise provided, reimbursement of travel expenses shall be based on actual expenses as documented by itemized receipts.

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9150	<u>Student Board Members</u>
9150-E(1)	<u>Student Board Members</u>
9250	<u>Remuneration, Reimbursement And Other Benefits</u>

Policy 6146.18: ^Continuation High School Graduation Requirements

Status: ADOPTED

Original Adopted Date: 06/25/2019 | **Last Reviewed Date:** 06/25/2019

The following requirements are specific to AUSD's continuation high school program. Students who return to a comprehensive or other non-continuation program will be required to complete the standard AUSD graduation requirements outlined in BP 6146.1.

Course Requirements

To obtain a diploma of graduation from the district's continuation high school, AUSD students shall complete at least the following courses in grades 9-12, with each course being an equivalent of one year unless otherwise specified (Education Code 51225.3):

1. Three courses in English. (Education Code 51225.3)
2. Two courses in mathematics, one which must be Algebra I. A student who completes coursework in grades 7 through 12 that meets or exceeds state academic content standards for Algebra I in less than two courses shall be considered to have met the requirement for Algebra I. Completion, prior to grade 9, of algebra coursework that meets or exceeds state academic content standards shall not exempt a student from the requirement to complete two mathematics courses in grades 9-12. (Education Code 51224.5 and 51225.3)
3. Two courses in laboratory sciences (including a year each in both biological and physical lab sciences). Students shall be counseled that foundational science requirements for state public college admission include completion of 1) Biology and 2) Chemistry or Physics. Students shall be counseled that two years of approved laboratory science are required for UC-CSU admission but that three years of lab science are recommended. (Education Code 51225.3)
4. Three courses in social studies, including United States history and geography; world history, culture, and geography; a one-semester course in American government and civics; and a one-semester course in economics. (Education Code 51225.3)
5. One course in visual and performing arts and one course in world language. For purposes of this requirement, American Sign Language shall qualify as a world language (Education Code 51225.3). Students may substitute a course in career technical education for one of these required courses (Assembly Bill 1330). Students shall be counseled that one year of visual and performing arts and two years of world language are required for UC-CSU admission but three years of a world language are recommended for UC-CSU admission. This graduation requirement takes effect for students graduating in 2016 and thereafter.
6. Two courses in physical education, unless the student has been otherwise exempted pursuant to other sections of the Education Code (Education Code 51225.3). Because the prescribed course of study may not accommodate the needs of some students, the Board shall provide alternative means for the completion of prescribed courses in accordance with law.
7. One course in current life issues (one semester).

The Superintendent or designee shall exempt or waive specific course requirements for foster youth or children of military families in accordance with Education Code 51225.3 and 49701.

1. Each student must complete a total of 200 credits for graduation.
2. Each student must attain a cumulative Grade Point Average (GPA) of not less than 1.75.
3. Each student shall complete a total of 20 hours of community service work during the 10th, 11th, and/or 12th grade(s).

4. Each student must complete at least two (2) of the following community college experiences:

- a. Meet with a community college counselor
- b. Complete a community college course
- c. Create a community college online account
- d. Participate in an official tour of a community college campus

5. Each student must complete all of the following as part of a career planning course or portfolio:

- a. Resume
- b. Cover Letter
- c. Career Interest Survey/Inventory

Only passing grades of "D" or above will be used to establish credit. Class standing will be based upon the individual accumulation of credit as follows:

Because the prescribed course of study may not accommodate needs of some students, the Board shall provide alternative means for the completion of prescribed courses in accordance with law.

Diploma of Graduation

Any student who meets all AUSD continuation school graduation requirements will receive an AUSD Diploma of Graduation and may participate in commencement exercises.

Sample of Education for Homeless Children and Youth Board Policy and Administrative Regulations

Instruction

CSBA Sample Manual
CSBA Policy Management Console

Policy 6173: Education For Homeless Children

Status: ADOPTED

Original Adopted Date: 07/01/2005 | Last Revised Date: 10/01/2016 | Last Reviewed Date: 10/01/2016

The Governing Board ~~must~~desires to ensure that homeless students have access to the same free and appropriate public education provided to other students within the district. The district shall provide homeless students with access to education and other services necessary for them to meet the same challenging academic standards as other students.

~~Homeless students shall not be segregated into a separate school or program based on their status as homeless and shall not be stigmatized in any way.~~

The Superintendent or designee shall ~~ensure that placement decisions for~~identify and remove any barriers to the identification and enrollment of homeless students and to the retention of homeless students ~~are based on the student's best interest as defined in law and administrative regulation~~due to absences or outstanding fees or fines. (42 USC 11432)

When there are at least 15 homeless students in the district or a district school, the district's local control and accountability plan (LCAP) shall include goals and specific actions to improve student achievement and other outcomes of homeless students. (~~California~~ Education Code ~~[EC] sections~~ 52052, 52060)

The Superintendent or designee shall designate an appropriate staff person to serve as a liaison for homeless children and youths. The district liaison shall fulfill the duties specified in 42 USC 11432 to assist in identifying and supporting homeless students to succeed in school.

In order to identify district students who are homeless, the Superintendent or designee may give a housing questionnaire to all parents/guardians during school registration, make referral forms readily available, include the district liaison's contact information on the district and school web sites, provide materials in a language easily understood by families and students, provide school staff with professional development on the definition and signs of homelessness, and contact appropriate local agencies to coordinate referrals for homeless children and youth and unaccompanied youth.

Information about a homeless student's living situation shall be considered part of a student's educational record, subject to the Family Educational Rights and Privacy Act and shall not be deemed to be directory information as defined in 20 USC 1232g. (42 USC 11432)

The Superintendent or designee shall ensure that placement decisions for homeless students are based on the student's best interest as defined in law and administrative regulation.

Each homeless student shall be provided services that are comparable to services offered to other students in the school, including, but not limited to, transportation, educational programs for which the student meets the eligibility criteria (such as federal Title I services or similar state or local programs, programs for students with disabilities, and educational programs for English learners), career and technical education programs, programs for gifted and talented students, and school nutrition programs. (42 USC 11432)

Homeless students shall not be segregated into a separate school or program based on their status as homeless and shall not be stigmatized in any way. However, the Superintendent or designee may separate homeless students on school grounds as necessary for short periods of time for health and safety emergencies or to provide temporary,

~~Sample of Education for Homeless Children and Youth Board Policy and Administrative Regulations~~

special, and supplementary services to meet the unique needs of homeless students. (42 USC 11432, 11433)

The Superintendent or designee shall coordinate with other agencies and entities to ensure that homeless children and youth are promptly identified, ensure that homeless students have access to and are in reasonable proximity to available education and related support services, and raise the awareness of school personnel and service providers of the effects of short-term stays in a shelter and other challenges associated with homelessness. Toward these ends, the Superintendent or designee shall collaborate with local social services agencies, other agencies or entities providing services to homeless children and youth, and, if applicable, transitional housing facilities. In addition, the Superintendent or designee shall coordinate transportation, transfer of school records, and other interdistrict activities with other local educational agencies. As necessary, the Superintendent or designee shall coordinate, within

~~Sample of Education for Homeless Children and Youth Board Policy and Administrative Regulations~~

~~the district and with other involved local educational agencies, services for homeless students and services for students with disabilities. (42 USC 11432)~~

~~District liaisons and other appropriate staff shall participate in professional development and other technical assistance activities to assist them in identifying and meeting the needs of homeless students and to provide training on the definitions of terms related to homelessness. (42 USC 11432)~~

At least annually, the Superintendent or designee shall report to the Board on outcomes for homeless students, which may include, but are not limited to, school attendance, student achievement test results, promotion and retention rates by grade level, graduation rates, suspension/expulsion rates, and other outcomes related to any goals and specific actions identified in the LCAP. Based on the evaluation data, the district shall revise its strategies as needed to better support the education of homeless students.

Policy 6173: Education For Homeless Children

The Governing Board desires to ensure that homeless students have access to the same free and appropriate public education provided to other students within the district. The district shall provide homeless students with access to education and other services necessary for them to meet the same challenging academic standards as other students.

The Superintendent or designee shall identify and remove any barriers to the identification and enrollment of homeless students and to the retention of homeless students due to absences or outstanding fees or fines. (42 USC 11432)

When there are at least 15 homeless students in the district or a district school, the district's local control and accountability plan (LCAP) shall include goals and specific actions to improve student achievement and other outcomes of homeless students. (Education Code 52052, 52060)

The Superintendent or designee shall designate an appropriate staff person to serve as a liaison for homeless children and youths. The district liaison shall fulfill the duties specified in 42 USC 11432 to assist in identifying and supporting homeless students to succeed in school.

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The Superintendent or designee shall coordinate with other agencies and entities to ensure that homeless children and youth are promptly identified, ensure that homeless students have access to and are in reasonable proximity to available education and related support services, and raise the awareness of school personnel and service providers of the effects of short-term stays in a shelter and other challenges associated with homelessness. Toward these ends, the Superintendent or designee shall collaborate with local social services agencies, other agencies or entities providing services to homeless children and youth, and, if applicable, transitional housing facilities. In addition, the Superintendent or designee shall coordinate transportation, transfer of school records, and other interdistrict activities with other local educational agencies. As necessary, the Superintendent or designee shall coordinate, within the district and with other involved local educational agencies, services for homeless students and services for students with disabilities. (42 USC 11432)

District liaisons and other appropriate staff shall participate in professional development and other technical assistance activities to assist them in identifying and meeting the needs of homeless students and to provide training on the definitions of terms related to homelessness. (42 USC 11432)

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Policy ALAMEDA UNIFIED SCHOOL DISTRICT

Adopted: September 13, 2005 Alameda, California

Revised: August 25, 2009

Revised: