

BOARD OF EDUCATION AGENDA

REGULAR MEETING
September 24, 2024 - 5:30 PM

Alameda City Hall - Council Chambers

2263 Santa Clara Avenue
Alameda, CA 94501

Regular meetings held in Council Chambers will be recorded and broadcast live on Comcast, Channel 15

VIDEO

The Board of Education will meet for Closed Session and to discuss labor negotiations, student discipline, personnel matters, litigation, and other matters as provided under California State law and set forth on the agenda below.

Following Closed Session, the Board reconvenes to Public Session. Adjournment of the Public Session 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 337-7187 no later than 48 hours 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.

Closed Session Items: may be addressed under Public Comment on Closed Session Topics.

Non Agenda and Consent Items: may be addressed under Public Comments.

Agenda Items: may be addressed after the conclusion of the staff presentation on the item.

A. CALL TO ORDER

1. Public Comment on Closed Session Topics: The Board of Education Reserves the Right to Limit Public Comment to 10 Minutes. For members of the public who are unable to log in or attend in person, please send public comments related to Closed Session agenda items to: publiccomments@alamedaunified.org. Public comments received prior to 5:00 PM on September 23, 2024, will be distributed to the Board of Education prior to the meeting.

To join the Microsoft Teams meeting in order to make a public comment on Closed Session Agenda Items only:

Microsoft Teams Link
Meeting ID: 293 214 067 196
Passcode: QmR9V8

2. Adjourn to Closed Session - 5:30 PM - Board Members will meet privately in Room 391 at City Hall for Closed Session. Any action taken during Closed Session will be reported out under "Closed Session Action Report."

Conference with Real Property Negotiators (Govt. Code §54956.8) Agency designated representative: Shariq Khan, Assistant Superintendent, Business Services (one case):

- 1) Property address: 210 Central Avenue, Alameda, California 94501
3. *****

Reconvene to Public Session - 6:30 PM -City Council Chambers

Alameda Unified School District encourages public participation in person or remotely.

In Person Participation

Meeting locations are listed at the top of the agenda.

A speaker slip must be submitted to speak on any item in person.

Remote Participation via Zoom on a Computer/Smart Phone/Device

Ensure you are using the most current version of the Zoom app or an updated web browser. Certain functionality may be disabled if the app or browser are not updated.

Register using the link below. Click "raise hand" when you wish to speak on an item and click "unmute" once you have been called to speak.

Remote Participation via Standard Telephone Call

Call **669-900-9128** and enter the Meeting ID listed at the top of the agenda. Dial *9 to raise your hand when you wish to speak on an item and dial *6 to unmute once you have been called to speak.

Zoom Registration Link: https://alamedaca.gov.zoom.us/webinar/register/WN_LxU07bNWRqa7BbaGnCXAsw

For Telephone Participants:

Zoom Phone Number: 669-900-9128

Zoom Meeting ID: 892 1582 9256

**To view the live stream of the public meeting at 6:30pm,
please visit the City of Alameda's Live Video Broadcast page.**

4. Pledge of Allegiance - Board of Education President Jennifer Williams will lead the Pledge of Allegiance
5. Closed Session Action Report

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, that consideration of an item has been withdrawn, postponed, rescheduled or removed from the Consent Calendar for separate discussion and possible action

C. APPROVAL OF MINUTES

1. Minutes from the August 27th Regular Board Meeting will be considered (5 Mins/Action)

D. COMMUNICATIONS

1. Public Comments - This public comment period is for items not listed on the agenda but that are under the Board's jurisdiction. Members of the public can join the meeting in person or from their computer, tablet or smartphone. Please submit a speaker slip (in person) or use the "raise your hand" feature (Zoom). Once public comments begin, additional speaker slips and raised hands will not be accepted. If we experience technical difficulties or if there is a disruption, the Board may discontinue Zoom public comments at any time. If a member of the public is unable to join the meeting, they may send their comments to: publiccomments@alamedaunified.org.
2. Written Correspondence - Written correspondence regarding an agenda item that is distributed to a majority of Board Members is shared.
3. Report from Employee Organizations - Representatives from the District's employee organizations may make announcements or provide information to the Board and Public in the form of a brief oral report. The Board will not take action on such items. Alameda Education Association (AEA); California School Employees Association Chapter 27 (CSEA 27); California School Employees Association Chapter 860 (CSEA 860) (5 Mins Each/Information).
4. PTA Council Report - Representatives from the District's PTA Council group may make announcements or provide information to the Board and Public in the form of a brief oral report. The Board will not take action on such items. (5 Mins/Information)
5. Board Members' Report - Board of Education Members may make announcements or provide information to the Public in the form of an oral report. The Board will not take action on such items. (5 Mins Each/Information)
6. Superintendent's Report - The Superintendent of Schools may make announcements or provide information to the Board and Public in the form of an oral report. The Board will not take action on such items.
7. Student Board Members' Report - Student Board Members may make announcements or provide information to the Board and the Public in the form of an oral report. The Board will not take action on such items. (5 Mins Each/Information)

E. ADOPTION OF THE CONSENT CALENDAR

1. Classified Personnel Actions
2. Certificated Personnel Actions
3. Approval and Acceptance of Donations
4. Approval of Bill Warrants and Payroll Registers
5. Approval of Board Policy/Administrative Regulation 5145.9 Hate-Motivated Behavior
6. Approval of Board Policy/Administrative Regulation 6115 Ceremonies and Observances
7. Approval of CSBA Recommended Updates to Board Policies Reviewed at the September 12th Board Policy Subcommittee Meeting
8. Approval of Facilities Bond Measure I and Measure B Contracts (Standing Item)
9. Approval of Individual Service Agreements (ISAs) with Non-Public Schools and Non-Public Agencies
10. Approval of New Job Descriptions: Environmental Health and Safety Technician and Technology Assistant

11. Proclamation: Lesbian, Gay, Bisexual, Transgender, Queer/Questioning History Month - October
12. Proclamation: National Domestic Violence Awareness Month - October
13. Proclamation: World Teachers' Day - October 5, 2023
14. Ratification of Contracts Executed Pursuant to Board Policy 3300
15. Resolution No. 2024-2025.13 Approval of Budget Transfers, Increases, Decreases
16. Resolution No. 2024-2025.14 Authorization to Dispose of Surplus Property

F. GENERAL BUSINESS – Informational reports and action items are presented under General Business. The public may comment on each item listed under General Business as the item is taken up. The Board reserves the right to limit public comment on General Business 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.

1. Approval of Measure B Otis Elementary School Schematic Design (15 Mins/Action)
2. Enrollment Report: 20th Day of School (10 Mins/Information)
3. 2024-25 Three-Year Local Control and Accountability Plan (LCAP) Goal 1 (20 Mins/Information)
4. Resolution No. 2024-2025.xx Certification of Requirement of Education Code Section 60119 for Pupil Textbooks and Instructional Materials for Grades K-12 for the 24-25 SY (5 Mins/Public Hearing/Information)
5. Resolution No. 2024-2025.12 Providing Authorization to Hire on Provisional Internship Permits (PIP) (5 Mins/Action)

G. ADJOURNMENT

ALAMEDA UNIFIED SCHOOL DISTRICT
BOARD AGENDA ITEM

Item Title: Adjourn to Closed Session - 5:30 PM - Board Members will meet privately in Room 391 in City Hall for Closed Session. Any action taken during Closed Session will be reported out under "Closed Session Action Report."

Item Type:

Background: Adjourn to Closed Session - 5:30 PM - Board Members will meet privately in Room 391 at City Hall for Closed Session. Any action taken during Closed Session will be reported out under "Closed Session Action Report."

Conference with Real Property Negotiators (Govt. Code §54956.8) Agency designated representative: Shariq Khan, Assistant Superintendent, Business Services (one case):

1) Property address: 210 Central Avenue, Alameda, California 94501

AUSD LCAP Goals: 1. Eliminate barriers to student success and maximize learning time.

Fund Codes:

Fiscal Analysis

Amount (Savings) (Cost):

Recommendation:

AUSD Guiding Principle:

Submitted By:

ALAMEDA UNIFIED SCHOOL DISTRICT
BOARD AGENDA ITEM

Item Title: Minutes from the August 27th Regular Board 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.

Minutes coming to the Board for approval are:

- August 27, 2024 Regular Board Meeting

AUSD LCAP Goals:

Fund Codes:

Fiscal Analysis

Amount (Savings) (Cost):

Recommendation: Approve as submitted.

AUSD Guiding Principle:

Submitted By: Kerri Lonergan, Senior Executive Assistant to the Superintendent and Board of Education

ATTACHMENTS:

Description	Upload Date	Type
☐ Unadopted minutes from August 27, 2024	9/17/2024	Backup Material

ADOPTED MINUTES

REGULAR MEETING: The regular meeting of the Board of Education was held at the date and location mentioned above.

A. CALL TO ORDER

1. Public Comment on Closed Session Topics:
The Board did not receive any public comments related to this agenda.

2. Adjourn to Closed Session - 5:30 PM
Board of Education Members present: Board President Jennifer Williams, Board Vice President Gary K. Lym, Board Clerk Ryan LaLonde, Board Trustee Heather Little, and Board Trustee Margie Sherratt.

Staff present for Closed Session: Superintendent Pasquale Scuderi, Assistant Superintendent, Human Resources, Timothy Erwin; Assistant Superintendent, Business Services Shariq Khan.

Items discussed in Closed Session:

Conference with Real Property Negotiators (Govt. Code §54956.8) Agency designated representative: Shariq Khan, Assistant Superintendent, Business Services (one case):

- 1) Property address: 210 Central Avenue, Alameda, California 94501

3. Reconvene to Public Session - 6:30PM
Board President Williams reconvened the meeting at 6:30PM.

Board Vice President Gary K. Lym left the meeting at 6:32pm due to illness.

4. Call to Order - Pledge of Allegiance
Board of Education President Jennifer Williams led the Pledge of Allegiance.

5. Introduction of Board Members and Staff:
Board of Education Members present: Board President Jennifer Williams, Board Vice Board Clerk Ryan LaLonde, Board Trustee Heather Little, and Board Trustee Margie Sherratt.

Board Vice President Gary K. Lym left the meeting prior to introductions due to illness.

Student Board Member Lianna Lau from ASTI was present. Student Board Members from Encinal Jr. & Sr. High School and Alameda High School will be sworn in at the September 10th Board of Education meeting.

AUSD staff members present: Superintendent Pasquale Scuderi, Assistant Superintendent, Human Resources, Timothy Erwin; Assistant Superintendent, Business Services Shariq Khan; Assistant Superintendent, Educational Services, Kirsten Zazo; Senior Manager of Community Affairs, Susan Davis and Senior Executive Assistant to the Superintendent, Kerri Lonergan.

6. Closed Session Action Report:
There was no action taken during Closed Session.

B. MODIFICATION(S) OF THE AGENDA:
There were no modifications to the agenda.

- C. APPROVAL OF MINUTES**
The minutes from the May 28th and June 25th Regular Board of Education meetings were considered for approval.

Motion to approve the minutes from the May 28th and June 25th Board of Education meetings.

MOTION: Member Little **SECONDED:** Member Sherratt

STUDENT BOARD MEMBER VOTES

AYES:

NOES:

ABSTAIN: Student Board Member Lau

BOARD MEMBER VOTES

AYES: Members Williams, LaLonde, Little, and Sherratt

NOES:

ABSENT: Member Lym

MOTION APPROVED

D. COMMUNICATIONS

1. Public Comments on Non-Agenda Items:
Christine Huddleson - parent of AUSD student: Ms. Huddleson asked the Board why there wasn't more outreach on the new math curriculum at Alameda High School.

Jennifer Radakovich, Rhythmix Cultural Works: Ms. Radakovich shared information about an upcoming event at Rhythmix Cultural Works. Ms. Radakovich stated the event, which is focused on Rising Seas, was a part of a series of four themed art events combining global music with interactive

theater and immersive dance to engage audiences with the impact of rising sea levels. The first event in the series is to be held on August 30th.

2. Written Correspondence:

The Board did not receive any written correspondence related to this agenda.

3. Report from Employee Organizations:

Nancy Read and Martha Zenk, co-presidents, Alameda Education Association (AEA): AEA Co-Presidents Nancy Read and Martha Zenk stated they disagreed with the Superintendent Scuderi's presentation at the August 13th Board meeting about upcoming budget issues and other conditions affecting students and staff. The co-presidents also brought up an issue with class sizes being very close to the maximum.

4. Report from PTA Council:

Katie Honegger President, PTA Council: Ms. Honegger said PTAs are up and running and the first meetings of the year are happening. Ms. Honegger also told the Board and audience that anyone can join a PTA, you do not have to be a parent/guardian at a school to join.

5. Board Members' Report:

Board Member Margie Sherratt: Board Member Sherratt stated she loves hearing that students are having a successful opening and that students are excited to be back at school.

Board President Jennifer Williams: Board President Williams addressed a comment from earlier in the meeting that disagreed with Superintendent Scuderi's decision to have a budget report that outlined potential cuts that would need to be made in order to pay for the much-needed salary increased negotiated by AUSD's bargaining groups last year.

Board President Williams stated she asked Superintendent Scuderi to give that presentation to be fully transparent with our community. Board President Williams stated the Alameda community has stepped up every time we have asked them to when it comes to parcel taxes and bond measures. Board President Williams stated we made a historic labor agreement, and we need to be respectful and clear about our budget and what we are facing in the future.

Board President Williams stated the Board was asked to think outside the box to be able to fund the salary increase and the money put towards employee health benefits, and they did, so now the Board has asked the Superintendent and staff to make sure we are being completely transparent about the tough decisions they made so the Board and Superintendent's values are protected.

6. Superintendent's Report:

Superintendent Pasquale Scuderi: Superintendent Scuderi shared information about budget presentations that have happened and that are upcoming. He stated they are part of AUSD's efforts to remain transparent with the community about the creativity required to fund historic salary increases given last year and what happens when \$850K in one-time funds expires in 2025.

Superintendent Scuderi also introduced AUSD's new administrators.

7. Student Board Member Report:

Student Board Member Lianna Lau (ASTI): Student Board Member Lau stated it was nice to be back for a second year. Student Board Member Lau said ASTI welcomed a new class of 59 9th graders, and the school will have their Ice Cream Social and Back to School Night tomorrow, August 28th.

E. ADOPTION OF THE CONSENT CALENDAR

1. Certificated Personnel Actions
2. Classified Personnel Actions
3. Approval and Acceptance of Donations
4. Approval of Bill Warrants and Payroll Registers
5. Approval of Courses for 2024-25 SY School Year: Alameda Adult School
6. Approval of Facilities Bond Measure I and Measure B Contracts (Standing Item)
7. Approval of Individual Service Agreements (ISAs) with Non-Public Schools and Non-Public Agencies
8. Proclamation: Labor Day - September 2, 2024
9. Proclamation: Suicide Prevention Awareness Month - September
10. Ratification of Contracts Executed Pursuant to Board Policy 3300
11. Resolution No. 2024-2025.05 Authorization to Dispose of Surplus Property
12. Resolution No. 2024-2025.06 Approval of Budget Transfers, Increases, Decreases

Motion to adopt the Consent Calendar.

MOTION: Member Little

SECONDED: Member Sherratt

STUDENT BOARD MEMBER VOTES

AYES: Student Board Member Lau

NOES:

ABSTAIN:

BOARD MEMBER VOTES

AYES: Members Williams, LaLonde, Little, and Sherratt

NOES:

ABSENT: Member Lym

MOTION APPROVED

F. GENERAL BUSINESS

1. Resolution No. 2024-2025.08 in Support of High School Voter Education Weeks

Board President Jennifer Williams requested this item be added to the agenda. California Education Code section 49040(a) declares the last two full weeks of April and September as California High School Voter Education Weeks.

This resolution affirms the Board of Education's support of civic education, the critical role of voting in our democracy, and high school efforts to register and pre-register students during the month of September every year.

Public Comments:

Linda Bitoff, League of Women Voters: Ms. Bitoff thanked the Board for making this resolution a priority. She stated she would like to see Voter Education added as part of AUSD's curriculum someday.

Motion to approve Resolution No. 2024-2025.08 in Support of High School Voter Education Weeks.

MOTION: Member Sherratt

SECONDED: Member LaLonde

STUDENT BOARD MEMBER VOTES

AYES: Student Board Member Lau

NOES:

ABSTAIN:

BOARD MEMBER VOTES

AYES: Members Williams, LaLonde, Little, and Sherratt

NOES:

ABSENT: Member Lym

MOTION APPROVED

2. Enrollment Report: First Five Days of School

Kirsten Zazo, AUSD's Assistant Superintendent, Educational Services presented this agenda item to the Board. Ms. Zazo shared enrollment data for elementary, middle, and high schools. Enrollment is monitored daily for the first 10 days of school. Classes must be balanced by the 20th day to meet class size maximums per the Alameda Education Association (AEA) contract. One number to watch will be the total enrollment number. Currently that number is 9,128, which is 26 students more than projected. Ms. Zazo explained we have 62 more elementary students than projected, and 36 fewer secondary students

The presentation also included the changes made by the district earlier this year to the Administrative Regulation on Intra District Open Enrollment (AR 5116.1).

At the Board of Education meeting on September 24, Ms. Zazo will update the Board as enrollment is considered final as of the 20th day of school. This is when we will know which students will be removed due to no-shows. This is also when staff is able to approve any transfer requests.

3. Expanded Learning Opportunities Program (ELOP) Update

Expanded Learning Opportunity Programs (ELOP) is one key part of State Superintendent Tony Thurmond's Transforming School Initiatives. Claudia

Medina, Coordinator of ELOP and ASES shared information on the first full year of ELOP in AUSD.

Tonight's presentation provides information on this year's enrollment. The summer program served 300 students; this fall's enrollment is up by about 30 percent over last year. The entire program has opened new spaces for afterschool care across our island

The purpose of the After School or Expanded Learning Opportunities Program is to create programs that focus on developing the academic, social, emotional, and physical needs and interests of students through hands-on engaging learning experiences.

Expanded Learning Programs are pupil-centered, results driven, include community partners, and complement, but do not replicate, learning activities in the regular school-day and school year.

One focus area for this school year is the 6th grade program, which to date has not been getting as much enrollment as the other grades.

Public Comments:

Caroline Brossard, parent of AUSD student(s): Ms. Brossard asked about professional development provided around the needs of students who receive special education services.

A Board member reiterated the question about Professional Development for staff serving AUSD students in our ELOP program.

A Board member asked if the Professional Development also helped staff support students who receive services through an IEP.

Ms. Medina explained that Professional Development is structured to help staff learn how to interact with all students.

Board members appreciated being able to visit the Right at School afterschool classes. Board members also appreciated the high retention rates of Right at School staff.

4. Resolution No. 2024-2025.07 Granting of Easement to the City of Alameda (Measure B EJSHS Field Project)

The Measure B Bond project list includes the stadium renovation at Encinal Junior & Senior High School, located at 210 Central Ave, Alameda CA 94501, Assessors Parcel Number: 074-1310-001-02. The approved design entails replacing the existing athletic field with an all-weather track and synthetic turf, replacing 1,200 seat bleachers, and updating track and field areas.

This project requires the relocation of a city storm drain currently under the field and bleachers, and as such, the City of Alameda is seeking a perpetual permanent easement and right of way for the purpose of access to repair and

maintain their underground storm drain line that runs from Central Ave to an outfall in the bay. The storm drain is located under Encinal Junior & Senior High School's west driveway behind buildings 700, 600, and 900.

Education Code requires a two-step process for granting easements. Step one was the approval of Resolution 2024-2025.03 Declaration of Intent to Grant an Easement to the City of Alameda at the Board's August 13, 2024 meeting.

Tonight, a second resolution, Resolution No. 2024-2025.07 Granting an Easement to the City of Alameda was presented for adoption as a public hearing. The community was advised of the Board's intent to grant the easement through a published notice on August 22, 2024.

Public Hearing opened: 7:41pm
No public comments
Public Hearing closed: 7:42pm

Motion to approve Resolution No. 2024-2025.07 Granting of Easement to the City of Alameda (Measure B EJSHS Field Project).

MOTION: Member Little **SECONDED:** Student Board Member Lau

STUDENT BOARD MEMBER VOTES

AYES: Student Board Member Lau

NOES:

ABSTAIN:

BOARD MEMBER VOTES

AYES: Members Williams, LaLonde, Little, and Sherratt

NOES:

ABSENT: Member Lym

MOTION APPROVED

G. ADJOURNMENT – Board President Jennifer Williams adjourned the meeting at 7:45pm.

Respectively Submitted,

Kerri Lonergan
Senior Executive Assistant
Alameda Unified School District

ALAMEDA UNIFIED SCHOOL DISTRICT
BOARD AGENDA ITEM

Item Title: Classified Personnel Actions

Item Type: Consent

Background: *NOTE: If approved by the Board, personnel reports are uploaded the day after the meeting.*

AUSD LCAP Goals:

Fund Codes:

Fiscal Analysis

Amount (Savings) (Cost): All positions shown are authorized by the board and are included in the 2024-2025 budget.

Recommendation: Approve as submitted.

AUSD Guiding Principle: #6 - Allocation of funds must support our vision, mission, and guiding principles.

Submitted By: Timothy Erwin, Assistant Superintendent, Human Resources

ATTACHMENTS:

Description	Upload Date	Type
☐ Classified Personnel Actions	9/25/2024	Backup Material

ALAMEDA UNIFIED SCHOOL DISTRICT
BOARD AGENDA ITEM

Item Title: Certificated Personnel Actions

Item Type: Consent

Background: *NOTE: If approved by the Board, personnel reports are uploaded the day after the meeting.*

AUSD LCAP Goals:

Fund Codes:

Fiscal Analysis

Amount (Savings) (Cost): All positions shown are authorized by the board and are included in the 2024-2025 budget.

Recommendation: Approve as submitted.

AUSD Guiding Principle: #6 - Allocation of funds must support our vision, mission, and guiding principles.

Submitted By: Timothy Erwin, Assistant Superintendent, Human Resources

ATTACHMENTS:

Description	Upload Date	Type
☐ Certificated Personnel Actions	9/25/2024	Backup Material

ALAMEDA UNIFIED SCHOOL DISTRICT
BOARD AGENDA ITEM

Item Title: Approval and Acceptance of Donations

Item Type: Consent

Background: Throughout the school year, donations are routinely accepted by the District. The donations are from various sources and are commonly designated for specific schools or departments, and for specific use.

AUSD LCAP Goals: 4. Ensure that all students have access to basic services.

Fund Codes: 01 General Fund

Fiscal Analysis

Amount (Savings) (Cost): Will increase the revenues of the District in the amount of \$14,313.00.

Recommendation: Approve as submitted.

AUSD Guiding Principle: #5 - Accountability, transparency, and trust are necessary at all levels of the organization. | #6 - Allocation of funds must support our vision, mission, and guiding principles.

Submitted By: Shariq Khan, Assistant Superintendent of Business Services

ATTACHMENTS:

Description	Upload Date	Type
☐ Summary Site Donations	9/16/2024	Backup Material

2024-2025
Summary Site Donations
September 6, 2024 - September 16, 2024

Slip Date	Site	Donor	Amount	Site Total	Total Donations
8/21/2024	Alameda HS	Cash	\$ 4,000.00		
9/10/2024	Alameda HS	Cash	\$ 5,320.00		
				<u>\$ 9,320.00</u>	
9/6/2024	ASTI	An Ning Li	\$ 75.00		
9/6/2024	ASTI	Ana Paredes	\$ 25.00		
9/6/2024	ASTI	Connie Olson	\$ 25.00		
9/6/2024	ASTI	Connie Takayama	\$ 25.00		
9/6/2024	ASTI	Grace Chan	\$ 100.00		
9/6/2024	ASTI	Guy Yardeni	\$ 25.00		
9/6/2024	ASTI	Harold Huynh	\$ 25.00		
9/6/2024	ASTI	Jett Setton	\$ 25.00		
9/6/2024	ASTI	Joann Ma	\$ 25.00		
9/6/2024	ASTI	John Marco Ago	\$ 75.00		
9/6/2024	ASTI	Jonah Tan	\$ 25.00		
9/6/2024	ASTI	Julia Shafer	\$ 75.00		
9/6/2024	ASTI	Katherine Fletcher	\$ 75.00		
9/6/2024	ASTI	Lindsay Krumbein	\$ 25.00		
9/6/2024	ASTI	Lucia Luciano	\$ 25.00		
9/6/2024	ASTI	Mariana Matthews	\$ 25.00		
9/6/2024	ASTI	Minyi Chen	\$ 25.00		
9/6/2024	ASTI	Morris Chen	\$ 75.00		
9/6/2024	ASTI	Nanako Nguyen	\$ 25.00		
9/6/2024	ASTI	Nejra Hojic	\$ 25.00		
9/6/2024	ASTI	Newton Luu	\$ 75.00		
9/6/2024	ASTI	Para Patel	\$ 25.00		
9/6/2024	ASTI	Rashmi Yekaldevi	\$ 25.00		
9/6/2024	ASTI	Rui Guo	\$ 25.00		
9/6/2024	ASTI	Shuwen Liang	\$ 100.00		
9/6/2024	ASTI	Shuyi Chen	\$ 25.00		
9/6/2024	ASTI	Susan Lee	\$ 25.00		
9/6/2024	ASTI	Trisha Rubio	\$ 25.00		
9/6/2024	ASTI	Virginia Duong	\$ 25.00		
9/6/2024	ASTI	W Yam	\$ 100.00		
9/6/2024	ASTI	Wahid Amiri	\$ 75.00		
9/6/2024	ASTI	Xiaojuan Zhang	\$ 25.00		
9/6/2024	ASTI	Yebonya Collins	\$ 25.00		
				<u>\$ 1,400.00</u>	
9/6/2024	Encinal HS	Lisa Yap	\$ 250.00		
				<u>\$ 250.00</u>	
9/7/2024	Lincoln MS	Alisa Amaral	\$ 50.00		
9/7/2024	Lincoln MS	Amadea Azerki	\$ 50.00		
9/7/2024	Lincoln MS	Ander Chen	\$ 27.00		
9/7/2024	Lincoln MS	Andrea Makunje	\$ 50.00		
9/7/2024	Lincoln MS	Andy Lim	\$ 23.00		
9/7/2024	Lincoln MS	Angela Tam	\$ 23.00		

**2024-2025
Summary Site Donations**

September 6, 2024 - September 16, 2024

9/7/2024	Lincoln MS	Annabelle Blackman	\$	27.00
9/7/2024	Lincoln MS	Anton Delwig	\$	23.00
9/7/2024	Lincoln MS	Ava Cohen	\$	27.00
9/7/2024	Lincoln MS	B Colon	\$	50.00
9/7/2024	Lincoln MS	Badamlyanhua Choisurem	\$	50.00
9/7/2024	Lincoln MS	Canna Teng	\$	27.00
9/7/2024	Lincoln MS	Catlin Bauby	\$	27.00
9/7/2024	Lincoln MS	Chong Yu	\$	50.00
9/7/2024	Lincoln MS	Chris Camozzi	\$	23.00
9/7/2024	Lincoln MS	Chris Ebel	\$	60.00
9/7/2024	Lincoln MS	Chris Yuen	\$	23.00
9/7/2024	Lincoln MS	Cindy Ou	\$	46.00
9/7/2024	Lincoln MS	Courtney Bergin	\$	27.00
9/7/2024	Lincoln MS	Courtney Sloan	\$	23.00
9/7/2024	Lincoln MS	Deborah Deveno	\$	50.00
9/7/2024	Lincoln MS	Devan Nasitka	\$	27.00
9/7/2024	Lincoln MS	Dorothy Miller	\$	27.00
9/7/2024	Lincoln MS	Elizabeth Clements	\$	27.00
9/7/2024	Lincoln MS	Erika Buttram	\$	33.00
9/7/2024	Lincoln MS	Eriko Carroll	\$	27.00
9/7/2024	Lincoln MS	Gail Senoglu	\$	50.00
9/7/2024	Lincoln MS	Gerlie Groze	\$	27.00
9/7/2024	Lincoln MS	Gregg Fujita	\$	27.00
9/7/2024	Lincoln MS	Guolin Zhang	\$	23.00
9/7/2024	Lincoln MS	Hien Doan	\$	73.00
9/7/2024	Lincoln MS	Ine Leus	\$	50.00
9/7/2024	Lincoln MS	Jacqueline Mata	\$	27.00
9/7/2024	Lincoln MS	Jaimie Orfanos	\$	43.00
9/7/2024	Lincoln MS	Jannette Eng	\$	23.00
9/7/2024	Lincoln MS	Jeff Michels	\$	23.00
9/7/2024	Lincoln MS	Jennifer Patterson	\$	54.00
9/7/2024	Lincoln MS	Jesse Burrell	\$	50.00
9/7/2024	Lincoln MS	Jessica Liu	\$	50.00
9/7/2024	Lincoln MS	Jill Kaufman	\$	50.00
9/7/2024	Lincoln MS	Joy Goldin	\$	23.00
9/7/2024	Lincoln MS	Juan Pumarino	\$	23.00
9/7/2024	Lincoln MS	Julia Backs	\$	27.00
9/7/2024	Lincoln MS	Julie McCalmont	\$	27.00
9/7/2024	Lincoln MS	Jun Young Kim	\$	50.00
9/7/2024	Lincoln MS	Karen Hodsdon	\$	50.00
9/7/2024	Lincoln MS	Karen Morton	\$	50.00
9/7/2024	Lincoln MS	Kate Zheng	\$	50.00
9/7/2024	Lincoln MS	Katie Hobbs	\$	77.00
9/7/2024	Lincoln MS	Keenan Dmyterko	\$	23.00
9/7/2024	Lincoln MS	Keiji Oenoki	\$	50.00
9/7/2024	Lincoln MS	Kimi Maruyama	\$	50.00
9/7/2024	Lincoln MS	Lillian Gagne	\$	50.00
9/7/2024	Lincoln MS	Linda Chu	\$	50.00

**2024-2025
Summary Site Donations**

September 6, 2024 - September 16, 2024

9/7/2024	Lincoln MS	Linda Marquis	\$	23.00	
9/7/2024	Lincoln MS	Lindella Bellezer	\$	23.00	
9/7/2024	Lincoln MS	Maahi Samant	\$	27.00	
9/7/2024	Lincoln MS	Mae Elias	\$	23.00	
9/7/2024	Lincoln MS	Marianna Eyzerovich	\$	50.00	
9/7/2024	Lincoln MS	Maya Olson	\$	46.00	
9/7/2024	Lincoln MS	Michael Smith	\$	77.00	
9/7/2024	Lincoln MS	Michelle Coffey	\$	27.00	
9/7/2024	Lincoln MS	Minnie Nguyen	\$	50.00	
9/7/2024	Lincoln MS	Mung Saephan	\$	27.00	
9/7/2024	Lincoln MS	Natalie Brown	\$	50.00	
9/7/2024	Lincoln MS	Oliver Albrecht	\$	50.00	
9/7/2024	Lincoln MS	Patrick Dolan	\$	23.00	
9/7/2024	Lincoln MS	Pegah Afkary	\$	50.00	
9/7/2024	Lincoln MS	Peter Yuen	\$	50.00	
9/7/2024	Lincoln MS	Rachel DaCosta	\$	50.00	
9/7/2024	Lincoln MS	Revant Ashokraj	\$	50.00	
9/7/2024	Lincoln MS	Roberto Gyemant	\$	100.00	
9/7/2024	Lincoln MS	Sabine Steeger Ghosh	\$	27.00	
9/7/2024	Lincoln MS	Sage Leitson	\$	54.00	
9/7/2024	Lincoln MS	Shulin Lin	\$	23.00	
9/7/2024	Lincoln MS	Stacey Foley	\$	50.00	
9/7/2024	Lincoln MS	Sun Yom	\$	50.00	
9/7/2024	Lincoln MS	Turab Hasan	\$	23.00	
9/7/2024	Lincoln MS	Vanessa Okeefe	\$	60.00	
9/7/2024	Lincoln MS	Willa Chen	\$	50.00	
9/7/2024	Lincoln MS	Yue Johnson	\$	23.00	
9/7/2024	Lincoln MS	Zurich Vannaro	\$	50.00	
					<u>\$ 3,273.00</u>
9/6/2024	Ruby Bridges	Marian Chan	\$	70.00	
					<u>\$ 70.00</u>
					<u><u>\$ 14,313.00</u></u>

ALAMEDA UNIFIED SCHOOL DISTRICT
BOARD AGENDA ITEM

Item Title: Approval of Bill Warrants and Payroll Registers

Item Type: Consent

Background: Education Code 42631 requires the Board of Education to review and approve all payments from district funds.

The uploaded register contains *seven (7)* redactions where posting that information would violate confidentiality. Therefore, the district is posting all bills and warrants except for those redacted.

AUSD LCAP Goals: 4. Ensure that all students have access to basic services.

Fund Codes: 01 General Fund

Fiscal Analysis

Amount (Savings) (Cost): Will reduce the available funds of each respective site/department budget by \$3,475,263.85.

Recommendation: Approve as submitted.

AUSD Guiding Principle: #5 - Accountability, transparency, and trust are necessary at all levels of the organization. | #6 - Allocation of funds must support our vision, mission, and guiding principles.

Submitted By: Shariq Khan, Assistant Superintendent of Business Services

ATTACHMENTS:

Description	Upload Date	Type
☐ Summary of Register	9/16/2024	Backup Material

ALAMEDA UNIFIED SCHOOL DISTRICT
BOARD AGENDA ITEM

Item Title: Approval of Board Policy/Administrative Regulation 5145.9 Hate-Motivated Behavior

Item Type: Action

Background: ***BP/AR 5145.9 Hate Motivated Behavior:*** At the June 20th Board Policy Subcommittee meeting, committee members discussed ways to refine AUSD's policy around hate speech and slurs. The committee suggested adding more specific language regarding hate speech and the use of slurs to the policy. Additionally, the creation of a new Administrative Regulation that would specify unacceptable language and behavior and steps that would be taken to curb their usage was suggested.

The revised BP was brought back to the Board Policy Subcommittee at the September 12th meeting for further review and discussion. Staff also presented a draft of the new AR 5145.9 Hate Motivated Behavior. Both policies were approved for approval by the full Board at a subsequent regular meeting of the Board of Education.

Tonight staff seek approval of the following:

- Revised BP 5145.9 Hate Motivated Behavior, and
- Proposed AR 5145.9 Hate Motivated Behavior

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.

Fund Codes:

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.| #2 - Teachers must challenge and support all students to reach their highest academic and personal potential.| #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. | #6 - Allocation of funds must support our vision, mission, and guiding principles. | #7 - All employees must receive respectful treatment and professional support to achieve district goals.

Submitted By: Pasquale Scuderi, Superintendent

ATTACHMENTS:

	Description	Upload Date	Type
▣	BP 5145.9_Hate Motivated Behavior w/edits	9/9/2024	Backup Material
▣	PROPOSED AR 5145.9_Hate Motivated Behavior	9/16/2024	Backup Material

Policy 5145.9: Hate-Motivated Behavior

Status: ADOPTED

Original Adopted Date: 09/14/1999 | Last Revised Date: 03/22/2022 | Last Reviewed Date: 03/22/2022

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.

“Students should treat all persons equally and respectfully and refrain from the willful or negligent use of slurs against any person on the basis of race, color, creed, national origin, ancestry, sex, sexual orientation, gender identity, or disability.”

The Superintendent or designee and site administrators shall provide and support 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 website 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, [the district's discipline and behavior matrix](#), 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.

Prohibited Retaliation

Retaliation is an act of discrimination, coercion, intimidation or threat against a person for the purpose of interfering with the exercise of a protected right, such as making a complaint, testifying, assisting, or participating in an investigation in any matter. The District also prohibits any form of retaliation against any individual who reports or participates in the reporting of unlawful discrimination, files or participates in the filing of a complaint, or investigates or participates in the investigation of a complaint or report alleging unlawful discrimination. Retaliation complaints shall be investigated and resolved in the same manner as a discrimination complaint.

Policy Reference Disclaimer:

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

State	Description
5 CCR 4600-4670	Uniform complaint procedures
5 CCR 4900-4965	Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance
Ed. Code 200-262.4	Prohibition of discrimination
Ed. Code 32280-32289.5	School safety plans
Ed. Code 48900.3	Suspension for hate violence
Ed. Code 48900.4	Suspension or expulsion for harassment, threats, or intimidation
Gov. Code 11135	Prohibition of discrimination
Pen. Code 422.55	Definition of hate crime
Pen. Code 422.6	Crimes; harassment
Federal	Description
28 CFR 35.107	Nondiscrimination on basis of disability; complaints
34 CFR 100.3	Prohibition of discrimination on basis of race, color or national origin
34 CFR 104.7	Section 504; Designation of responsible employee and adoption of grievances procedures
34 CFR 106.30	Discrimination on the basis of sex in education programs and activities; definitions

34 CFR 106.44	Recipient's response to sexual harassment
34 CFR 106.45	Grievance process for formal complaints of sexual harassment
34 CFR 106.8	Designation of coordinator; dissemination of policy, and adoption of grievance procedures
34 CFR 110.25	Prohibition of discrimination based on age
Management Resources	Description
CA Office of the Attorney General Publication	<u>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</u>
California Department of Education Publication	<u>Bullying at School, 2003</u>
Human Rights Campaign Foundation Publication	<u>California LGBTQ Youth Report, January 2019</u>
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Prohibited Disability Harassment, July 2000
U.S. DOE, Office for Civil Rights Publication	<u>Dear Colleague Letter: Harassment and Bullying, October 2010</u>
Website	<u>CSBA District and County Office of Education Legal Services</u>
Website	<u>California Association of Human Relations Organizations</u>
Website	<u>California Office of the Attorney General</u>
Website	<u>U.S. Department of Justice</u>
Website	<u>U.S. Department of Health and Human Services</u>
Website	<u>CSBA</u>
Website	<u>U.S. Department of Education, Office for Civil Rights</u>
Website	<u>California Department of Education</u>

Cross References

Code	Description
0410	<u>Nondiscrimination In District Programs And Activities</u>
0415	<u>Equity</u>
0415	<u>Equity</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>
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 PDF(1)	<u>Uniform Complaint Procedures</u>
1400	<u>Relations Between Other Governmental Agencies And The Schools</u>
1700	<u>Relations Between Private Industry And The Schools</u>
3515	<u>Campus Security</u>
3515	<u>Campus Security</u>
3515.4	<u>Recovery For Property Loss Or Damage</u>
3515.4	<u>Recovery For Property Loss Or Damage</u>
4118	<u>Dismissal/Suspension/Disciplinary Action</u>
4118	<u>Dismissal/Suspension/Disciplinary Action</u>
4131	<u>Staff Development</u>
4131	<u>Staff Development</u>
4218	<u>Dismissal/Suspension/Disciplinary Action</u>
4218	<u>Dismissal/Suspension/Disciplinary Action</u>
4231	<u>Staff Development</u>
4231	<u>Staff Development</u>
4331	<u>Staff Development</u>
4331	<u>Staff Development</u>
5131	<u>Conduct</u>
5131.2	<u>Bullying</u>
5131.2	<u>Bullying</u>
5131.4	<u>Student Disturbances</u>

5131.4	<u>Student Disturbances</u>
5131.5	<u>Vandalism And Graffiti</u>
5136	<u>Gangs</u>
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 PDF(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>
5144.2	<u>Suspension And Expulsion/Due Process (Students With Disabilities)</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>
5145.7	<u>Sex Discrimination and Sex-Based Harassment</u>
5145.7	<u>Sex Discrimination and Sex-Based Harassment</u>
5145.71	<u>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</u>
5145.71-E PDF(1)	<u>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</u>
5148.2	<u>Before/After School Programs</u>
5148.2	<u>Before/After School Programs</u>

6142.3	<u>Civic Education</u>
6142.4	<u>Service Learning/Community Service Classes</u>
6142.8	<u>Comprehensive Health Education</u>
6142.8	<u>Comprehensive Health Education</u>
6142.94	<u>History-Social Science Instruction</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>

Regulation 5145.9: Hate-Motivated Behavior**Status:
PROPOSED****Original Adopted Date: PENDING | Last Revised Date: N/A | Last
Reviewed Date: N/A****Definition of Hate Motivated Behavior**

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.

Hate-motivated incidents include those actions that are motivated by bias but may or may not meet the necessary elements required to prove a crime. Where a suspected crime is evident, law enforcement shall be involved.

Types of conduct that are already prohibited in the District and that may also constitute hate motivated behavior include, but are not limited to:

1. Graffiti containing offensive language;
2. Threatening or intimidating conduct;
3. Jokes, teasing, rumors or name calling;
4. Slurs, negative stereotyping, and other hostile acts;
5. Graphic material containing comments or stereotypes which is posted or circulated and which is aimed at degrading the target;
6. A physical act of aggression or assault;
7. Threatening phone calls, hate mail, cyber or other electronic communication;
8. Vandalism or destruction of religious symbols or images; and
9. Other kinds of aggressive conduct such as theft or damage to property.

The determination that an act constitutes hate-motivated behavior should be made when the behavior is judged by a reasonable person as the target to be sufficiently severe or pervasive to negatively impact the student's academic environment. It may be necessary, but is not required, to seek input from persons of the same protected group in making the determination whether an act constitutes hate motivated behavior.

Investigation of Complaints Regarding Hate Motivated Behavior by another Student

1. Notice and Receipt of Complaint: Any student, parent/guardian, or staff member who believes a student has been subjected to hate motivated behavior or who has witnessed hate motivated behavior shall report to the school principal or designee immediately. Reports may be either oral or written. The school shall assist the student in writing the complaint if necessary. A District employee who knowingly allows an act or acts of hate motivated behavior to occur and/or fails to report such acts, shall be considered to have violated District policy and will be subject to appropriate discipline.

2. Initiation of Investigation: Principal or designee shall initiate an investigation of an allegation of hate motivated behavior within five school days of receiving notice of the incident, regardless of whether an oral or written complaint has been filed.

The investigation at the school site shall include interviewing:

- The student who is complaining
- The person accused of harassment
- Anyone who witnessed the conduct complained of
- Anyone mentioned as having related information

Factors to consider may include, but not limited to the following:

- Nature and scope of the incident
- Impact on the target
- Impact on members of the target's group
- Impact on student witnesses
- Age of the target
- Age of the perpetrator
- Context in which the incident occurred

Neither the complainant nor the target shall be required to meet with the alleged harasser or person suspected of hate-motivated behavior.

If appropriate, the Superintendent, Principal or designee shall activate the school Threat Assessment Team to determine the level of threat posed to the target and need for safety supports.

The school shall notify the parents/guardians of the following: the target(s), the student/s who made the report and the alleged perpetrator(s) of the incident.

3. Reporting: As required, the Principal or designee shall file an Incident Report to be submitted to the Risk Manager

The principal or designee shall give the Director of Student Services a written report of the complaint and investigation. If the school determines that hate motivated behavior has occurred, this report shall describe the actions taken to end the behavior and address the effects of the behavior on the target including, but not limited to, appropriate disciplinary action and prevent of retaliation or further incidents.

The appropriate law enforcement agency will be notified if there is evidence indicating that a hate-motivated crime has occurred. Behaviors described in Penal Code section 422.6 require reporting to law enforcement.

Disciplinary Measures

Any student who engages in hate motivated behavior of anyone at school or at a school-sponsored or school- related activity is in violation of this policy and shall be subject to disciplinary action.

Students in grades 4-12 who engage in hate motivated behavior shall be subject to discipline including, but not limited to, behavior contract, counseling, community service, suspension, expulsion, transfer to another school, transfer to an alternative program, or denial of participation in extracurricular or co-curricular activities in accordance with Board Policy and Administrative Regulation.

The Superintendent or designee shall notify local law enforcement as appropriate.

Support for Students

The Superintendent or designee shall take appropriate actions to provide support for students who have been subjected to, have witnessed, or reported an act of hate motivated behavior.

1. The Principal or designee will make it clear to the affected student(s) and the parents/guardians that any form of retaliation or mistreatment of a student who complained will not be tolerated.
2. In instances where there are substantiated findings that a student has been subjected to hate motivated behavior by a District employee, volunteer, or a student, the District will offer, and upon the request of the parent/guardian, will assist the student in receiving counseling intervention support.
3. The Principal or designee shall also advise the target and the parent/guardian of any other resources and supports that may be available.

Information

The Superintendent or designee shall ensure that all staff receives training and all District students receive age- appropriate instruction and information regarding hate motivated behavior. Information and training shall provide the following:

1. Descriptions of acts and behavior which constitute hate motivated behavior;
2. Encouragement for those subject to, and witnesses to, hate motivated behavior to report incidents immediately, and assurance that they will be protected from retaliation.
3. Name(s) or title(s) of the person(s) to whom hate motivated behavior should be reported.
4. District support resources available to staff, students and parents.

Notifications

A copy of the District's hate motivated behavior policy and regulation shall:

1. Be summarized in the notifications that are sent to parents/guardians at the beginning of each school year (Education Code 48980; 5 CCR 4917)
2. Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct (Education Code 231.5)
3. Be summarized in the student handbook

Record Keeping

All reports will be forwarded to the Asst. Superintendent of Education Services for record keeping. Once a complaint has reached final disposition, records will be retained for five years.

Each quarter, the Superintendent or designee shall inform the public via an Information Item in the Board Agenda regarding the number of reported hate motivated behavior reports for the prior quarter, with total number of reported cases by site.

ALAMEDA UNIFIED SCHOOL DISTRICT
BOARD AGENDA ITEM

Item Title: Approval of Board Policy/Administrative Regulation 6115 Ceremonies and Observances

Item Type: Action

Background: *BP/AR 6115: Ceremonies and Observances:* The Board Policy Subcommittee has been working on updating this policy and regulation in regard to how and when flags, other than those of the United States and the State of California, can be displayed at school campuses. Staff presented the revised BP and AR to members of the Board Policy Subcommittee on September 12th. Both policies were approved for approval by the full Board at a subsequent regular meeting of the Board of Education.

Tonight staff seek approval of the following:

- BP/AR 6115 Ceremonies and Observances

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.

Fund Codes:

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. | #2 - Teachers must challenge and support all students to reach their highest academic and personal potential. | #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. | #6 - Allocation of funds must support our vision, mission, and guiding principles. | #7 - All employees must receive respectful treatment and professional support to achieve district goals.

Submitted By: Pasquale Scuderi, Superintendent

ATTACHMENTS:

Description	Upload Date	Type
□ BP 6115_Ceremonies and Observances w edits	9/9/2024	Backup Material

▢ AR 6115_Ceremonies and Observances w
edits

9/16/2024

Backup Material

Policy 6115: Ceremonies And Observances

Status: ADOPTED

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

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.

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.~~

The Board may, through adopting a resolution, authorize the display or raising of symbolic flags or banners on District or school property, including those displayed in support of specific awareness months or those that express district values, for such periods of time as the Board may authorize. The display or raising of symbolic flags or banners by the Board is intended to express the Board's official sentiments.

Flagpoles or other locations on District or school property where symbolic flags or banners are displayed by the District are not intended to serve as a forum for free expression by the public, including by students, parents, or employees of the District.

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 37220-37222.21

Description

[Holidays and commemorative events](#)

Ed. Code 44015.1

[Week of the School Administrator](#)

Ed. Code 45203

[Paid holidays](#)

Ed. Code 45460

[Classified School Employee Week](#)

Ed. Code 49110.5

Workplace Readiness Week

Ed. Code 52720-52730

[Patriotic exercises and instruction](#)

Gov. Code 3540-3549.3

[Public education employer-employee relations](#)

Gov. Code 430-439

[Display of flags](#)

Federal

Description

36 USC 106

Constitution Day and Citizenship Day

4 USC 6

Time and occasion for display of flag

4 USC 7

Position and manner of display of flag

Management Resources

Description

Court Decision

Newdow v. Rio Linda Union School District (9th Cir. 2010) 597 F.3d 1007

Court Decision

West Virginia State Board of Education et al. v. Barnette et al. (1943) 319 U.S. 624

Website

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

Website

[California Department of Education, History/Social Science Instructional Materials](#)

Website

[CSBA](#)

Cross References

Code

Description

1330

[Use Of School Facilities](#)

1330

[Use Of School Facilities](#)

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[Use Of School Facilities](#)

4156.2

[Awards And Recognition](#)

4256.2

[Awards And Recognition](#)

4356.2

[Awards And Recognition](#)

5113.2

[Work Permits](#)

5113.2

[Work Permits](#)

6111

[School Calendar](#)

6141.2

[Recognition Of Religious Beliefs And Customs](#)

6141.2

[Recognition Of Religious Beliefs And Customs](#)

6142.3	<u>Civic Education</u>
6142.4	<u>Service Learning/Community Service Classes</u>
6142.94	<u>History-Social Science Instruction</u>
6143	<u>Courses Of Study</u>
6143	<u>Courses Of Study</u>
6144	<u>Controversial Issues</u>
6144	<u>Controversial Issues</u>
6145.8	<u>Assemblies And Special Events</u>
6175	<u>Migrant Education Program</u>
6175	<u>Migrant Education Program</u>
6178.1	<u>Work-Based Learning</u>
6178.1	<u>Work-Based Learning</u>

Regulation 6115: Ceremonies And Observances

Status: ADOPTED

Original Adopted Date: 08/25/2009 | Last Revised Date: 06/28/2023 | Last Reviewed Date:
06/28/2023

Holidays

District schools shall be closed on the following holidays: (Education Code 37220)

New Year's Day - January 1

Dr. Martin Luther King, Jr. Day - Third Monday in January or the Monday or Friday of the week in which January 15 occurs

Lincoln Day - The Monday or Friday of the week in which February 12 occurs

Washington Day - Third Monday in February

Memorial Day - Last Monday in May

Juneteenth National Independence Day - June 19

Independence Day - July 4

Labor Day - First Monday in September

Veterans Day - November 11

Thanksgiving Day - The Thursday in November designated by the President

Christmas Day - December 25

In addition, schools shall be closed on: (Education Code 37220)

1. Any day appointed by the Governor as a holiday or as a special or limited holiday on which the Governor provides that schools shall close
2. Any day appointed by the President as a holiday, including by executive order or by signing into law legislation that creates a nationwide federal holiday
3. Any other day designated as a holiday by the Governing Board and/or negotiated with employee organizations

Holidays which fall on a Sunday shall be observed the following Monday. Holidays which fall on a Saturday shall be observed the preceding Friday. If any of the above holidays occurs under federal

law on a date different from that indicated above, the Governing Board may close the schools on the date recognized by federal law instead of on the date above. (Education Code 37220)

Commemorative Exercises

District schools shall hold exercises in accordance with law to commemorate the following special days: (Education Code 37220, 37221, 45460)

Dr. Martin Luther King, Jr. Day - The Friday before the day schools are closed for this holiday

Abraham Lincoln's Birthday - The school day before the day schools are closed for this holiday

Susan B. Anthony Day - February 15

George Washington's Birthday - The Friday preceding the third Monday in February

Black American Day - March 5

Conservation, Bird, and Arbor Day - March 7

Classified Employee Week - Third week in May

U.S. Constitution and Citizenship Day - On or near September 17

Commemorative exercises shall be integrated into the regular educational program to the extent feasible.

Patriotic Exercises

Each school shall conduct patriotic exercises daily, which may include the Pledge of Allegiance to the Flag of the United States and/or instruction that promotes understanding of the concepts of "pledge," "allegiance," "republic," and "indivisible" and understanding of the importance of the pledge as an expression of patriotism, love of country, and pride in the United States. (Education Code 52720, 52730)

At elementary schools, such exercises shall be conducted at the beginning of each school day. (Education Code 52720)

At secondary schools, such exercises shall be conducted during the homeroom period.

A student may choose not to participate in the flag salute or Pledge of Allegiance for personal reasons.

Display of Flag

The flag of the United States, the flag of California, and AUSD District flag shall be displayed during business hours at the entrance or on the grounds of every district school and on or near the district office. At all times, the national flag shall be placed in the position of first honor. (Government Code

431, 436; 4 USC 6)

When displayed on a building or on a flagstaff in the open, the national flag shall be displayed only from sunrise to sunset unless properly illuminated during the hours of darkness. The flag should not be displayed during inclement weather unless an all-weather flag is used. (4 USC 6)

The national flag shall fly at half-staff on the following occasions: on such occasions the District flag will not be flown: (4 USC 7)

1. For 30 days from the death of the President or a former President
2. For 10 days from the death of the Vice President, the Chief Justice or a retired Chief Justice, or the Speaker of the House of Representatives
3. From the day of death until interment of an Associate Justice of the Supreme Court, a secretary of an executive or military department, former Vice President, or the Governor of a state
4. On the day of death and the following day for a Member of Congress
5. On Memorial Day, until noon only
6. On Peace Officers Memorial Day (May 15), unless it falls on Armed Forces Day
7. Upon a proclamation from the Governor in the event of the death of a present or former official of the state government or a member of the Armed Forces from the state who has died while serving on active duty
8. On other occasions by order of the President and in accordance with presidential instructions or orders

Policy Reference Disclaimer:

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State

Ed. Code 37220-37222.21

Ed. Code 44015.1

Ed. Code 45203

Ed. Code 45460

Ed. Code 49110.5

Ed. Code 52720-52730

Description

[Holidays and commemorative events](#)

[Week of the School Administrator](#)

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[Classified School Employee Week](#)

Workplace Readiness Week

[Patriotic exercises and instruction](#)

Gov. Code 3540-3549.3

[Public education employer-employee relations](#)

Gov. Code 430-439

[Display of flags](#)

Federal

Description

36 USC 106

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Cross References

Code

Description

1330

[Use Of School Facilities](#)

1330

[Use Of School Facilities](#)

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[Use Of School Facilities](#)

4156.2

[Awards And Recognition](#)

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[Awards And Recognition](#)

4356.2

[Awards And Recognition](#)

5113.2

[Work Permits](#)

5113.2

[Work Permits](#)

6111

[School Calendar](#)

6141.2

[Recognition Of Religious Beliefs And Customs](#)

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[Recognition Of Religious Beliefs And Customs](#)

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6142.4

[Service Learning/Community Service Classes](#)

6142.94	<u>History-Social Science Instruction</u>
6143	<u>Courses Of Study</u>
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6144	<u>Controversial Issues</u>
6145.8	<u>Assemblies And Special Events</u>
6175	<u>Migrant Education Program</u>
6175	<u>Migrant Education Program</u>
6178.1	<u>Work-Based Learning</u>
6178.1	<u>Work-Based Learning</u>

ALAMEDA UNIFIED SCHOOL DISTRICT
BOARD AGENDA ITEM

Item Title: Approval of CSBA Recommended Updates to Board Policies Reviewed at the September 12th Board Policy Subcommittee Meeting

Item Type: Action

Background: Updates to Board Policies, Administrative Regulations, and Board Bylaws are provided by the California School Boards Association (CSBA) four times a year: March, June, September, and December. These recommendations are reviewed by Cabinet members prior to being presented to the Board Policy subcommittee for approval.

The Board Policy subcommittee can direct staff to:

- 1) Bring the item(s) back to the subcommittee with suggested edits for further review.
- 2) Present the item(s) to the full Board for discussion at a regular Board of Education meeting.
- 3) Add the item(s) for approval by the Board of Education at a regularly scheduled public Board meeting.

Below is a list of Board Policies that were reviewed at the Board Policy Subcommittee meeting on September 12, 2024, and are being recommended for approval by the full Board.

- BB 9220 Governing Board Election
- BP 0410 Nondiscrimination in District Programs and Activities
- BP 0420.41 Charter School Oversight
- BP 1113 District and School Websites
- BP 1260 Educational Foundation
- BP 1312.3 Uniform Complaint Procedures
- BP 2121 Superintendent's Contract
- BP 4030 Nondiscrimination in Employment
- BP 4033 Lactation Accommodation
- BP 4112.9/4212.9/4312.9 Employee Notifications
- BP 4119.11/4219.11/4319.11 Sex Discrimination and Sex-Based Harassment
- BP 4121 Temporary/Substitute Personnel
- BP 4127/4227/4327 Temporary Athletic Team Coaches
- BP 4161/4261/4361 Leaves
- BP 5113 Absences and Excuses
- BP 5145.3 Nondiscrimination/Harassment
- BP 5146.6 Parent/Guardian Notifications
- BP 5145.7 Sex Discrimination and Sex-Based Harassment
- BP 6000 Concepts and Roles
- BP 6164.2 Guidance/Counseling Services
- BP 7214 General Obligation Bonds

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.

Fund Codes:

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.| #2 - Teachers must challenge and support all students to reach their highest academic and personal potential.| #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.| #6 - Allocation of funds must support our vision, mission, and guiding principles.| #7 - All employees must receive respectful treatment and professional support to achieve district goals.

Submitted By: Kirsten Zazo, Assistant Superintendent of Educational Services

ATTACHMENTS:

Description	Upload Date	Type
<input type="checkbox"/> BB 9220_Governing Board Elections	9/13/2024	Backup Material
<input type="checkbox"/> BP 0410_Nondiscrimination in District Programs and Activities	9/4/2024	Backup Material
<input type="checkbox"/> BP 0420.41_Charter School Oversight	9/4/2024	Backup Material
<input type="checkbox"/> BP 1113_District and School Websites	9/4/2024	Backup Material
<input type="checkbox"/> BP 1260_Educational Foundation	9/4/2024	Backup Material
<input type="checkbox"/> BP 1312.3_Uniform Complaint Procedures	9/4/2024	Backup Material
<input type="checkbox"/> BP 2121_Superintendent's Contract	9/4/2024	Backup Material
<input type="checkbox"/> BP 4030_Nondiscrimination in Employment	9/4/2024	Backup Material
<input type="checkbox"/> BP 4033_Lactation Accommodation	9/4/2024	Backup Material
<input type="checkbox"/> BP 4112.9_4212.9_4312.9_Employee Notifications	9/4/2024	Backup Material
<input type="checkbox"/> BP 4119.11_4219.11_4319.99_Sex Discrimination and Sex-Based Harassment	9/4/2024	Backup Material
<input type="checkbox"/> BP 4121_Temporary/Substitute Personnel	9/4/2024	Backup Material
<input type="checkbox"/> BP 4127_4227_4327_Temporary Athletic Team Coaches	9/4/2024	Backup Material
<input type="checkbox"/> BP 4161_4261_4361_Leaves	9/4/2024	Backup Material
<input type="checkbox"/> BP 5113_Absences and Excuses	9/4/2024	Backup Material
<input type="checkbox"/> BP 5145.3_Nondiscrimination/Harassment	9/4/2024	Backup Material
<input type="checkbox"/> BP 5145.6_Parent/Guardian Notifications	9/4/2024	Backup Material
<input type="checkbox"/> BP 5145.7_Sex Discrimination and Sex-Based	9/4/2024	Backup Material

- Harassment		
▣ BP 6000_Concepts and Roles	9/4/2024	Backup Material
▣ BP 6164.2_Guidance Counseling Services	9/4/2024	Backup Material
▣ BP 7214_General Obligation Bonds	9/10/2024	Backup Material

Bylaw 9220: Governing Board Elections

Status: ADOPTED

Original Adopted Date: ~~08/25/2009~~06/01/2006 | Last Revised Date: ~~08/27/2013~~06/01/2024 |
Last Reviewed Date: ~~08/27/2013~~06/01/2024

Board Member Qualifications

Any person is eligible to be a member of the Governing Board of Education, without further qualifications, if ~~he/she~~the person is: 18 years of age or older; a citizen of California; a resident of the school district; ~~or, if applicable, the trustee area~~; a registered voter; and not legally disqualified from holding civil office. ~~Any person who has been convicted of a felony involving the giving, accepting, or offering of a bribe, embezzlement or theft of public funds, extortion, perjury, or conspiracy to commit any such crime, under California law or the law of another state, the United States of America, or another country, (Education Code 35107)~~

A person is not eligible to be a ~~candidate for office or be a Board member of the Board if they have been convicted of an offense(s) as specified in law and the accompanying Exhibit, except when he/she~~the person has been granted a pardon in accordance with law. ~~(Education Code 35107; Elections Code 20)~~

A district employee duly elected to the Board shall resign ~~his/her~~from district employment, ~~or shall otherwise cease being a district employee,~~ before being sworn in ~~or shall have his/her~~. If a district employee duly elected to the Board is sworn in and remains a district employee, then the employment shall automatically ~~terminated~~terminate upon being sworn into office. (Education Code 35107)

~~To reduce costs associated with conducting elections, the~~

~~The Board encourages all candidates to become knowledgeable about the role of board members. The Superintendent or designee shall provide a Board candidate, upon request by the candidate, with information that will enable them to understand the responsibilities and expectations of being a Board member, including information regarding available workshops, seminars, and/or training. Additionally, the Superintendent or designee shall provide a Board candidate, upon request by the candidate, the county election official's contact information and general information about school programs, district operations, and Board responsibilities.~~

Recalling a Board Member

A Board member may be recalled as permitted by Elections Code 11000-11386. To commence a recall of a Board member, proponents shall serve, file, and publish or post a notice of intention to circulate the recall petition as specified by law and any applicable county elections official directives. Additionally, the recall petition shall be in the format provided by the Secretary of State and include, among other things, an estimate of the cost of conducting the special election, as determined by the county elections official, in consultation with the district.

Within 14 days after the regular meeting at which the Board receives a certificate of sufficiency of signatures on a recall petition from a county elections official, the Board shall order an election to be held to determine whether the Board member named in the petition shall be recalled. The election shall be held not less than 88, nor more than 125, days after the date that the Board orders the election. However, the election may be conducted within 180 days after the issuance of the Board's order to consolidate the election with a regularly scheduled election. (Elections Code 11240-11242)

A recall election of a Board member shall be conducted in accordance with Elections Code 11381-11386.

If a recall of a Board member is successful, that Board member's seat becomes vacant and shall be filled in accordance with Education Code 5090-95 and Board Bylaw 9223 - Filling Vacancies.

Consolidation of Elections

The Board may consolidate Board elections with the local municipal or statewide primary or general election. ~~Board election procedures shall be conducted in accordance with state and federal law.~~

Electing Board Members

in accordance with Elections Code 1302. Additionally, if a regularly scheduled Board election held other than on a statewide election date results in a decrease in local voter turnout of 25 percent or more compared to the average local turnout for the previous four statewide general elections, the Board shall take action to consolidate Board elections with statewide elections in accordance with Elections Code 14051-14052.

In order to consolidate elections, the Board shall adopt a resolution and submit it to the County Board of Supervisors for approval not later than 240 days prior to the date of the currently scheduled district election. (Elections Code 10404.5)

Whenever a regularly scheduled Board election is changed due to consolidation of elections, the terms of office of incumbent Board members shall be extended to align with the next applicable election. (Elections Code 10404.5)

Elections Process and Procedures

For each election, upon certification by the County Board of Supervisors, the Board shall declare who has been elected to the Board in accordance with law. (Election Code 15400)

A Board member whose term has expired shall continue to discharge the duties of the office until a successor has qualified by taking the oath of office. (Government Code 1302, 1360)

OPTION 1: (Election by trustee area)

Each Board member shall reside in the trustee area they represent and shall be elected by voters residing within that trustee area. Trustee areas shall be balanced by population as required by state and federal law.

Following each decennial federal census the Board shall adjust the boundaries of the district's trustee areas in accordance with Elections Code 21100-21180. (Education Code 5019.5)

OPTION 1 ENDS HERE

OPTION 2: (Election using "at-large" voting method)

Board members may reside anywhere within the district's boundaries and shall be elected by all voters in the district.

~~To ensure ongoing compliance with the California and federal Voting Rights Acts, the~~

OPTION 2 ENDS HERE

OPTION 3: (Election using hybrid method)

~~Each Board member shall reside within the trustee area that the Board member represents but shall be elected by all voters in the district. Trustee areas shall be balanced by population as required by state and federal law.~~

~~Following each decennial federal census the Board shall adjust the boundaries of the district's trustee areas in accordance with Elections Code 21100-21180. (Education Code 5019.5)~~

OPTIONS 3 ENDS HERE

~~The Board may review the district's Board election method to determine whether any modification is necessary due to changes in the district's population or any of its racial, color, or language minority group composition. The review shall be based on the Superintendent or designee's report to the Board after the release of each decennial federal census.~~

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~~If the Board determines that a district seeks to change is necessary, it shall adopt a resolution its election method, the Board shall follow procedural requirements and hold public hearings in accordance with Elections Code 10010 and 21100-21150 before adopting a resolution at an open meeting specifying the change(s) and shall, in accordance with Education Code 5019 or other applicable provisions of law, and obtain approval from the county committee on school district organization having jurisdiction over the district.~~

~~in accordance with Education Code 5019.~~

~~The election method or trustee-area boundaries in effect at the beginning of a Board member's term shall be used when any vacancy that occurs during that term is to be filled, even if, during the term, the district has adopted "by-trustee area" election method or trustee area boundaries have been adjusted.~~

Campaign Conduct

~~All candidates, including current Board members running as incumbents, shall abide by local,~~

county, state, and federal requirements regarding campaign contributions, funding, and expenditures.

A Board member shall not expend, and a candidate shall not accept, any public money for the purpose of seeking elective office. However, the district may establish a dedicated fund for those seeking election to the Board, provided that the funds are available to all candidates who are qualified pursuant to Education Code 35107 without regard to incumbency or political preference. (Government Code 85300)

In order to help protect the public's trust in the electoral process as well as the public's confidence in the Board and district, the Board encourages all candidates to sign and adhere to the principles in the Code of Fair Campaign Practices pursuant to Elections Code 20440.

Statement of Qualifications

~~In order to help defray the costs of campaigning for the Board, the district shall pay the cost of printing, handling, translating, and mailing candidate statements filed pursuant to Elections Code 13307.~~

On the 125th day prior to the day fixed for the general district election, the Board secretary or ~~his/her~~ designee shall deliver a notice, bearing the secretary's signature and district seal, to the county elections official describing both of the following: (Elections Code 10509)

1. The elective offices of the district to be filled at the general election and which offices, if any, are for the balance of an unexpired term
2. Whether the district or the candidate is to pay for the publication of a statement of qualifications pursuant to Elections Code 13307

OPTION 1: (200 Words Limit)

Candidates for the Board may submit a candidate statement to the elections official for inclusion in the voter's pamphlet. Candidate statements shall be limited to no more than 200 words. (Elections Code 13307)

OPTION 1 ENDS HERE

OPTION 2: (400 Words Limit)

Candidates for the Board may submit a candidate statement to the elections official for inclusion in the voter's pamphlet. Candidate statements shall be limited to no more than 400 words. (Elections Code 13307)

OPTION 2 ENDS HERE

When the elections official allows for the electronic distribution of candidate statements, a candidate for the Board may, in addition to or instead of submitting a candidate statement for inclusion in the mailed voter's pamphlet, prepare and submit a candidate statement for electronic distribution.

OPTION 1: (Candidate Statement Paid by District)

The district shall pay the cost of printing, handling, translating, mailing, and/or electronically distributing candidate statements filed pursuant to Elections Code 13307.

OPTION 1 ENDS HERE

OPTION 2: (Candidate Statement Paid by Candidate)

The district shall assume no part of the cost of printing, handling, translating, mailing, or electronically distributing candidate statements filed pursuant to Elections Code 13307. As a condition of having candidate statements included in the voter's pamphlet, the district may require candidates to pay their estimated pro rata share of these costs to the district in advance pursuant to Elections Code 13307.

OPTION 2 ENDS HERE

Tie Votes in Board Member Elections

~~Before each election, the Board shall establish whether a potential~~

OPTION 1: (Tie Decided by Lot)

Whenever the County Superintendent of Schools certifies to the Board that there is a tie ~~is to be resolved by lot or with a runoff election.~~ (Education Code 5016)

~~After an election for vote such that it is impossible to determine which the Board of two or more candidates has decided been elected to resolve a tie by lot the Board,~~ the Board shall immediately notify the candidates who received the tie votes of the time and place where the candidates or their representatives should appear before the Board. The Board at that time and place shall determine the winner by lot. ~~(Education Code 5016)~~

~~After an election for_ (Education Code 5016)~~

OPTION 1 ENDS HERE

OPTION 2: (Tie Decided by Runoff Election)

Whenever the County Superintendent certifies to the Board that there is a tie vote such that it is impossible to determine which the Board of two or more candidates has ~~decided to resolve a tie with a runoff election~~ been elected to the Board, the Board shall schedule ~~the~~ runoff election in accordance with law. ~~(Education Code 5016)~~

OPTION 2 ENDS HERE

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 2, Section 2	Voters; qualifications
CA Constitution Article 7, Section 7	Conflicting offices
CA Constitution Article 7, Section 8	Disqualification from office
Ed. Code 1006	Prohibition against school district employees serving on county board of education
Ed. Code 35107	School district employees
Ed. Code 35177	Campaign expenditures or contributions
Ed. Code 35239	Compensation of governing board member of districts with less than 70 ADA
Ed. Code 5000-5033	Election of school district board members
Ed. Code 5091	Vacancies; petition for special election
Ed. Code 5220-5231	Elections
Ed. Code 5300-5304	General provisions; conduct of elections
Ed. Code 5320-5329	Order and call of elections
Ed. Code 5340-5345	Consolidation of elections
Ed. Code 5360-5363	Election notice
Ed. Code 5380	Compensation; election officer
Ed. Code 5390	Qualifications of voters
Ed. Code 5420-5426	Cost of elections
Ed. Code 5440-5442	Miscellaneous provisions
Ed. Code 7054	Use of district property; campaign purposes
Elec. Code 10010	District boundaries
Elec. Code 10400-10418	Consolidation of elections
Elec. Code 10509	Notice of election by secretary
Elec. Code 10600-10604	School district elections
Elec. Code 11000	Recall of officers
Elec. Code 1302	Local elections; school district election

Elec. Code 13307	Candidate's statement
Elec. Code 13308	Candidate's statement contents
Elec. Code 13309	Candidate's statement; indigence
Elec. Code 14025-14032	California Voting Rights Act
Elec. Code 14050-14057	California Voter Participation Rights Act
Elec. Code 15400	Announcement of election results
Elec. Code 18501	Election fraud
Elec. Code 20	Public office eligibility
Elec. Code 20440	Code of Fair Campaign Practices
Elec. Code 21100-21180	FAIR MAPS Act
Elec. Code 2201	Grounds for cancellation
Elec. Code 4000-4008	Elections conducted wholly by mail
Gov. Code 1021	Conviction of crime
Gov. Code 1097	Illegal participation in public contract
Gov. Code 12940	Unlawful discriminatory employment practices
Gov. Code 1770	Vacancy of office
Gov. Code 81000-91014	Political Reform Act
Gov. Code 9055	Committing crimes against legislative power
Gov. Code 9412	Refusing to appear
Pen. Code 165	Bribes to members of city council
Pen. Code 2772	Interfering with the work of prisoners
Pen. Code 2790	Interrupting the work of prisoners
Pen. Code 424	Embezzlement and falsification of accounts by public officers
Pen. Code 661	Removal for neglect or violation of official duty
Pen. Code 67	Giving bribes
Pen. Code 68	Receiving bribes
Pen. Code 74	Acceptance of gratuity
Pen. Code 88	Crimes against legislative power
Pen. Code 98	Crimes against public justice

Federal	Description
52 USC 10301-10508	Voting Rights Act
Management Resources	Description
Attorney General Opinion	105 Ops.Cal.Atty.Gen. 182 (2022)
Attorney General Opinion	69 Ops.Cal.Atty.Gen. 290 (1986)
Attorney General Opinion	81 Ops.Cal.Atty.Gen. 98 (1998)
Attorney General Opinion	83 Ops.Cal.Atty.Gen. 181 (2000)
Attorney General Opinion	85 Ops.Cal.Atty.Gen. 49 (2002)
Court Decision	Dusch v. Davis (1967) 387 U.S. 112
Court Decision	Randall v. Sorrell (2006) 126 S.Ct. 2479
Court Decision	Rey v. Madera Unified School District (2012) 203 Cal. App. 4th 1223
Court Decision	Sanchez v. City of Modesto (2006) 145 Cal. App. 4th 660
CSBA Publication	Legal Alert on the Impact of Senate Bill No. 415 on School Board Elections, January 2017
Website	CSBA District and County Office of Education Legal Services
Website	Institute for Local Government
Website	Fair Political Practices Commission
Website	California Secretary of State's Office
Website	CSBA

Cross References

Code	Description
0410	Nondiscrimination In District Programs And Activities
9005	Governance Standards
9110	Terms Of Office
9223	Filling Vacancies
9224	Oath Or Affirmation
9230	Orientation

9240

~~Board Training~~Board Training

9270

~~Conflict Of Interest~~Conflict Of Interest

9270-E PDF(1)

~~Conflict Of Interest~~Conflict Of Interest

9320

~~Meetings And Notices~~Meetings And Notices

Bylaw 9220: Governing Board Elections

Status: ADOPTED

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

Board Member Qualifications

Any person is eligible to be a member of the Governing Board, without further qualifications, if the person is: 18 years of age or older; a citizen of California; a resident of the school district or, if applicable, the trustee area; a registered voter; and not legally disqualified from holding civil office. (Education Code 35107)

A person is not eligible to be a member of the Board if they have been convicted of an offense(s) as specified in law and the accompanying Exhibit, except when the person has been granted a pardon in accordance with law. A district employee duly elected to the Board shall resign from district employment, or shall otherwise cease being a district employee, before being sworn in. If a district employee duly elected to the Board is sworn in and remains a district employee, then the employment shall automatically terminate upon being sworn into office. (Education Code 35107)

The Board encourages all candidates to become knowledgeable about the role of board members. The Superintendent or designee shall provide a Board candidate, upon request by the candidate, with information that will enable them to understand the responsibilities and expectations of being a Board member, including information regarding available workshops, seminars, and/or training. Additionally, the Superintendent or designee shall provide a Board candidate, upon request by the candidate, the county election official's contact information and general information about school programs, district operations, and Board responsibilities.

Recalling a Board Member

A Board member may be recalled as permitted by Elections Code 11000-11386. To commence a recall of a Board member, proponents shall serve, file, and publish or post a notice of intention to circulate the recall petition as specified by law and any applicable county elections official directives. Additionally, the recall petition shall be in the format provided by the Secretary of State and include, among other things, an estimate of the cost of conducting the special election, as determined by the county elections official, in consultation with the district.

Within 14 days after the regular meeting at which the Board receives a certificate of sufficiency of signatures on a recall petition from a county elections official, the Board shall order an election to be held to determine whether the Board member named in the petition shall be recalled. The election shall be held not less than 88, nor more than 125, days after the date that the Board orders the election. However, the election may be conducted within 180 days after the issuance of the Board's order to consolidate the election with a regularly scheduled election. (Elections Code 11240-11242)

A recall election of a Board member shall be conducted in accordance with Elections Code 11381-

11386.

If a recall of a Board member is successful, that Board member's seat becomes vacant and shall be filled in accordance with Education Code 5090-95 and Board Bylaw 9223 - Filling Vacancies.

Consolidation of Elections

The Board may consolidate Board elections with the local municipal or statewide primary or general election in accordance with Elections Code 1302. Additionally, if a regularly scheduled Board election held other than on a statewide election date results in a decrease in local voter turnout of 25 percent or more compared to the average local turnout for the previous four statewide general elections, the Board shall take action to consolidate Board elections with statewide elections in accordance with Elections Code 14051-14052.

In order to consolidate elections, the Board shall adopt a resolution and submit it to the County Board of Supervisors for approval not later than 240 days prior to the date of the currently scheduled district election. (Elections Code 10404.5)

Whenever a regularly scheduled Board election is changed due to consolidation of elections, the terms of office of incumbent Board members shall be extended to align with the next applicable election. (Elections Code 10404.5)

Elections Process and Procedures

For each election, upon certification by the County Board of Supervisors, the Board shall declare who has been elected to the Board in accordance with law. (Election Code 15400)

A Board member whose term has expired shall continue to discharge the duties of the office until a successor has qualified by taking the oath of office. (Government Code 1302, 1360)

OPTION 2: (Election using "at-large" voting method)

Board members may reside anywhere within the district's boundaries and shall be elected by all voters in the district.

The Board may review the district's Board election method to determine whether any modification is necessary.

If the district seeks to change its election method, the Board shall follow procedural requirements and hold public hearings in accordance with Elections Code 10010 and 21100-21150 before adopting a resolution at an open meeting specifying the change and obtain approval from the county committee on school district organization having jurisdiction over the district in accordance with Education Code 5019.

The election method or trustee-area boundaries in effect at the beginning of a Board member's term shall be used when any vacancy that occurs during that term is to be filled, even if, during the term, the district has adopted "by-trustee area" election method or trustee area boundaries have been adjusted.

Campaign Conduct

All candidates, including current Board members running as incumbents, shall abide by local, county, state, and federal requirements regarding campaign contributions, funding, and expenditures.

A Board member shall not expend, and a candidate shall not accept, any public money for the purpose of seeking elective office. However, the district may establish a dedicated fund for those seeking election to the Board, provided that the funds are available to all candidates who are qualified pursuant to Education Code 35107 without regard to incumbency or political preference. (Government Code 85300)

In order to help protect the public's trust in the electoral process as well as the public's confidence in the Board and district, the Board encourages all candidates to sign and adhere to the principles in the Code of Fair Campaign Practices pursuant to Elections Code 20440.

Statement of Qualifications

On the 125th day prior to the day fixed for the general district election, the Board secretary or designee shall deliver a notice, bearing the secretary's signature and district seal, to the county elections official describing both of the following: (Elections Code 10509)

1. The elective offices of the district to be filled at the general election and which offices, if any, are for the balance of an unexpired term
2. Whether the district or the candidate is to pay for the publication of a statement of qualifications pursuant to Elections Code 13307

OPTION 1: (200 Words Limit)

Candidates for the Board may submit a candidate statement to the elections official for inclusion in the voter's pamphlet. Candidate statements shall be limited to no more than 200 words. (Elections Code 13307)

When the elections official allows for the electronic distribution of candidate statements, a candidate for the Board may, in addition to or instead of submitting a candidate statement for inclusion in the mailed voter's pamphlet, prepare and submit a candidate statement for electronic distribution.

OPTION 1: (Candidate Statement Paid by District)

The district shall pay the cost of printing, handling, translating, mailing, and/or electronically distributing candidate statements filed pursuant to Elections Code 13307.

Tie Votes in Board Member Elections

OPTION 1: (Tie Decided by Lot)

Whenever the County Superintendent of Schools certifies to the Board that there is a tie vote such that it is impossible to determine which of two or more candidates has been elected to the Board,

the Board shall immediately notify the candidates who received the tie votes of the time and place where the candidates or their representatives should appear before the Board. The Board at that time and place shall determine the winner by lot. (Education Code 5016)

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 2, Section 2	<u>Voters; qualifications</u>
CA Constitution Article 7, Section 7	<u>Conflicting offices</u>
CA Constitution Article 7, Section 8	<u>Disqualification from office</u>
Ed. Code 1006	<u>Prohibition against school district employees serving on county board of education</u>
Ed. Code 35107	<u>School district employees</u>
Ed. Code 35177	<u>Campaign expenditures or contributions</u>
Ed. Code 35239	<u>Compensation of governing board member of districts with less than 70 ADA</u>
Ed. Code 5000-5033	<u>Election of school district board members</u>
Ed. Code 5091	<u>Vacancies; petition for special election</u>
Ed. Code 5220-5231	<u>Elections</u>
Ed. Code 5300-5304	<u>General provisions; conduct of elections</u>
Ed. Code 5320-5329	<u>Order and call of elections</u>
Ed. Code 5340-5345	<u>Consolidation of elections</u>
Ed. Code 5360-5363	<u>Election notice</u>
Ed. Code 5380	<u>Compensation; election officer</u>
Ed. Code 5390	<u>Qualifications of voters</u>
Ed. Code 5420-5426	<u>Cost of elections</u>
Ed. Code 5440-5442	<u>Miscellaneous provisions</u>
Ed. Code 7054	<u>Use of district property; campaign purposes</u>
Elec. Code 10010	<u>District boundaries</u>
Elec. Code 10400-10418	<u>Consolidation of elections</u>

Elec. Code 10509	Notice of election by secretary
Elec. Code 10600-10604	School district elections
Elec. Code 11000	Recall of officers
Elec. Code 1302	Local elections; school district election
Elec. Code 13307	Candidate's statement
Elec. Code 13308	Candidate's statement contents
Elec. Code 13309	Candidate's statement; indigence
Elec. Code 14025-14032	California Voting Rights Act
Elec. Code 14050-14057	California Voter Participation Rights Act
Elec. Code 15400	Announcement of election results
Elec. Code 18501	Election fraud
Elec. Code 20	Public office eligibility
Elec. Code 20440	Code of Fair Campaign Practices
Elec. Code 21100-21180	FAIR MAPS Act
Elec. Code 2201	Grounds for cancellation
Elec. Code 4000-4008	Elections conducted wholly by mail
Gov. Code 1021	Conviction of crime
Gov. Code 1097	Illegal participation in public contract
Gov. Code 12940	Unlawful discriminatory employment practices
Gov. Code 1770	Vacancy of office
Gov. Code 81000-91014	Political Reform Act
Gov. Code 9055	Committing crimes against legislative power
Gov. Code 9412	Refusing to appear
Pen. Code 165	Bribes to members of city council
Pen. Code 2772	Interfering with the work of prisoners
Pen. Code 2790	Interrupting the work of prisoners
Pen. Code 424	Embezzlement and falsification of accounts by public officers
Pen. Code 661	Removal for neglect or violation of official duty
Pen. Code 67	Giving bribes

Pen. Code 68

[Receiving bribes](#)

Pen. Code 74

[Acceptance of gratuity](#)

Pen. Code 88

[Crimes against legislative power](#)

Pen. Code 98

Crimes against public justice

Federal

Description

52 USC 10301-10508

Voting Rights Act

Management Resources

Description

Attorney General Opinion

105 Ops.Cal.Atty.Gen. 182 (2022)

Attorney General Opinion

69 Ops.Cal.Atty.Gen. 290 (1986)

Attorney General Opinion

81 Ops.Cal.Atty.Gen. 98 (1998)

Attorney General Opinion

83 Ops.Cal.Atty.Gen. 181 (2000)

Attorney General Opinion

85 Ops.Cal.Atty.Gen. 49 (2002)

Court Decision

Dusch v. Davis (1967) 387 U.S. 112

Court Decision

Randall v. Sorrell (2006) 126 S.Ct. 2479

Court Decision

Rey v. Madera Unified School District (2012) 203 Cal. App. 4th 1223

Court Decision

Sanchez v. City of Modesto (2006) 145 Cal. App. 4th 660

CSBA Publication

Legal Alert on the Impact of Senate Bill No. 415 on School Board Elections, January 2017

Website

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

Website

[Institute for Local Government](#)

Website

[Fair Political Practices Commission](#)

Website

[California Secretary of State's Office](#)

Website

[CSBA](#)

Cross References

Code

Description

0410

Nondiscrimination In District Programs And Activities

9005

Governance Standards

9110

Terms Of Office

9223	Filling Vacancies
9224	Oath Or Affirmation
9230	Orientation
9240	Board Training
9270	Conflict Of Interest
9270	Conflict Of Interest
9320	Meetings And Notices

Policy 0410: Nondiscrimination In District Programs And Activities

Status: ADOPTED

Original Adopted Date: 08/25/2009 | Last Revised Date: 01/09/2024 | Last Reviewed Date:
01/09/2024

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

The Governing Board is committed to providing equal opportunity for all individuals in district programs and activities. District programs, activities, and practices shall be free from unlawful discrimination, including discrimination against an individual or group based on race;⁵⁷ color;⁵⁷ ancestry;⁵⁷ nationality;⁵⁷ national origin;⁵⁷ immigration status;⁵⁷ ethnic group identification;⁵⁷ ethnicity;⁵⁷ age;⁵⁷ religion;⁵⁷ ~~marital status~~; pregnancy, childbirth, termination of pregnancy, or lactation, including related medical conditions and recovery; parental, family, or marital status;⁵⁷ reproductive health decision making;⁵⁷ physical or mental disability;⁵⁷ sex; sex stereotypes; sex characteristics; ⁵⁷ sexual orientation;⁵⁷ gender;⁵⁷ gender identity;⁵⁷ gender expression;⁵⁷ veteran or military status;⁵⁷ 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 categoryany of the categories identified above.

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

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

Additionally, the use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or other resource in a school library shall not be adopted by the Board or district if the use would subject a student to unlawful discrimination as specified in Education Code 220. (Education Code 244)

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~~ Except for allegations of sex discrimination or sex-based harassment, allegations of unlawful discrimination in district programs and activities shall be investigated and resolved in accordance with Board Policy and the procedures specified in AR Administrative Regulation 1312.3 - Uniform Complaint Procedures for students, and Administrative Regulation 4030 - Nondiscrimination in Employment for employees. Complaints alleging sex discrimination, including sex-based harassment, shall be investigated and resolved in accordance with 34 CFR 106.44 and 106.45 and as specified in Administrative Regulation 5145.71 – Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures, for students, and Administrative Regulation 4119.12/4219.12/4319.12 – Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures, for employees.

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's web and mobile applications comply with technical standards prescribed by law, and as necessary, shall provide~~ 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~~ district services, programs, or activities. These aids and services may include, but are not limited to, qualified interpreters or readers, Communication Accessed Realtime Translation services, assistive listening devices, assistive technologies or other modifications to increase accessibility to district and school web sites, note takers, written materials, taped text, and Braille or large-print materials. Individuals with disabilities shall notify the Superintendent or principal if they have a disability that requires special assistance or services.

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

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

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

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

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

Policy Reference Disclaimer:

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

State

5 CCR 4600-4670

Description

Uniform complaint procedures

5 CCR 4900-4965	Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance
Ed. Code 200-262.4	Prohibition of discrimination
Ed. Code 48980	Parent/Guardian notifications
Ed. Code 48985	Notices to parents in language other than English
Ed. Code 51007	Legislative intent: state policy
Ed. Code 51204.5	Social sciences instruction; contributions of specified groups
Ed. Code 51501	Nondiscriminatory subject matter
Ed. Code 60010	Instructional materials; definition
Ed. Code 60040-60052	Requirements for instructional materials
Gov. Code 11000	Definitions
Gov. Code 11135	Prohibition of discrimination
Gov. Code 12900-12996	Fair Employment and Housing Act
Gov. Code 54953	Meetings; Americans with Disabilities Act accessibility
Gov. Code 54953.2	Brown Act compliance with Americans with Disabilities Act
Gov. Code 8310.3	California Religious Freedom Act
Pen. Code 422.55	Definition of hate crime
Pen. Code 422.6	Crimes; harassment
Federal	Description
20 USC 1400-1482	Individuals with Disabilities Education Act
20 USC 1681-1688	Title IX of the Education Amendments of 1972; discrimination based on sex
20 USC 2301-2414	Strengthening Career and Technical Education for the 21st Century Act
20 USC 6311	State plan
20 USC 6312	Local educational agency plan
28 CFR 35.101-35.190	Americans with Disabilities Act
28 CFR 36.303	Nondiscrimination on the basis of disability, public accommodations, auxiliary aids, and services

29 USC 794	Rehabilitation Act of 1973; Section 504
34 CFR 100.1-100.13	Nondiscrimination in federal programs; effectuating Title VI
34 CFR 104.1-104.39	Section 504 of the Rehabilitation Act of 1973
34 CFR 106.1-106.82	Discrimination on the basis of sex; effectuating Title IX
42 USC 12101-12213	Americans with Disabilities Act
42 USC 2000d-2000d-7	Title VI, Civil Rights Act of 1964
42 USC 2000e-2000e-17	Title VII, Civil Rights Act of 1964, as amended
Management Resources	Description
CA Civil Rights Department Publication	<u>California Law Prohibits Workplace Discrimination and Harassment, January 2024</u>
CA Department of Health Care Services Publication	<u>Policy and Procedures Letter No. 21-017R, December 2021</u>
CA Department of Health Care Services Publication	<u>Policy and Procedures Letter No. 23-004, February 2023</u>
CA Office of the Attorney General Publication	<u>Guidance to School Officials re: Legal Requirements for Providing Inclusive Curricula and Books, January 2024</u>
CA Office of the Attorney General Publication	<u>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</u>
CSBA Publication	<u>Reference: State Roles, Responsibilities, and Process for Instructional Materials Adoption, February 2024</u>
CSBA Publication	<u>Fact Sheet: Instructional Materials Adoption: Local governing board responsibilities, February 2024</u>
CSBA Publication	<u>Instructional Materials Adoptions: State and local governing board processes, roles, and responsibilities, February 2024</u>
CSBA Publication	<u>Parental and Student Rights in Relation to Transgender and Gender Nonconforming Students, Recently Asked Questions, August 2023</u>
CSBA Publication	<u>Legal Guidance on Rights of Transgender and Gender Nonconforming Students in Schools, October 2022</u>
Federal Register	<u>Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial</u>

	<u>Assistance, April 29, 2024, Vol. 89, No. 83, pages 33474-33896</u>
U.S. Department of Education Publication	<u>Guidance on Constitutionally Protected Prayer and Religious Expression in Public Elementary and Secondary Schools, May 2023</u>
U.S. DOE & U.S. DOJ Civil Rights Divisions Pub	<u>Dear Colleague Letter: Resource on Confronting Racial Discrimination in Student Discipline, May 2023</u>
U.S. DOE, Office for Civil Rights Publication	<u>Dear Colleague Letter: Protecting Students from Discrimination, such as Harassment, Based on Race, Color, or National Origin, Including Shared Ancestry or Ethnic Characteristics, May 2024</u>
U.S. DOE, Office for Civil Rights Publication	<u>Dear Colleague Letter: Discrimination, Including Harassment, Based on Shared Ancestry or Ethnic Characteristics, November 2023</u>
U.S. DOE, Office for Civil Rights Publication	<u>Supporting Transgender Youth in School, June 2021</u>
U.S. DOE, Office for Civil Rights Publication	<u>Dear Colleague Letter: Frequently Asked Questions About the June 29, 2010, Dear Colleague Letter, May 26, 2011</u>
U.S. DOE, Office for Civil Rights Publication	<u>Nondiscrimination in Employment Practices in Education, August 1991</u>
U.S. DOE, Office for Civil Rights Publication	<u>Dear Colleague Letter: Race and School Programming, August 2023</u>
U.S. DOE, Office for Civil Rights Publication	<u>Dear Colleague Letter: Electronic Book Readers, June 29, 2010</u>
U.S. DOE, Office for Civil Rights Publication	<u>Dear Colleague Letter: Harassment and Bullying, October 2010</u>
U.S. DOJ, Civil Rights Division Publication	<u>Fact Sheet: New Rule on the Accessibility of Web Content and Mobile Apps Provided by State and Local Governments, April 2024</u>
U.S. DOJ, Civil Rights Division Publication	<u>Guidance on Web Accessibility and the ADA, March 2022</u>
U.S. DOJ, Civil Rights Division Publication	<u>Accessibility of State and Local Government Websites to People with Disabilities, February 2020</u>
U.S. DOJ, Civil Rights Division Publication	<u>2010 ADA Standards for Accessible Design, September 2010</u>

Website	<u>CSBA District and County Office of Education Legal Services</u>
Website	<u>California Office of the Attorney General</u>
Website	<u>World Wide Web Consortium, Web Accessibility Initiative</u>
Website	<u>Pacific ADA Center</u>
Website	<u>U.S. Department of Justice, Civil Rights Division, Disability Rights Section</u>
Website	<u>California Safe Schools Coalition</u>
Website	<u>CSBA</u>
Website	<u>California Department of Education</u>
Website	<u>California Civil Rights Department</u>
Website	<u>Equal Employment Opportunity Commission</u>
Website	<u>U.S. Department of Education, Office for Civil Rights</u>
Website	<u>California Department of Health Care Services</u>
World Wide Web Consortium Publication	<u>Web Content Accessibility Guidelines, September 2023</u>

Cross References

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

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

3552	<u>Summer Meal Program</u>
3553	<u>Free And Reduced Price Meals</u>
3553	<u>Free And Reduced Price Meals</u>
3555	<u>Nutrition Program Compliance</u>
3555-E PDF(1)	<u>Nutrition Program Compliance</u>
3600	<u>Consultants</u>
4030	<u>Nondiscrimination In Employment</u>
4030	<u>Nondiscrimination In Employment</u>
4032	<u>Reasonable Accommodation</u>
4033	<u>Lactation Accommodation</u>
4040	<u>Employee Use Of Technology</u>
4040	<u>Employee Use Of Technology</u>
4111	<u>Recruitment And Selection</u>
4111.2	<u>Legal Status Requirement</u>
4111.2	<u>Legal Status Requirement</u>
4119.11	<u>Sex Discrimination and Sex-Based Harassment</u>
4119.11	<u>Sex Discrimination and Sex-Based Harassment</u>
4119.12	<u>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</u>
4119.12-E PDF(1)	<u>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</u>
4119.21	<u>Professional Standards</u>
4119.21-E PDF(1)	<u>Professional Standards</u>
4119.22	<u>Dress And Grooming</u>
4131	<u>Staff Development</u>
4131	<u>Staff Development</u>
4144	<u>Complaints</u>
4144	<u>Complaints</u>
4161.8	<u>Family Care And Medical Leave</u>
4211	<u>Recruitment And Selection</u>

4211.2	<u>Legal Status Requirement</u>
4211.2	<u>Legal Status Requirement</u>
4212.9	<u>Employee Notifications</u>
4212.9	<u>Employee Notifications</u>
4212.9-E PDF(1)	<u>Employee Notifications</u>
4219.11	<u>Sex Discrimination and Sex-Based Harassment</u>
4219.11	<u>Sex Discrimination and Sex-Based Harassment</u>
4219.12	<u>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</u>
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Policy 0410: Nondiscrimination In District Programs And Activities

Status: ADOPTED

Original Adopted Date: 08/25/2009 | **Last Revised Date:** 01/09/2024 | **Last Reviewed Date:** 01/09/2024

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

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

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

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

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

Additionally, the use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or other resource in a school library shall not be adopted by the Board or district if the use would subject a student to unlawful discrimination as specified in Education Code 220. (Education Code 244)

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.

Except for allegations of sex discrimination or sex-based harassment, allegations of unlawful discrimination in district programs and activities shall be investigated and resolved in accordance with Board Policy and Administrative Regulation 1312.3 - Uniform Complaint Procedures for students, and Administrative Regulation 4030 - Nondiscrimination in Employment for employees. Complaints alleging sex discrimination, including sex-based harassment, shall be investigated and resolved in accordance with 34 CFR 106.44 and 106.45 and as specified in Administrative Regulation 5145.71 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures, for students, and Administrative Regulation 4119.12/4219.12/4319.12 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures, for employees.

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's web and mobile applications comply with technical standards prescribed by law, and as necessary, shall provide appropriate auxiliary aids and services to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a district services, programs , or activities. These aids and services may include, but are not limited to, qualified interpreters or readers, Communication Accessed Realtime Translation services, assistive listening devices, assistive technologies or other modifications to increase accessibility to district and school web sites, note takers, written materials, taped text, and Braille or large-print materials. Individuals with disabilities shall notify the Superintendent or principal if they have a disability that requires special assistance or services.

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

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

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

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

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

Policy Reference Disclaimer:

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

State

5 CCR 4600-4670

5 CCR 4900-4965

Description

Uniform complaint procedures

Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance

Ed. Code 200-262.4

[Prohibition of discrimination](#)

Ed. Code 48980	Parent/Guardian notifications
Ed. Code 48985	Notices to parents in language other than English
Ed. Code 51007	Legislative intent: state policy
Ed. Code 51204.5	Social sciences instruction; contributions of specified groups
Ed. Code 51501	Nondiscriminatory subject matter
Ed. Code 60010	Instructional materials; definition
Ed. Code 60040-60052	Requirements for instructional materials
Gov. Code 11000	Definitions
Gov. Code 11135	Prohibition of discrimination
Gov. Code 12900-12996	Fair Employment and Housing Act
Gov. Code 54953	Meetings; Americans with Disabilities Act accessibility
Gov. Code 54953.2	Brown Act compliance with Americans with Disabilities Act
Gov. Code 8310.3	California Religious Freedom Act
Pen. Code 422.55	Definition of hate crime
Pen. Code 422.6	Crimes; harassment
Federal	Description
20 USC 1400-1482	Individuals with Disabilities Education Act
20 USC 1681-1688	Title IX of the Education Amendments of 1972; discrimination based on sex
20 USC 2301-2414	Strengthening Career and Technical Education for the 21st Century Act
20 USC 6311	State plan
20 USC 6312	Local educational agency plan
28 CFR 35.101-35.190	Americans with Disabilities Act
28 CFR 36.303	Nondiscrimination on the basis of disability, public accommodations, auxiliary aids, and services
29 USC 794	Rehabilitation Act of 1973; Section 504
34 CFR 100.1-100.13	Nondiscrimination in federal programs; effectuating Title VI
34 CFR 104.1-104.39	Section 504 of the Rehabilitation Act of 1973

34 CFR 106.1-106.82	Discrimination on the basis of sex; effectuating Title IX
42 USC 12101-12213	Americans with Disabilities Act
42 USC 2000d-2000d-7	Title VI, Civil Rights Act of 1964
42 USC 2000e-2000e-17	Title VII, Civil Rights Act of 1964, as amended
Management Resources	Description
CA Civil Rights Department Publication	<u>California Law Prohibits Workplace Discrimination and Harassment, January 2024</u>
CA Department of Health Care Services Publication	<u>Policy and Procedures Letter No. 21-017R, December 2021</u>
CA Department of Health Care Services Publication	<u>Policy and Procedures Letter No. 23-004, February 2023</u>
CA Office of the Attorney General Publication	<u>Guidance to School Officials re: Legal Requirements for Providing Inclusive Curricula and Books, January 2024</u>
CA Office of the Attorney General Publication	<u>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</u>
CSBA Publication	<u>Reference: State Roles, Responsibilities, and Process for Instructional Materials Adoption, February 2024</u>
CSBA Publication	<u>Fact Sheet: Instructional Materials Adoption: Local governing board responsibilities, February 2024</u>
CSBA Publication	<u>Instructional Materials Adoptions: State and local governing board processes, roles, and responsibilities, February 2024</u>
CSBA Publication	<u>Parental and Student Rights in Relation to Transgender and Gender Nonconforming Students, Recently Asked Questions, August 2023</u>
CSBA Publication	<u>Legal Guidance on Rights of Transgender and Gender Nonconforming Students in Schools, October 2022</u>
Federal Register	<u>Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, April 29, 2024, Vol. 89, No. 83, pages 33474-33896</u>
U.S. Department of Education Publication	<u>Guidance on Constitutionally Protected Prayer and Religious Expression in Public Elementary and Secondary Schools, May 2023</u>

U.S. DOE & U.S. DOJ Civil Rights Divisions Pub	<u>Dear Colleague Letter: Resource on Confronting Racial Discrimination in Student Discipline, May 2023</u>
U.S. DOE, Office for Civil Rights Publication	<u>Dear Colleague Letter: Protecting Students from Discrimination, such as Harassment, Based on Race, Color, or National Origin, Including Shared Ancestry or Ethnic Characteristics, May 2024</u>
U.S. DOE, Office for Civil Rights Publication	<u>Dear Colleague Letter: Discrimination, Including Harassment, Based on Shared Ancestry or Ethnic Characteristics, November 2023</u>
U.S. DOE, Office for Civil Rights Publication	<u>Supporting Transgender Youth in School, June 2021</u>
U.S. DOE, Office for Civil Rights Publication	<u>Dear Colleague Letter: Frequently Asked Questions About the June 29, 2010, Dear Colleague Letter, May 26, 2011</u>
U.S. DOE, Office for Civil Rights Publication	<u>Nondiscrimination in Employment Practices in Education, August 1991</u>
U.S. DOE, Office for Civil Rights Publication	<u>Dear Colleague Letter: Race and School Programming, August 2023</u>
U.S. DOE, Office for Civil Rights Publication	<u>Dear Colleague Letter: Electronic Book Readers, June 29, 2010</u>
U.S. DOE, Office for Civil Rights Publication	<u>Dear Colleague Letter: Harassment and Bullying, October 2010</u>
U.S. DOJ, Civil Rights Division Publication	<u>Fact Sheet: New Rule on the Accessibility of Web Content and Mobile Apps Provided by State and Local Governments, April 2024</u>
U.S. DOJ, Civil Rights Division Publication	<u>Guidance on Web Accessibility and the ADA, March 2022</u>
U.S. DOJ, Civil Rights Division Publication	<u>Accessibility of State and Local Government Websites to People with Disabilities, February 2020</u>
U.S. DOJ, Civil Rights Division Publication	<u>2010 ADA Standards for Accessible Design, September 2010</u>
Website	<u>CSBA District and County Office of Education Legal Services</u>
Website	<u>California Office of the Attorney General</u>
Website	<u>World Wide Web Consortium, Web Accessibility Initiative</u>

Website	Pacific ADA Center
Website	U.S. Department of Justice, Civil Rights Division, Disability Rights Section
Website	California Safe Schools Coalition
Website	CSBA
Website	California Department of Education
Website	California Civil Rights Department
Website	Equal Employment Opportunity Commission
Website	U.S. Department of Education, Office for Civil Rights
Website	California Department of Health Care Services
World Wide Web Consortium Publication	Web Content Accessibility Guidelines, September 2023

Cross References

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0100	Philosophy
0415	Equity
0415	Equity
0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan
1100	Communication With The Public
1100	Communication With The Public
1113	District And School Websites
1113	District And School Websites
1113-E PDF(1)	District And School Websites
1114	District-Sponsored Social Media
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1230	School-Connected Organizations
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1240	Volunteer Assistance
1260	Educational Foundation

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3260	<u>Fees And Charges</u>
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3270	<u>Sale And Disposal Of Books, Equipment And Supplies</u>
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Policy 0420.41: Charter School Oversight

Status: ADOPTED

Original Adopted Date: ~~11/27/2012~~10/01/2013 | **Last Revised Date:** ~~08/22/2023~~06/01/2024 |
Last Reviewed Date: ~~08/22/2023~~06/01/2024

The Governing Board recognizes its ongoing responsibility to oversee that any charter school authorized by the Board is successfully fulfilling the terms of its charter ~~and is providing a high-quality educational program for students enrolled in the charter school.~~

The Superintendent or designee shall identify at least one staff member to serve as a contact person for each charter school authorized by the Board. (Education Code 47604.32)

The Superintendent or designee shall visit each charter school at least annually and may inspect or observe any part of a charter school at any time. (Education Code 47604.32, 47607)

The Superintendent may designate someone to attend meetings of the charter school governing body whenever possible.

Monitoring Charter School Performance

Any charter school authorized by the Board shall be monitored by the Superintendent or designee to determine whether the charter school complies with all legal requirements applicable to charter schools, including all reports required of charter schools by law, as specified in Education Code 47604.32. Any violations of law shall be reported to the Board.

The Board shall monitor each charter school to determine whether it is achieving the measurable student outcomes set forth in the charter, both schoolwide and for each numerically significant student subgroup served by the school as defined in Education Code 52052. This determination shall be based on the measures specified in the approved charter and any applicable MOU, and on the charter school's annual review and assessment of its progress toward the goals and actions identified in its local control and accountability plan (LCAP), as reported in the California School Dashboard.

The Board shall monitor the fiscal condition of the charter school based on any financial report or information obtained from the charter school, including, but not limited to, the charter school's preliminary budget, LCAP and annual update of the charter school's LCAP, first and second interim financial reports, and final unaudited report for the full prior year. ~~The Superintendent or designated charter school contact shall attend meetings of the charter school governing body whenever possible and shall periodically meet with a representative of the charter school.~~

~~Waivers~~(Education Code 47604.32, 47604.33, 47606.5)

Waivers

If the charter school wishes to request a general waiver of any state law or regulation applicable to it, it shall request that the Board approve and the district submit a general waiver request to the State Board of Education (SBE) on its behalf. Upon approval of the Board, the Superintendent or designee shall submit such a waiver request to SBE on behalf of the charter school.

Provision of District Services

~~The~~

Upon approval by the Board of an appropriate agreement, the charter school may purchase contract with the district or any other source for administrative or other services ~~from the district or any other source~~. (Education Code 47613)

Whenever the district agrees to provide administrative or support services to a charter school, the district and the charter school shall develop a memorandum of understanding (MOU) which clarifies the financial and operational agreements between them.

At the request of a charter school, the Superintendent or designee shall create and submit any reports required by the State Teachers' Retirement System or Public Employees' Retirement System on behalf of the charter school. The district may charge the charter school for the actual costs of the reporting services, but shall not require the charter school to purchase payroll processing services from the district as a condition for creating and submitting these reports. (Education Code 47611.3)

Material Revisions to Charter

Material revisions to a charter may only be made with Board approval. Material revisions shall be governed by the same standards and criteria that apply to petitions for the authorization of charter schools as set forth in Education Code 47605 and shall include, but not be limited to, a reasonably comprehensive description of any new requirement for charter schools enacted into law after the charter was originally granted or last renewed. (Education Code 47607)

The Board shall determine whether a proposed change in charter school operations would constitute a material revision of the approved charter.

If an approved charter school proposes to expand operations to one or more additional sites or grade levels, whether concurrently with or unrelated to a renewal, the charter school shall request a material revision to its charter and shall notify the Board of those additional locations or grade levels. The Board shall consider approval of the additional locations or grade levels at an open, public meeting. (Education Code 47605, 47607)

~~Pursuant to Education Code 47605, the~~The Board may deny a ~~request to expand operations~~proposed material revision if it finds that the proposed ~~expansion~~material revision would render the charter school demonstrably unlikely to serve the interests of the entire community in which the school is located or proposes to locate. In making this finding, the Board shall consider all of the following: (Education Code 47605)

1. The fiscal impact of the proposed expansion on the district
2. The extent to which the expansion would substantially undermine existing services, academic offerings, or programmatic offerings
3. Whether the expansion would duplicate a program currently offered within the district that has sufficient capacity for the students proposed to be served within reasonable proximity to where the charter school intends to locate

Additionally, ~~pursuant to Education Code 47605,~~ the Board may deny a ~~request to expand charter school operations proposed material revision~~ if it finds that the district is not positioned to absorb the fiscal impact of the proposed ~~charter school expansion material revision~~. The Board shall make this finding if the district has a qualified interim certification pursuant to Education Code 42131 and the County Superintendent of Schools, in consultation with the County Office Fiscal Crisis and Management Assistance Team, certifies that approving the charter school would result in the district having a negative interim certification pursuant to Education Code 42131, ~~or if~~ the district has a negative interim certification pursuant to Education Code 42131, or the district is under state receivership. (Education Code 47605)

Location of Charter Schools

Except when permitted to operate outside district boundaries pursuant to Education Code 47605 and 47605.1, a charter school shall be located within district boundaries. ~~(Education Code 47605.1)~~

Monitoring Charter School Performance

~~Any charter school authorized by the Board shall be monitored by the Superintendent or designee to determine whether the charter school complies with all legal requirements applicable to charter schools, including all reports required of charter schools by law, as specified in Education Code 47604.32. Any violations of law shall be reported to the Board.~~

Fees/Charges for Supervisorial Oversight

~~The Board shall monitor each charter school to determine whether it is achieving the measurable student outcomes set forth in the charter, both schoolwide and for each numerically significant student subgroup served by the school as defined in Education Code 52052. This determination shall be based on the measures specified in the approved charter and any applicable MOU, and on the charter school's annual review and assessment of its progress toward the goals and actions identified in its local control and accountability plan (LCAP), as reported in the California School Dashboard.~~

~~The Board shall monitor the fiscal condition of the charter school based on any financial report or information obtained from the charter school, including, but not limited to, the charter school's preliminary budget, LCAP and annual update of the charter school's LCAP, first and second interim financial reports, and final unaudited report for the full prior year. (Education Code 47604.32, 47604.33, 47606.5)~~

Fees/Charges for Supervisorial Oversight

The district may charge for district supervisory oversight as follows: (Education Code 47613; 5 CCR 11969.7)

1. Actual costs up to one percent of the charter school's revenue.
2. Actual costs up to three percent of the charter school's revenue if the district provides the charter school substantially rent-free facilities

If the district provides the charter school with facilities under Education Code 47614 and charges the charter school a pro-rata share of the facilities costs calculated pursuant to 5 CCR 11969.7, the district may only charge the charter school for the actual costs of supervisory oversight up to one percent of the charter school's revenue.

3. Actual costs if the district is assigned supervisory oversight responsibility for the charter school by SBE when authorized on appeal

Technical Assistance/Intervention

Whenever a charter school is identified for technical assistance based on the performance of one or more numerically significant student subgroups on SBE-established criteria, the charter school shall receive technical assistance from the County Superintendent. Such technical assistance shall be focused on building the charter school's capacity to develop and implement actions and services responsive to student and community needs, including, but not limited to, any of the following: (Education Code ~~47607.3~~)

1. Assisting the charter school to identify its strengths and weaknesses in regard to the state priorities applicable to the charter school pursuant to Education Code 47605(c)~~(c)~~

This shall include working collaboratively with the charter school to review performance data on the state and local indicators included in the California School Dashboard and other relevant local data and to identify effective, evidence-based programs or practices that address any areas of weakness.

2. Working collaboratively with the charter school to secure assistance from an academic, programmatic, or fiscal expert or team of experts to identify and implement effective programs and practices that are designed to improve performance in any areas of weakness identified by the charter school.

Another service provider, including, but not limited to, a school district, county office of education, or charter school, may be solicited to act as a partner to the charter school in need of technical assistance.

3. Obtaining from the charter school timely documentation demonstrating that it has completed the activities described in Items #1 and 2 or substantially similar activities, or has selected another service provider to work with the charter school to complete the activities described in Items #1 and 2 or substantially similar activities, and ongoing communication with the Board to assess the charter school's progress in improving student outcomes.

In addition, if, in three out of four consecutive school years, a charter school fails to improve outcomes for three or more numerically significant student subgroups, or for all of the student subgroups if the school has fewer than three subgroups, in regard to one or more state or school priorities identified in the charter, the County Superintendent may request that the Superintendent of Public Instruction (SPI), with SBE approval, assign the California Collaborative for Educational

Excellence to provide advice and assistance to the charter school pursuant to Education Code 52074. (Education Code 47607.3; 52072)

In accordance with law, the Board may deny a charter school's renewal petition or may revoke a charter based on the charter school's poor performance, especially with regard to inadequate academic achievement of all numerically significant subgroups of students served by the charter school. (Education Code 47607, 47607.2)

Complaints

Each charter school shall establish and maintain policies and procedures in accordance with the uniform complaint procedures as specified in 5 CCR 4600-4670 to enable any person alleging the school's noncompliance with Education Code 47606.5 or 47607.3 to file a complaint with the charter school. (Education Code 52075)

A complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance. A complainant who is not satisfied with the decision may appeal the decision to the SPI. (Education Code 52075)

If the charter school finds merit in the complaint or the SPI finds merit in an appeal, a remedy shall be provided to all affected students and parents/guardians. (Education Code 52075)

School Closure

In the event that the Board revokes or denies renewal of a charter or the charter school ceases operation for any reason, the Superintendent or designee shall, when applicable in accordance with the charter ~~and/or an MOU~~ school and/or an applicable agreement between the district and the charter school, provide assistance to facilitate the transfer of the charter school's former students and to finalize financial reporting and close-out of the charter school.

The Superintendent or designee shall provide notification to the California Department of Education, within 10 calendar days of the Board's action, if renewal of a charter is denied, a charter is revoked, or a charter school will cease operation for any reason. Such notification shall include, but not be limited to, a description of the circumstances of the closure, the effective date of the closure, and the location of student and personnel records. (Education Code 47604.32; 5 CCR 11962.1)

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Policy Reference Disclaimer:

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

State

[Ed. Code 49564.3](#)

[Ed. Code 49603](#)

Description

[Provision of federal universal meal service](#)

[On campus access to employers and military services](#)

<u>Ed. Code 49700-49701</u>	<u>Education of children of military families</u>
<u>Ed. Code 51224.7</u>	<u>Mathematics placement policy</u>
<u>Ed. Code 51225.1-51225.2</u>	<u>Exemption from local graduation requirements; acceptance of coursework</u>
<u>Ed. Code 51225.3</u>	<u>High school graduation requirements</u>
<u>Ed. Code 51225.6</u>	<u>Instruction in cardiopulmonary resuscitation; districts that require health education for graduation</u>
<u>Ed. Code 51225.7-51225.8</u>	<u>Completion and submission of the Free Application for Federal Student Aid and California Dream Act Application</u>
<u>Ed. Code 51413</u>	<u>Diploma of graduation without passage of high school exit examination</u>
<u>Ed. Code 51744-51749.6</u>	<u>Independent study</u>
<u>Ed. Code 51925-51929</u>	<u>Mandatory mental health education</u>
<u>Ed. Code 51930-51939</u>	<u>California Healthy Youth Act</u>
<u>Ed. Code 52052</u>	<u>Accountability; numerically significant student subgroups</u>
<u>Ed. Code 52060-52077</u>	<u>Local control and accountability plan</u>
<u>Ed. Code 52075</u>	<u>Uniform complaint procedures</u>
<u>Ed. Code 52770</u>	<u>College and career fairs</u>
<u>Ed. Code 56026</u>	<u>Special education</u>
<u>Ed. Code 56040.3</u>	<u>Availability of assistive technology device</u>
<u>Ed. Code 56145-56146</u>	<u>Special education services in charter schools</u>
<u>Ed. Code 56365-56366.12</u>	<u>Nonpublic, nonsectarian schools</u>
<u>Ed. Code 56521.1-56521.2</u>	<u>Emergency Interventions</u>
<u>Ed. Code 60600-60649</u>	<u>Assessment of academic achievement</u>
<u>Ed. Code 64000</u>	<u>Categorical programs included in consolidated application</u>
<u>Ed. Code 64001</u>	<u>School plan for student achievement; consolidated application programs</u>
<u>Ed. Code 65000-65001</u>	<u>School site councils</u>

<u>Ed. Code 69432.9-69432.92</u>	<u>Cal Grant program; notification of grade point average and high school graduation</u>
<u>Gov. Code 1090-1099</u>	<u>Prohibitions applicable to specified officers</u>
<u>Gov. Code 3540-3549.3</u>	<u>Educational Employment Relations Act</u>
<u>Gov. Code 3555-3559</u>	<u>Public employee communication, information and orientation</u>
<u>Gov. Code 54950-54963</u>	<u>The Ralph M. Brown Act</u>
<u>Gov. Code 7920.000-7930.215</u>	<u>California Public Records Act</u>
<u>Gov. Code 81000-91014</u>	<u>Political Reform Act</u>
<u>H&S Code 104420</u>	<u>Tobacco Use Prevention Education grant program</u>
<u>H&S Code 104559</u>	<u>Tobacco-free schools</u>
<u>Lab. Code 1198.5</u>	<u>Personnel records related to performance and grievance</u>
<u>Lab. Code 3074.2</u>	<u>College and career fairs; notice to apprenticeship programs</u>
<u>Pen. Code 1192.7</u>	<u>Definition of serious felony</u>
<u>Pen. Code 667.5</u>	<u>Definition of violent felony</u>
<u>Veh. Code 28160</u>	<u>Child safety alert system</u>
5 CCR 11700-11705	Independent study
5 CCR 11960-11969.10	Charter schools
5 CCR 4600-4670	Uniform complaint procedures
Bus. And Prof. Code 7583.45	<u>Training for security officers</u>
CA Constitution Article 16, Section 8.5	<u>Public finance; school accountability report card</u>
CA Constitution Article 9, Section 5	<u>Common school system</u>
Corp. Code 5110-6910	<u>Nonprofit public benefit corporations</u>
Ed. Code 1006	<u>Prohibition against school district employees serving on county board of education</u>
Ed. Code 17070.10-17079.30	<u>Leroy F. Greene School Facilities Act</u>
Ed. Code 17280-17317	<u>Field Act; approval of plans and supervision of construction</u>
Ed. Code 17365-17374	<u>Field Act; fitness for occupancy; liability of board members</u>

Ed. Code 215	<u>Suicide prevention policies</u>
Ed. Code 215.5	<u>Student identification cards; inclusion of safety hotlines</u>
Ed. Code 220	<u>Prohibition of discrimination</u>
Ed. Code 221.61	<u>Posting of Title IX information on website</u>
Ed. Code 221.9	<u>Sex equity in competitive athletics</u>
Ed. Code 222	<u>Reasonable accommodations; lactating students</u>
Ed. Code 222.5	<u>Pregnant and parenting students; notification of rights</u>
Ed. Code 231.5	<u>Sexual harassment policy</u>
Ed. Code 234.4	<u>Mandated policy on bullying prevention</u>
Ed. Code 234.6	<u>Bullying and harassment prevention information</u>
Ed. Code 234.7	<u>Student protections relating to immigration and citizenship status</u>
Ed. Code 243	<u>Prohibition of discrimination; instructional materials</u>
Ed. Code 32280-32289.5	<u>School safety plans</u>
Ed. Code 32283.5	<u>Bullying; online training</u>
Ed. Code 33353	California Interscholastic Federation incident tracking
Ed. Code 33479-33479.9	<u>The Eric Parades Sudden Cardiac Arrest Prevention Act</u>
Ed. Code 35120	<u>Student board membership</u>
Ed. Code 35179.4-35179.6	<u>Interscholastic athletic programs, safety; swimming pool safety that is not part of interscholastic athletic program</u>
Ed. Code 35183.1	<u>Graduation ceremonies; tribal regalia or recognized object of religious/cultural significance</u>
Ed. Code 35292.6	<u>Stocking of menstrual products</u>
Ed. Code 35330	<u>Field trips and excursions; student fees</u>
Ed. Code 38001.5	<u>Training for security officers</u>
Ed. Code 38080-38086	<u>School meals</u>
Ed. Code 39831.3	<u>Transportation safety plan</u>
Ed. Code 39843	<u>Disciplinary action against bus driver; report to Department of Motor Vehicles</u>
Ed. Code 41024	<u>Report of expenditure of state facility funds</u>
Ed. Code 42100	<u>Annual statement of receipts and expenditures</u>

Ed. Code 44030.5	<u>Reporting change in employment status due to alleged misconduct</u>
Ed. Code 44237	<u>Criminal record summary</u>
Ed. Code 44691	<u>Information on detection of child abuse; annual training</u>
Ed. Code 44830.1	<u>Certificated employees; conviction of a violent or serious felony</u>
Ed. Code 45122.1	<u>Classified employees; conviction of a violent or serious felony</u>
Ed. Code 45125.1	<u>Criminal records summary; employees of contracting entity</u>
Ed. Code 46015	<u>Accommodations for pregnant and parenting students; parental leave</u>
Ed. Code 46390-46393	<u>Emergency average daily attendance</u>
Ed. Code 47600-47616.7	<u>Charter Schools Act of 1992</u>
Ed. Code 47634.2	<u>Nonclassroom-based instruction</u>
Ed. Code 47640-47647	<u>Special education funding for charter schools</u>
Ed. Code 47651	<u>Apportionment of funds; charter schools</u>
Ed. Code 48000	<u>Minimum age of admission for kindergarten; transitional kindergarten</u>
Ed. Code 48010	<u>Minimum age of admission to first grade</u>
Ed. Code 48206.3-48208	<u>Students with temporary disabilities; individual instruction</u>
Ed. Code 48850-48859	<u>Education of foster youth and homeless students</u>
Ed. Code 48900	<u>Grounds for suspension or expulsion</u>
Ed. Code 48901.1	<u>Suspension and expulsion; willful defiance</u>
Ed. Code 48907	<u>Exercise of free expression; time, place, and manner rules and regulations</u>
Ed. Code 48913.5	<u>Suspended students; homework assignments</u>
Ed. Code 48950	<u>Speech and other communication</u>
Ed. Code 48985	<u>Notices to parents in language other than English</u>
Ed. Code 49005-49006.4	<u>Seclusion and restraint</u>
Ed. Code 49010	Student fees

Ed. Code 49011	<u>Student fees</u>
Ed. Code 49014	<u>Public School Fair Debt Collection Act</u>
Ed. Code 49056	Prohibition of denial of recess
Ed. Code 49061	<u>Definitions; directory information</u>
Ed. Code 49062.5	<u>Student records; name or gender change</u>
Ed. Code 49070	<u>Challenging student records</u>
Ed. Code 49073.2	<u>Privacy of student and parent/guardian personal information; minutes of board meeting</u>
Ed. Code 49076.7	<u>Student records; data privacy; social security numbers</u>
Ed. Code 49110	<u>Authority to issue work permits</u>
Ed. Code 49381	<u>Human trafficking prevention</u>
Ed. Code 49406	<u>TB risk assessment</u>
Ed. Code 49414	<u>Epinephrine auto-injectors</u>
Ed. Code 49414.3	<u>Administration of opioid antagonist</u>
Ed. Code 49414.7	Administration of albuterol inhalers
Ed. Code 49428	<u>Notification of mental health services</u>
Ed. Code 49428.5	Employment of medical personnel
Ed. Code 49430-49434	<u>The Pupil Nutrition, Health, and Achievement Act of 2001</u>
Ed. Code 49431.9	<u>Prohibition of advertisement of non-nutritious foods</u>
Ed. Code 49475	<u>Health and safety; concussions and head injuries</u>
Ed. Code 49501.5	<u>Free breakfast and lunch to all students</u>
Ed. Code 49550-49564.5	<u>Meals for needy students</u>
Ed. Code 49557.5	<u>Child Hunger Prevention and Fair Treatment Act of 2017</u>
Ed. Code 49564.3	<u>Provision of federal universal meal service</u>
Ed. Code 49603	<u>On-campus access to employers and military services</u>
Ed. Code 49700-49701	<u>Education of children of military families</u>
Ed. Code 51224.7	<u>Mathematics placement policy</u>
Ed. Code 51225.1-51225.2	<u>Exemption from local graduation requirements; acceptance of coursework</u>

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Gov. Code 81000-91014	Political Reform Act
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Lab. Code 1198.5	Personnel records related to performance and grievance
Lab. Code 3074.2	College and career fairs; notice to apprenticeship programs
Pen. Code 1192.7	Definition of serious felony
Pen. Code 667.5	Definition of violent felony
Veh. Code 28160	Child safety alert system

Federal

20 USC 1681-1688	Title IX of the Education Amendments of 1972; discrimination based on sex
20 USC 6311	State plan
20 USC 7221-7221j	Charter schools
34 CFR 200.1-200.78	Accountability
42 USC 11431-11435	McKinney-Vento Homeless Assistance Act

Management Resources

Attorney General Opinion	104 Ops.Cal.Atty.Gen. 66 (2021)
Attorney General Opinion	101 Ops.Cal.Atty.Gen. 92 (2018)
Attorney General Opinion	78 Ops.Cal.Atty.Gen. 297 (1995)
Attorney General Opinion	89 Ops.Cal.Atty.Gen. 166 (2006)
Attorney General Opinion	80 Ops.Cal.Atty.Gen. 52 (1997)
CA Office of Administrative Hearings Decisions	Student v. Horizon Instructional Systems Charter School (2012) OAH Case No. 2011060763
California Department of Education Publication	Pupil Fees, Deposits, and Other Charges, Fiscal Management Advisory 20-01, July 23, 2020
California Department of Education Publication	California School Accounting Manual

California Dept. of Pesticide Reg. Publication	School District Integrated Pest Management Plan Template
California Interscholastic Federation Publication	<u>Pursuing Victory with Honor, 1999</u>
Court Decision	Ridgecrest Charter School v. Sierra Sands Unified School District (2005) 130 Cal.App.4th 986
CSBA Publication	Charter Schools: A Guide for Governance Teams, rev. 2021
CSBA Publication	Charter Schools in Focus, Issue 2: Ensuring Effective Oversight, Governance Brief, October 2017
CSBA Publication	Uncharted Waters: Recommendations for Prioritizing Student Achievement and Effective Governance in California's Charter Schools, September 2018
U.S. DOE Guidance	Charter Schools Program: Title V, Part B of the ESEA, Nonregulatory Guidance, January 2014
Website	<u>CSBA District and County Office of Education Legal Services</u>
Website	<u>U.S. Department of Agriculture</u>
Website	<u>National Suicide Prevention Lifeline</u>
Website	<u>National Domestic Violence Hotline</u>
Website	<u>California State Teachers Retirement System</u>
Website	<u>California Public Employees Retirement System</u>
Website	<u>California Department of General Services, Office of Administrative Hearings</u>
Website	<u>California Commission on Teacher Credentialing</u>
Website	<u>California Commission on Peace Officer Standards and Training</u>
Website	<u>California Bureau of Security and Investigative Services</u>
Website	<u>California Department of Pesticide Regulation</u>
Website	<u>California State Controller</u>
Website	<u>California Student Aid Commission</u>
Website	<u>National Association of Charter School Authorizers</u>
Website	<u>California Charter Schools Association</u>

Website	California Department of Education, Charter Schools
Website	California Interscholastic Federation
Website	California Office of the Attorney General
Website	CSBA
Website	U.S. Department of Education

Cross References

Code	Description
0420.4	Charter School Authorization Charter School Authorization
0420.4	Charter School Authorization Charter School Authorization
0420.42	Charter School Renewal Charter School Renewal
0420.43	Charter School Revocation Charter School Revocation
0460	Local Control And Accountability Plan Local Control And Accountability Plan
0460	Local Control And Accountability Plan Local Control And Accountability Plan
0500	Accountability Accountability
1312.3	Uniform Complaint Procedures Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures Uniform Complaint Procedures
1312.3-E PDF(1)	Uniform Complaint Procedures Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1431	Waivers Waivers
6162.51	State Academic Achievement Tests State Academic Achievement Tests
6162.51	State Academic Achievement Tests State Academic Achievement Tests
7160	Charter School Facilities
7160	Charter School Facilities

Policy 0420.41: Charter School Oversight

Status: ADOPTED

Original Adopted Date: 11/27/2012 | **Last Revised Date:** 08/22/2023 | **Last Reviewed Date:** 08/22/2023

The Governing Board recognizes its ongoing responsibility to oversee that any charter school authorized by the Board is successfully fulfilling the terms of its charter.

The Superintendent or designee shall identify at least one staff member to serve as a contact person for each charter school authorized by the Board. (Education Code 47604.32)

The Superintendent or designee shall visit each charter school at least annually and may inspect or observe any part of a charter school at any time. (Education Code 47604.32, 47607)

The Superintendent may designate someone to attend meetings of the charter school governing body whenever possible.

Monitoring Charter School Performance

Any charter school authorized by the Board shall be monitored by the Superintendent or designee to determine whether the charter school complies with all legal requirements applicable to charter schools, including all reports required of charter schools by law, as specified in Education Code 47604.32. Any violations of law shall be reported to the Board.

The Board shall monitor each charter school to determine whether it is achieving the measurable student outcomes set forth in the charter, both schoolwide and for each numerically significant student subgroup served by the school as defined in Education Code 52052. This determination shall be based on the measures specified in the approved charter and any applicable MOU, and on the charter school's annual review and assessment of its progress toward the goals and actions identified in its local control and accountability plan (LCAP), as reported in the California School Dashboard.

The Board shall monitor the fiscal condition of the charter school based on any financial report or information obtained from the charter school, including, but not limited to, the charter school's preliminary budget, LCAP and annual update of the charter school's LCAP, first and second interim financial reports, and final unaudited report for the full prior year. (Education Code 47604.32, 47604.33, 47606.5)

Waivers

If the charter school wishes to request a general waiver of any state law or regulation applicable to it, it shall request that the Board approve and the district submit a general waiver request to the State Board of Education (SBE) on its behalf. Upon approval of the Board, the Superintendent or designee shall submit such a waiver request to SBE on behalf of the charter school.

Provision of District Services

Upon approval by the Board of an appropriate agreement, the charter school may contract with the district or any other source for administrative or other services. (Education Code 47613)

Whenever the district agrees to provide administrative or support services to a charter school, the district and the charter school shall develop a memorandum of understanding (MOU) which clarifies the financial and operational agreements between them.

At the request of a charter school, the Superintendent or designee shall create and submit any reports required by the State Teachers' Retirement System or Public Employees' Retirement System on behalf of the charter school. The district may charge the charter school for the actual costs of the reporting services, but shall not require the charter school to purchase payroll processing services from the district as a condition for creating and submitting these reports. (Education Code 47611.3)

Material Revisions to Charter

Material revisions to a charter may only be made with Board approval. Material revisions shall be governed by the same standards and criteria that apply to petitions for the authorization of charter schools as set forth in Education Code 47605 and shall include, but not be limited to, a reasonably comprehensive description of any new requirement for charter schools enacted into law after the charter was originally granted or last renewed. (Education Code 47607)

The Board shall determine whether a proposed change in charter school operations would constitute a material revision of the approved charter.

If an approved charter school proposes to expand operations to one or more additional sites or grade levels, whether concurrently with or unrelated to a renewal, the charter school shall request a material revision to its charter and shall notify the Board of those additional locations or grade levels. The Board shall consider approval of the additional locations or grade levels at an open, public meeting. (Education Code 47605, 47607)

The Board may deny a proposed material revision if it finds that the proposed material revision would render the charter school demonstrably unlikely to serve the interests of the entire community in which the school is located or proposes to locate. In making this finding, the Board shall consider all of the following: (Education Code 47605)

1. The fiscal impact of the proposed expansion on the district
2. The extent to which the expansion would substantially undermine existing services, academic offerings, or programmatic offerings
3. Whether the expansion would duplicate a program currently offered within the district that has sufficient capacity for the students proposed to be served within reasonable proximity to where the charter school intends to locate

Additionally, the Board may deny a proposed material revision if it finds that the district is not positioned to absorb the fiscal impact of the proposed material revision. The Board shall make this finding if the district has a qualified interim certification pursuant to Education Code 42131 and the County Superintendent of Schools, in consultation with the County Office Fiscal Crisis and Management Assistance Team, certifies that approving the charter school would result in the district having a negative interim certification pursuant to Education Code 42131, the district has a negative interim certification pursuant to Education Code 42131, or the district is under state receivership. (Education Code 47605)

Location of Charter Schools

Except when permitted to operate outside district boundaries pursuant to Education Code 47605 and 47605.1, a charter school shall be located within district boundaries.

Fees/Charges for Supervisorial Oversight

The district may charge for district supervisorial oversight as follows: (Education Code 47613; 5 CCR 11969.7)

1. Actual costs up to one percent of the charter school's revenue
2. Actual costs up to three percent of the charter school's revenue if the district provides the charter school substantially rent-free facilities

If the district provides the charter school with facilities under Education Code 47614 and charges the charter school a pro-rata share of the facilities costs calculated pursuant to 5 CCR 11969.7, the district may only charge the charter school for the actual costs of supervisorial oversight up to one percent of the charter school's revenue.

3. Actual costs if the district is assigned supervisorial oversight responsibility for the charter school by SBE when authorized on appeal

Technical Assistance/Intervention

Whenever a charter school is identified for technical assistance based on the performance of one or more numerically significant student subgroups on SBE-established criteria, the charter school shall receive technical assistance from the County Superintendent. Such technical assistance shall be focused on building the charter school's capacity to develop and implement actions and services responsive to student and community needs, including, but not limited to, any of the following: (Education Code 47607.3)

1. Assisting the charter school to identify its strengths and weaknesses in regard to the state priorities applicable to the charter school pursuant to Education Code 47605(c)

This shall include working collaboratively with the charter school to review performance data on the state and local indicators included in the California School Dashboard and other relevant local data and to identify effective, evidence-based programs or practices that address any areas of weakness.

2. Working collaboratively with the charter school to secure assistance from an academic, programmatic, or fiscal expert or team of experts to identify and implement effective

programs and practices that are designed to improve performance in any areas of weakness identified by the charter school

Another service provider, including, but not limited to, a school district, county office of education, or charter school, may be solicited to act as a partner to the charter school in need of technical assistance.

3. Obtaining from the charter school timely documentation demonstrating that it has completed the activities described in Items #1 and 2 or substantially similar activities, or has selected another service provider to work with the charter school to complete the activities described in Items #1 and 2 or substantially similar activities, and ongoing communication with the Board to assess the charter school's progress in improving student outcomes

In addition, if, in three out of four consecutive school years, a charter school fails to improve outcomes for three or more numerically significant student subgroups, or for all of the student subgroups if the school has fewer than three subgroups, in regard to one or more state or school priorities identified in the charter, the County Superintendent may request that the Superintendent of Public Instruction (SPI), with SBE approval, assign the California Collaborative for Educational Excellence to provide advice and assistance to the charter school pursuant to Education Code 52074. (Education Code 47607.3; 52072)

In accordance with law, the Board may deny a charter school's renewal petition or may revoke a charter based on the charter school's poor performance, especially with regard to inadequate academic achievement of all numerically significant subgroups of students served by the charter school. (Education Code 47607, 47607.2)

Complaints

Each charter school shall establish and maintain policies and procedures in accordance with the uniform complaint procedures as specified in 5 CCR 4600-4670 to enable any person alleging the school's noncompliance with Education Code 47606.5 or 47607.3 to file a complaint with the charter school. (Education Code 52075)

A complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance. A complainant who is not satisfied with the decision may appeal the decision to the SPI. (Education Code 52075)

If the charter school finds merit in the complaint or the SPI finds merit in an appeal, a remedy shall be provided to all affected students and parents/guardians. (Education Code 52075)

School Closure

In the event that the Board revokes or denies renewal of a charter or the charter school ceases operation for any reason, the Superintendent or designee shall, when applicable in accordance with the charter school and/or an applicable agreement between the district and the charter school, provide assistance to facilitate the transfer of the charter school's former students and to finalize financial reporting and close-out of the charter school.

The Superintendent or designee shall provide notification to the California Department of Education, within 10 calendar days of the Board's action, if renewal of a charter is denied, a charter

is revoked, or a charter school will cease operation for any reason. Such notification shall include, but not be limited to, a description of the circumstances of the closure, the effective date of the closure, and the location of student and personnel records. (Education Code 47604.32; 5 CCR 11962.1)

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 49564.3	<u>Provision of federal universal meal service</u>
Ed. Code 49603	<u>On campus access to employers and military services</u>
Ed. Code 49700-49701	<u>Education of children of military families</u>
Ed. Code 51224.7	<u>Mathematics placement policy</u>
Ed. Code 51225.1-51225.2	<u>Exemption from local graduation requirements; acceptance of coursework</u>
Ed. Code 51225.3	<u>High school graduation requirements</u>
Ed. Code 51225.6	<u>Instruction in cardiopulmonary resuscitation; districts that require health education for graduation</u>
Ed. Code 51225.7-51225.8	<u>Completion and submission of the Free Application for Federal Student Aid and California Dream Act Application</u>
Ed. Code 51413	<u>Diploma of graduation without passage of high school exit examination</u>
Ed. Code 51744-51749.6	<u>Independent study</u>
Ed. Code 51925-51929	<u>Mandatory mental health education</u>
Ed. Code 51930-51939	<u>California Healthy Youth Act</u>
Ed. Code 52052	<u>Accountability; numerically significant student subgroups</u>
Ed. Code 52060-52077	<u>Local control and accountability plan</u>
Ed. Code 52075	<u>Uniform complaint procedures</u>
Ed. Code 52770	College and career fairs
Ed. Code 56026	<u>Special education</u>
Ed. Code 56040.3	<u>Availability of assistive technology device</u>
Ed. Code 56145-56146	<u>Special education services in charter schools</u>

Ed. Code 56365-56366.12	Nonpublic, nonsectarian schools
Ed. Code 56521.1-56521.2	Emergency Interventions
Ed. Code 60600-60649	Assessment of academic achievement
Ed. Code 64000	Categorical programs included in consolidated application
Ed. Code 64001	School plan for student achievement; consolidated application programs
Ed. Code 65000-65001	School site councils
Ed. Code 69432.9-69432.92	Cal Grant program; notification of grade point average and high school graduation
Gov. Code 1090-1099	Prohibitions applicable to specified officers
Gov. Code 3540-3549.3	Educational Employment Relations Act
Gov. Code 3555-3559	Public employee communication, information and orientation
Gov. Code 54950-54963	The Ralph M. Brown Act
Gov. Code 7920.000-7930.215	California Public Records Act
Gov. Code 81000-91014	Political Reform Act
H&S Code 104420	Tobacco Use Prevention Education grant program
H&S Code 104559	Tobacco-free schools
Lab. Code 1198.5	Personnel records related to performance and grievance
Lab. Code 3074.2	College and career fairs; notice to apprenticeship programs
Pen. Code 1192.7	Definition of serious felony
Pen. Code 667.5	Definition of violent felony
Veh. Code 28160	Child safety alert system
5 CCR 11700-11705	Independent study
5 CCR 11960-11969.10	Charter schools
5 CCR 4600-4670	Uniform complaint procedures
Bus. And Prof. Code 7583.45	Training for security officers
CA Constitution Article 16, Section 8.5	Public finance; school accountability report card
CA Constitution Article 9, Section 5	Common school system

Corp. Code 5110-6910	<u>Nonprofit public benefit corporations</u>
Ed. Code 1006	<u>Prohibition against school district employees serving on county board of education</u>
Ed. Code 17070.10-17079.30	<u>Leroy F. Greene School Facilities Act</u>
Ed. Code 17280-17317	<u>Field Act; approval of plans and supervision of construction</u>
Ed. Code 17365-17374	<u>Field Act; fitness for occupancy; liability of board members</u>
Ed. Code 215	<u>Suicide prevention policies</u>
Ed. Code 215.5	<u>Student identification cards; inclusion of safety hotlines</u>
Ed. Code 220	<u>Prohibition of discrimination</u>
Ed. Code 221.61	<u>Posting of Title IX information on website</u>
Ed. Code 221.9	<u>Sex equity in competitive athletics</u>
Ed. Code 222	<u>Reasonable accommodations; lactating students</u>
Ed. Code 222.5	<u>Pregnant and parenting students; notification of rights</u>
Ed. Code 231.5	<u>Sexual harassment policy</u>
Ed. Code 234.4	<u>Mandated policy on bullying prevention</u>
Ed. Code 234.6	<u>Bullying and harassment prevention information</u>
Ed. Code 234.7	<u>Student protections relating to immigration and citizenship status</u>
Ed. Code 243	<u>Prohibition of discrimination; instructional materials</u>
Ed. Code 32280-32289.5	<u>School safety plans</u>
Ed. Code 32283.5	<u>Bullying; online training</u>
Ed. Code 33353	California Interscholastic Federation incident tracking
Ed. Code 33479-33479.9	<u>The Eric Parades Sudden Cardiac Arrest Prevention Act</u>
Ed. Code 35120	<u>Student board membership</u>
Ed. Code 35179.4-35179.6	<u>Interscholastic athletic programs, safety; swimming pool safety that is not part of interscholastic athletic program</u>
Ed. Code 35183.1	<u>Graduation ceremonies; tribal regalia or recognized object of religious/cultural significance</u>
Ed. Code 35292.6	<u>Stocking of menstrual products</u>

Ed. Code 35330	<u>Field trips and excursions; student fees</u>
Ed. Code 38001.5	<u>Training for security officers</u>
Ed. Code 38080-38086	<u>School meals</u>
Ed. Code 39831.3	<u>Transportation safety plan</u>
Ed. Code 39843	<u>Disciplinary action against bus driver; report to Department of Motor Vehicles</u>
Ed. Code 41024	<u>Report of expenditure of state facility funds</u>
Ed. Code 42100	<u>Annual statement of receipts and expenditures</u>
Ed. Code 44030.5	<u>Reporting change in employment status due to alleged misconduct</u>
Ed. Code 44237	<u>Criminal record summary</u>
Ed. Code 44691	<u>Information on detection of child abuse; annual training</u>
Ed. Code 44830.1	<u>Certificated employees; conviction of a violent or serious felony</u>
Ed. Code 45122.1	<u>Classified employees; conviction of a violent or serious felony</u>
Ed. Code 45125.1	<u>Criminal records summary; employees of contracting entity</u>
Ed. Code 46015	<u>Accommodations for pregnant and parenting students; parental leave</u>
Ed. Code 46390-46393	<u>Emergency average daily attendance</u>
Ed. Code 47600-47616.7	<u>Charter Schools Act of 1992</u>
Ed. Code 47634.2	<u>Nonclassroom-based instruction</u>
Ed. Code 47640-47647	<u>Special education funding for charter schools</u>
Ed. Code 47651	<u>Apportionment of funds; charter schools</u>
Ed. Code 48000	<u>Minimum age of admission for kindergarten; transitional kindergarten</u>
Ed. Code 48010	<u>Minimum age of admission to first grade</u>
Ed. Code 48206.3-48208	<u>Students with temporary disabilities; individual instruction</u>
Ed. Code 48850-48859	<u>Education of foster youth and homeless students</u>
Ed. Code 48900	<u>Grounds for suspension or expulsion</u>

Ed. Code 48901.1	<u>Suspension and expulsion; willful defiance</u>
Ed. Code 48907	<u>Exercise of free expression; time, place, and manner rules and regulations</u>
Ed. Code 48913.5	<u>Suspended students; homework assignments</u>
Ed. Code 48950	<u>Speech and other communication</u>
Ed. Code 48985	<u>Notices to parents in language other than English</u>
Ed. Code 49005-49006.4	<u>Seclusion and restraint</u>
Ed. Code 49010	Student fees
Ed. Code 49011	<u>Student fees</u>
Ed. Code 49014	<u>Public School Fair Debt Collection Act</u>
Ed. Code 49056	Prohibition of denial of recess
Ed. Code 49061	<u>Definitions; directory information</u>
Ed. Code 49062.5	<u>Student records; name or gender change</u>
Ed. Code 49070	<u>Challenging student records</u>
Ed. Code 49073.2	<u>Privacy of student and parent/guardian personal information; minutes of board meeting</u>
Ed. Code 49076.7	<u>Student records; data privacy; social security numbers</u>
Ed. Code 49110	<u>Authority to issue work permits</u>
Ed. Code 49381	<u>Human trafficking prevention</u>
Ed. Code 49406	<u>TB risk assessment</u>
Ed. Code 49414	<u>Epinephrine auto-injectors</u>
Ed. Code 49414.3	<u>Administration of opioid antagonist</u>
Ed. Code 49414.7	Administration of albuterol inhalers
Ed. Code 49428	<u>Notification of mental health services</u>
Ed. Code 49428.5	Employment of medical personnel
Ed. Code 49430-49434	<u>The Pupil Nutrition, Health, and Achievement Act of 2001</u>
Ed. Code 49431.9	<u>Prohibition of advertisement of non-nutritious foods</u>
Ed. Code 49475	<u>Health and safety; concussions and head injuries</u>
Ed. Code 49501.5	<u>Free breakfast and lunch to all students</u>

Ed. Code 49550-49564.5

[Meals for needy students](#)

Ed. Code 49557.5

[Child Hunger Prevention and Fair Treatment Act of 2017](#)

Federal

Description

20 USC 1681-1688

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

20 USC 6311

State plan

20 USC 7221-7221j

Charter schools

34 CFR 200.1-200.78

Accountability

42 USC 11431-11435

McKinney-Vento Homeless Assistance Act

Management Resources

Description

Attorney General Opinion

104 Ops.Cal.Atty.Gen. 66 (2021)

Attorney General Opinion

101 Ops.Cal.Atty.Gen. 92 (2018)

Attorney General Opinion

78 Ops.Cal.Atty.Gen. 297 (1995)

Attorney General Opinion

89 Ops.Cal.Atty.Gen. 166 (2006)

Attorney General Opinion

80 Ops.Cal.Atty.Gen. 52 (1997)

CA Office of Administrative Hearings Decisions

Student v. Horizon Instructional Systems Charter School (2012) OAH Case No. 2011060763

California Department of Education Publication

[Pupil Fees, Deposits, and Other Charges, Fiscal Management Advisory 20-01, July 23, 2020](#)

California Department of Education Publication

[California School Accounting Manual](#)

California Dept. of Pesticide Reg. Publication

School District Integrated Pest Management Plan Template

California Interscholastic Federation Publication

[Pursuing Victory with Honor, 1999](#)

Court Decision

Ridgecrest Charter School v. Sierra Sands Unified School District (2005) 130 Cal.App.4th 986

CSBA Publication

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

CSBA Publication

Charter Schools in Focus, Issue 2: Ensuring Effective Oversight, Governance Brief, October 2017

CSBA Publication

Uncharted Waters: Recommendations for Prioritizing Student Achievement and Effective Governance in California's Charter Schools, September 2018

U.S. DOE Guidance	Charter Schools Program: Title V, Part B of the ESEA, Nonregulatory Guidance, January 2014
Website	CSBA District and County Office of Education Legal Services
Website	U.S. Department of Agriculture
Website	National Suicide Prevention Lifeline
Website	National Domestic Violence Hotline
Website	California State Teachers Retirement System
Website	California Public Employees Retirement System
Website	California Department of General Services, Office of Administrative Hearings
Website	California Commission on Teacher Credentialing
Website	California Commission on Peace Officer Standards and Training
Website	California Bureau of Security and Investigative Services
Website	California Department of Pesticide Regulation
Website	California State Controller
Website	California Student Aid Commission
Website	National Association of Charter School Authorizers
Website	California Charter Schools Association
Website	California Department of Education, Charter Schools
Website	California Interscholastic Federation
Website	California Office of the Attorney General
Website	CSBA
Website	U.S. Department of Education

Cross References

Code	Description
0420.4	Charter School Authorization
0420.4	Charter School Authorization
0420.42	Charter School Renewal

0420.43	Charter School Revocation
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
0500	Accountability
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1431	Waivers
6162.51	State Academic Achievement Tests
6162.51	State Academic Achievement Tests
7160	Charter School Facilities
7160	Charter School Facilities

Policy 1113: District And School Websites

Status: ADOPTED

Original Adopted Date: [08/25/2009](#)[07/01/2007](#) | **Last Revised Date:** [08/22/2023](#)[06/01/2024](#) |
Last Reviewed Date: [08/22/2023](#)[06/01/2024](#)

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

Design Standards

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

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

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

Website Content

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

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

Privacy Rights

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

Telephone numbers and home and email addresses of students and/or their parents/guardians shall

not be published on district or school websites.

OPTION 1: The district regards photographs as a category of directory information that would not generally be considered harmful or an invasion of privacy if disclosed. Therefore, a student's photograph, together with the student's name, may be published on district or school websites unless the student's parent/guardian has notified the district in writing to not release the student's photograph without prior written consent, in accordance with ~~BP/AR 5125.1 – Release of Directory Information.~~ [Board Policy and Administrative Regulation 5125.1 - Release of Directory Information.](#)

END OF OPTION 1

OPTION 2: [Photographs of individual students shall not be published on district or school websites accompanied by the student's name or other personally identifiable information without the prior written consent of the student's parent/guardian.](#)

END OF OPTION 2

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

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

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

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

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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
Bus. and Prof. Code 22580-22582	Privacy rights for California minors in the digital world
Bus. and Prof. Code 22584-22585	Student Online Personal Information Protection Act
Bus. and Prof. Code 22586-22587	Early Learning Personal Information Protection Act
Ed. Code 32526	Use of learning recovery funds

Ed. Code 33353	California Interscholastic Federation incident tracking
Ed. Code 35182.5	Contracts for advertising
Ed. Code 35258	Internet access to school accountability report cards
Ed. Code 42103	Budget notification
Ed. Code 48852.6	Information regarding homelessness
Ed. Code 48907	Exercise of free expression; time, place, and manner rules and regulations
Ed. Code 48950	Speech and other communication
Ed. Code 48985.5	Synthetic drugs
Ed. Code 49006	Seclusion and restraint
Ed. Code 49061	Definitions; directory information
Ed. Code 49073	Release of directory information
Ed. Code 5092	Filling Vacancies
Ed. Code 60048	Commercial brand names, contracts or logos
Gov. Code 11135	Prohibition of discrimination
Gov. Code 12950	California Civil Rights Department posters
Gov. Code 3307.5	Publishing identity of public safety officers
Gov. Code 7920.000-7930.215	California Public Records Act
Pen. Code 14029.5	Prohibition against publishing personal information of person in witness protection program
Pub. Res. Code 21082.1	California Environmental Quality Act environmental review documents

Federal

	Description
16 CFR 312.1-312.13	Children's Online Privacy Protection Act
17 USC 101-122	Subject matter and scope of copyright
17 USC 504	Penalties for copyright infringement
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
29 USC 705	Definitions; Vocational Rehabilitation Act
29 USC 794	Rehabilitation Act of 1973; Section 504
34 CFR 104.1-104.61	Nondiscrimination on the basis of disability

34 CFR 99.1-99.67

Family Educational Rights and Privacy

42 USC 12101-12213

Americans with Disabilities Act

Management Resources

Description

CA Civil Rights Department
Publication

Family Care and Medical Leave and Pregnancy Disability
Leave

CA Civil Rights Department
Publication

[California Law Prohibits Workplace Discrimination and
Harassment](#)

CA Civil Rights Department
Publication

Transgender Rights in the Workplace

CA Civil Rights Department
Publication

Your Rights and Obligations as a Pregnant Employee

Court Decision

Aaris v. Las Virgenes Unified School District (1998) 64
Cal.App.4th 1112

Court Decision

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

U.S. Department of Agriculture
Publication

[Unpaid Meal Charges: Local Meal Charge Policies, SP
46-2016, July 2016](#)

U.S. DOE, Office for Civil Rights
Publication

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

U.S. DOJ, Civil Rights Division
Publication

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

Website

[California Interscholastic Federation](#)

Website

[Fact Sheet: New rule on the accessibility of web content
and mobile apps provided by state and local
governments](#)

Website

[California Cybersecurity Integration Center](#)

Website

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

Website

[Governor's Office of Planning and Research, The
California Environmental Quality Act](#)

Website

[California Department of Education, Web Accessibility
Standards](#)

Website

[California School Public Relations Association](#)

Website

[California Interscholastic Federation](#)

Website

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

Website	World Wide Web Consortium, Web Accessibility Initiative
Website	CSBA
Website	U.S. Department of Education, Office for Civil Rights
Website	California Civil Rights Department
World Wide Web Consortium Publication	Web Content Accessibility Guidelines, June 2018

Cross References

Code	Description
0000	Vision Vision
0000	Vision
0410	Nondiscrimination In District Programs And Activities Nondiscrimination In District Programs And Activities
0440	District Technology Plan District Technology Plan
0440	District Technology Plan
0450	Comprehensive Safety Plan Comprehensive Safety Plan
0450	Comprehensive Safety Plan Comprehensive Safety Plan
0460	Local Control And Accountability Plan Local Control And Accountability Plan
0460	Local Control And Accountability Plan Local Control And Accountability Plan
0500	Accountability Accountability
0510	School Accountability Report Card School Accountability Report Card
1100	Communication With The Public Communication With The Public
1100	Communication With The Public
1112	Media Relations Media Relations
1114	District-Sponsored Social Media District-Sponsored Social Media
1114	District-Sponsored Social Media
1114	District-Sponsored Social Media

1312.3	<u>Uniform Complaint Procedures</u> <u>Uniform Complaint Procedures</u>
1312.3	<u>Uniform Complaint Procedures</u> <u>Uniform Complaint Procedures</u>
1312.3-E PDF(1)	<u>Uniform Complaint Procedures</u> <u>Uniform Complaint Procedures</u>
<u>1312.3</u>	<u>Uniform Complaint Procedures</u>
1325	<u>Advertising And Promotion</u> <u>Advertising And Promotion</u>
1340	<u>Access To District Records</u> <u>Access To District Records</u>
1340	<u>Access To District Records</u> <u>Access To District Records</u>
3100	<u>Budget</u> <u>Budget</u>
3100	<u>Budget</u> <u>Budget</u>
3290	<u>Gifts, Grants And Bequests</u> <u>Gifts, Grants And Bequests</u>
3311	<u>Bids</u> <u>Bids</u>
3311	<u>Bids</u> <u>Bids</u>
3513.3	<u>Tobacco-Free Schools</u> <u>Tobacco-Free Schools</u>
3513.3	<u>Tobacco-Free Schools</u> <u>Tobacco-Free Schools</u>
3515	<u>Campus Security</u> <u>Campus Security</u>
3515	<u>Campus Security</u> <u>Campus Security</u>
<u>3515.3</u>	<u>District Police/Security Department</u>
<u>3515.3</u>	<u>District Police/Security Department</u>
3515.7	<u>Firearms On School Grounds</u> <u>Firearms On School Grounds</u>
3516	<u>Emergencies And Disaster Preparedness Plan</u> <u>Emergencies And Disaster Preparedness Plan</u>
3516	<u>Emergencies And Disaster Preparedness Plan</u> <u>Emergencies And Disaster Preparedness Plan</u>
3516.5	<u>Emergency Schedules</u> <u>Emergency Schedules</u>
3551	<u>Food Service Operations/Cafeteria Fund</u> <u>Food Service Operations/Cafeteria Fund</u>
3551	<u>Food Service Operations/Cafeteria Fund</u> <u>Food Service Operations/Cafeteria Fund</u>

3552	<u>Summer Meal Program</u> <u>Summer Meal Program</u>
3552	<u>Summer Meal Program</u>
3580	<u>District Records</u> <u>District Records</u>
3580	<u>District Records</u> <u>District Records</u>
4030	<u>Nondiscrimination In Employment</u> <u>Nondiscrimination In Employment</u>
4030	<u>Nondiscrimination In Employment</u> <u>Nondiscrimination In Employment</u>
4040	<u>Employee Use Of Technology</u> <u>Employee Use Of Technology</u>
4040	<u>Employee Use Of Technology</u> <u>Employee Use Of Technology</u>
4119.21	<u>Professional Standards</u> <u>Professional Standards</u>
4119.21-E PDF(1)	<u>Professional Standards</u> <u>Professional Standards</u>
4119.23	<u>Unauthorized Release Of Confidential/Privileged Information</u> <u>Unauthorized Release Of Confidential/Privileged Information</u>
4131	<u>Staff Development</u> <u>Staff Development</u>
4131	<u>Staff Development</u>
4132	<u>Publication Or Creation Of Materials</u> <u>Publication Or Creation Of Materials</u>
4161.8	<u>Family Care And Medical Leave</u> <u>Family Care And Medical Leave</u>
4219.21	<u>Professional Standards</u> <u>Professional Standards</u>
4219.21-E PDF(1)	<u>Professional Standards - Code Of Ethics Classified Employees</u> <u>Professional Standards</u>
4219.23	<u>Unauthorized Release Of Confidential/Privileged Information</u> <u>Unauthorized Release Of Confidential/Privileged Information</u>
4231	<u>Staff Development</u> <u>Staff Development</u>
4231	<u>Staff Development</u>
4232	<u>Publication Or Creation Of Materials</u> <u>Publication Or Creation Of Materials</u>

4261.8	Family Care And Medical Leave Family Care And Medical Leave
4319.21	Professional Standards Professional Standards
4319.21-E PDF(1)	Professional Standards Professional Standards
4319.23	Unauthorized Release Of Confidential/Privileged Information Unauthorized Release Of Confidential/Privileged Information
4331	Staff Development Staff Development
4331	Staff Development
4332	Publication Or Creation Of Materials Publication Or Creation Of Materials
4361.8	Family Care And Medical Leave Family Care And Medical Leave
5022	Student And Family Privacy Rights Student And Family Privacy Rights
5022	Student And Family Privacy Rights Student And Family Privacy Rights
5125	Student Records Student Records
5125	Student Records Student Records
5125.1	Release Of Directory Information Release Of Directory Information
5125.1	Release Of Directory Information Release Of Directory Information
5125.1-E PDF(1)	Release Of Directory Information Release Of Directory Information
5131.2	Bullying Bullying
5131.2	Bullying Bullying
5131.41	Use Of Seclusion And Restraint Use Of Seclusion And Restraint
5141.5	Mental Health Mental Health
6020	Parent Involvement Parent Involvement
6020	Parent Involvement Parent Involvement
6145.2	Athletic Competition Athletic Competition

6145.2	Athletic Competition Athletic Competition
6152.1	Placement In Mathematics Courses Placement In Mathematics Courses
6152.1	Placement In Mathematics Courses Placement In Mathematics Courses
6162.6	Use Of Copyrighted Materials Use Of Copyrighted Materials
6162.6	Use Of Copyrighted Materials Use Of Copyrighted Materials
6163.4	Student Use Of Technology Student Use Of Technology
6163.4	Student Use Of Technology Student Use Of Technology
6173	Education For Homeless Children Education For Homeless Children
6173	Education For Homeless Children Education For Homeless Children
6173-E PDF(1)	Education For Homeless Children Education For Homeless Children
<u>6173</u>	<u>Education For Homeless Children</u>
6190	Evaluation Of The Instructional Program Evaluation Of The Instructional Program
7150	Site Selection And Development Site Selection And Development
7150	Site Selection And Development Site Selection And Development
7214	General Obligation Bonds General Obligation Bonds
7214	General Obligation Bonds General Obligation Bonds
9010	Public Statements Public Statements
9012	Board Member Electronic Communications Board Member Electronic Communications
9223	Filling Vacancies Filling Vacancies
9310	Board Policies Board Policies
9320	Meetings And Notices Meetings And Notices
9322	Agenda/Meeting Materials Agenda/Meeting Materials

Policy 1113: District And School Websites

Status: ADOPTED

Original Adopted Date: 08/25/2009 | **Last Revised Date:** 08/22/2023 | **Last Reviewed Date:** 08/22/2023

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

Design Standards

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

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

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

Website Content

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

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

Privacy Rights

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

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

OPTION 2:

Photographs of individual students shall not be published on district or school websites accompanied by the student's name or other personally identifiable information without the prior written consent of the student's parent/guardian.

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

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

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

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

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
Bus. and Prof. Code 22580-22582	<u>Privacy rights for California minors in the digital world</u>
Bus. and Prof. Code 22584-22585	<u>Student Online Personal Information Protection Act</u>
Bus. and Prof. Code 22586-22587	<u>Early Learning Personal Information Protection Act</u>
Ed. Code 32526	Use of learning recovery funds
Ed. Code 33353	California Interscholastic Federation incident tracking
Ed. Code 35182.5	<u>Contracts for advertising</u>
Ed. Code 35258	<u>Internet access to school accountability report cards</u>
Ed. Code 42103	<u>Budget notification</u>
Ed. Code 48852.6	<u>Information regarding homelessness</u>
Ed. Code 48907	<u>Exercise of free expression; time, place, and manner rules and regulations</u>
Ed. Code 48950	<u>Speech and other communication</u>
Ed. Code 48985.5	Synthetic drugs
Ed. Code 49006	Seclusion and restraint
Ed. Code 49061	<u>Definitions; directory information</u>

Ed. Code 49073	Release of directory information
Ed. Code 5092	Filling Vacancies
Ed. Code 60048	Commercial brand names, contracts or logos
Gov. Code 11135	Prohibition of discrimination
Gov. Code 12950	California Civil Rights Department posters
Gov. Code 3307.5	Publishing identity of public safety officers
Gov. Code 7920.000-7930.215	California Public Records Act
Pen. Code 14029.5	Prohibition against publishing personal information of person in witness protection program
Pub. Res. Code 21082.1	California Environmental Quality Act environmental review documents

Federal

16 CFR 312.1-312.13	Description Children's Online Privacy Protection Act
17 USC 101-122	Subject matter and scope of copyright
17 USC 504	Penalties for copyright infringement
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
29 USC 705	Definitions; Vocational Rehabilitation Act
29 USC 794	Rehabilitation Act of 1973; Section 504
34 CFR 104.1-104.61	Nondiscrimination on the basis of disability
34 CFR 99.1-99.67	Family Educational Rights and Privacy
42 USC 12101-12213	Americans with Disabilities Act

Management Resources

CA Civil Rights Department Publication	Description Family Care and Medical Leave and Pregnancy Disability Leave
CA Civil Rights Department Publication	California Law Prohibits Workplace Discrimination and Harassment
CA Civil Rights Department Publication	Transgender Rights in the Workplace
CA Civil Rights Department Publication	Your Rights and Obligations as a Pregnant Employee
Court Decision	Aaris v. Las Virgenes Unified School District (1998) 64 Cal.App.4th 1112

Court Decision	City of San Jose v. Superior Court (2017) 2 Cal.5th 608
U.S. Department of Agriculture Publication	Unpaid Meal Charges: Local Meal Charge Policies, SP 46-2016, July 2016
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Race and School Programming, August 2023
U.S. DOJ, Civil Rights Division Publication	Accessibility of State and Local Government Websites to People with Disabilities, February 2020
Website	California Interscholastic Federation
Website	Fact Sheet: New rule on the accessibility of web content and mobile apps provided by state and local governments
Website	California Cybersecurity Integration Center
Website	CSBA District and County Office of Education Legal Services
Website	Governor's Office of Planning and Research, The California Environmental Quality Act
Website	California Department of Education, Web Accessibility Standards
Website	California School Public Relations Association
Website	California Interscholastic Federation
Website	U.S. Department of Justice, Civil Rights Division, Disability Rights Section
Website	World Wide Web Consortium, Web Accessibility Initiative
Website	CSBA
Website	U.S. Department of Education, Office for Civil Rights
Website	California Civil Rights Department
World Wide Web Consortium Publication	Web Content Accessibility Guidelines, June 2018

Cross References

Code	Description
0000	Vision
0410	Nondiscrimination In District Programs And Activities

0440	District Technology Plan
0440	District Technology Plan
0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
0500	Accountability
0510	School Accountability Report Card
1100	Communication With The Public
1112	Media Relations
1114	District-Sponsored Social Media
1114	District-Sponsored Social Media
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1325	Advertising And Promotion
1340	Access To District Records
1340	Access To District Records
3100	Budget
3100	Budget
3290	Gifts, Grants And Bequests
3311	Bids
3311	Bids
3513.3	Tobacco-Free Schools
3513.3	Tobacco-Free Schools
3515	Campus Security
3515	Campus Security
3515.3	District Police/Security Department
3515.3	District Police/Security Department

3515.7	Firearms On School Grounds
3516	Emergencies And Disaster Preparedness Plan
3516	Emergencies And Disaster Preparedness Plan
3516.5	Emergency Schedules
3551	Food Service Operations/Cafeteria Fund
3551	Food Service Operations/Cafeteria Fund
3552	Summer Meal Program
3552	Summer Meal Program
3580	District Records
3580	District Records
4030	Nondiscrimination In Employment
4030	Nondiscrimination In Employment
4040	Employee Use Of Technology
4040	Employee Use Of Technology
4119.21	Professional Standards
4119.21	Professional Standards
4119.23	Unauthorized Release Of Confidential/Privileged Information
4131	Staff Development
4132	Publication Or Creation Of Materials
4161.8	Family Care And Medical Leave
4219.21	Professional Standards
4219.21	Professional Standards
4219.23	Unauthorized Release Of Confidential/Privileged Information
4231	Staff Development
4232	Publication Or Creation Of Materials
4261.8	Family Care And Medical Leave
4319.21	Professional Standards
4319.21	Professional Standards

4319.23	Unauthorized Release Of Confidential/Privileged Information
4331	Staff Development
4332	Publication Or Creation Of Materials
4361.8	Family Care And Medical Leave
5022	Student And Family Privacy Rights
5022	Student And Family Privacy Rights
5125	Student Records
5125	Student Records
5125.1	Release Of Directory Information
5125.1	Release Of Directory Information
5125.1	Release Of Directory Information
5131.2	Bullying
5131.2	Bullying
5131.41	Use Of Seclusion And Restraint
5141.5	Mental Health
6020	Parent Involvement
6020	Parent Involvement
6145.2	Athletic Competition
6145.2	Athletic Competition
6152.1	Placement In Mathematics Courses
6152.1	Placement In Mathematics Courses
6162.6	Use Of Copyrighted Materials
6162.6	Use Of Copyrighted Materials
6163.4	Student Use Of Technology
6163.4	Student Use Of Technology
6173	Education For Homeless Children
6173	Education For Homeless Children
6173	Education For Homeless Children
6173	Education For Homeless Children

6190	Evaluation Of The Instructional Program
7150	Site Selection And Development
7150	Site Selection And Development
7214	General Obligation Bonds
7214	General Obligation Bonds
9010	Public Statements
9012	Board Member Electronic Communications
9223	Filling Vacancies
9310	Board Policies
9320	Meetings And Notices
9322	Agenda/Meeting Materials

Policy 1260: Educational Foundation

Status: ADOPTED

Original Adopted Date: ~~08/25/2009~~09/01/1991 | **Last Revised Date:** 06/01/2024 | **Last Reviewed Date:** ~~08/25/2009~~06/01/2024

The ~~Governing Board of Education~~ recognizes the importance of community support of district programs, including voluntary financial contributions, to assist the district in achieving its goals for student learning.

The Board desires to work cooperatively with the educational foundation in determining the purposes for which funds may be used to meet the changing needs of the district and its students. The Board recognizes that an educational foundation is a separate legal entity, independent of the district. However, the foundation is encouraged to provide regular reports to the Board on the status of its work and to communicate ways that the district can help support the foundation's activities.

With the consent of the Superintendent or designee, the educational foundation, as appropriate, may use the district's name, a school's name, a school team's name, or any logo attributable to a school or the district.

Student records or other personally identifiable student information shall not be released except with parental consent or as required by law or district policy. Student directory information may be released when appropriate.

The Board supports foundation allocations that serve all district schools equitably.

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
11 CCR 300-312.1	Fundraising for charitable purposes
Bus. Code 17510-17510.95	Charitable solicitations
Bus. Code 25608	Alcohol on school property; use in connection with instruction
Ed. Code 38130-38138	Civic Center Act; use of school property for public purposes
Ed. Code 8820-8822	The Arts and Music in Schools—Funding Guarantee and Accountability Act

Gov. Code 12580-12599.10

[Fundraisers for Charitable Purposes Act](#)

Pen. Code 319-329

[Lottery; raffle](#)

Management Resources

Description

California Department of Education
Publication

[Proposition 28- AMS Financial & Audit Requirements](#)

Court Decision

[Serrano v. Priest \(1976\) 18 Cal. 3d 728](#)

Education Audit Appeals Panel
Publication

[2023-24 Audit Guide](#)

Website

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

Website

[California Consortium of Education Foundations](#)

Website

[California Office of the Attorney General, Registry of Charities and Fundraisers](#)

Website

[Education Audit Appeals Panel](#)

Website

[California Department of Education](#)

Website

[CSBA](#)

Cross References

Code

Description

0200

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

0410

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

0415

~~[Equity](#)~~[Equity](#)

~~0415~~

~~[Equity](#)~~

1100

~~[Communication With The Public](#)~~[Communication With The Public](#)

~~1100~~[1114](#)

~~[Communication With The Public](#)~~[District-Sponsored Social Media](#)

1114

~~[District-Sponsored Social Media](#)~~[District-Sponsored Social Media](#)

1230

~~[School-Connected Organizations](#)~~[School-Connected Organizations](#)

1230	<u>School-Connected Organizations</u> <u>School-Connected Organizations</u>
1321	<u>Solicitation Of Funds From And By Students</u> <u>Solicitation Of Funds From And By Students</u>
1321	<u>Solicitation Of Funds From And By Students</u> <u>Solicitation Of Funds From And By Students</u>
1700	<u>Relations Between Private Industry And The Schools</u> <u>Relations Between Private Industry And The Schools</u>
3290	<u>Gifts, Grants And Bequests</u> <u>Gifts, Grants And Bequests</u>
5030	<u>Student Wellness</u> <u>Student Wellness</u>
5125.1	<u>Release Of Directory Information</u> <u>Release Of Directory Information</u>
5125.1	<u>Release Of Directory Information</u> <u>Release Of Directory Information</u>
5125.1-E-PDF(1)	<u>Release Of Directory Information</u> <u>Release Of Directory Information</u>
5126	<u>Awards For Achievement</u> <u>Awards For Achievement</u>
5126	<u>Awards For Achievement</u> <u>Awards For Achievement</u>
5142.2	<u>Safe Routes To School Program</u> <u>Safe Routes To School Program</u>
5142.2	<u>Safe Routes To School Program</u> <u>Safe Routes To School Program</u>
6020	<u>Parent Involvement</u> <u>Parent Involvement</u>
6020	<u>Parent Involvement</u> <u>Parent Involvement</u>
6142.6	<u>Visual And Performing Arts Education</u> <u>Visual And Performing Arts Education</u>
6145	<u>Extracurricular And Cocurricular Activities</u> <u>Extracurricular And Cocurricular Activities</u>
6145	<u>Extracurricular And Cocurricular Activities</u> <u>Extracurricular And Cocurricular Activities</u>
6145.2	<u>Athletic Competition</u> <u>Athletic Competition</u>
6145.2	<u>Athletic Competition</u> <u>Athletic Competition</u>

6161.11

Supplementary Instructional Materials
Supplementary Instructional Materials

6163.1

Library Media Centers
Library Media Centers

9140

Board Representatives
Board Representatives

Policy 1260: Educational Foundation

Status: ADOPTED

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

The Governing Board recognizes the importance of community support of district programs, including voluntary financial contributions, to assist the district in achieving its goals for student learning.

The Board desires to work cooperatively with the educational foundation in determining the purposes for which funds may be used to meet the changing needs of the district and its students. The Board recognizes that an educational foundation is a separate legal entity, independent of the district. However, the foundation is encouraged to provide regular reports to the Board on the status of its work and to communicate ways that the district can help support the foundation's activities.

With the consent of the Superintendent or designee, the educational foundation, as appropriate, may use the district's name, a school's name, a school team's name, or any logo attributable to a school or the district.

Student records or other personally identifiable student information shall not be released except with parental consent or as required by law or district policy. Student directory information may be released when appropriate.

The Board supports foundation allocations that serve all district schools equitably.

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State	Description
11 CCR 300-312.1	Fundraising for charitable purposes
Bus. Code 17510-17510.95	<u>Charitable solicitations</u>
Bus. Code 25608	<u>Alcohol on school property; use in connection with instruction</u>
Ed. Code 38130-38138	<u>Civic Center Act; use of school property for public purposes</u>
Ed. Code 8820-8822	The Arts and Music in Schools—Funding Guarantee and Accountability Act

Gov. Code 12580-12599.10

[Fundraisers for Charitable Purposes Act](#)

Pen. Code 319-329

[Lottery; raffle](#)

Management Resources

Description

California Department of Education
Publication

[Proposition 28- AMS Financial & Audit Requirements](#)

Court Decision

Serrano v. Priest (1976) 18 Cal. 3d 728

Education Audit Appeals Panel
Publication

[2023-24 Audit Guide](#)

Website

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

Website

[California Consortium of Education Foundations](#)

Website

[California Office of the Attorney General, Registry of Charities and Fundraisers](#)

Website

[Education Audit Appeals Panel](#)

Website

[California Department of Education](#)

Website

[CSBA](#)

Cross References

Code

Description

0200

Goals For The School District

0410

Nondiscrimination In District Programs And Activities

0415

Equity

1100

Communication With The Public

1114

District-Sponsored Social Media

1114

District-Sponsored Social Media

1230

School-Connected Organizations

1230

School-Connected Organizations

1321

Solicitation Of Funds From And By Students

1321

Solicitation Of Funds From And By Students

1700

Relations Between Private Industry And The Schools

3290

Gifts, Grants And Bequests

5030

Student Wellness

5125.1	Release Of Directory Information
5125.1	Release Of Directory Information
5125.1	Release Of Directory Information
5126	Awards For Achievement
5126	Awards For Achievement
5142.2	Safe Routes To School Program
5142.2	Safe Routes To School Program
6020	Parent Involvement
6020	Parent Involvement
6142.6	Visual And Performing Arts Education
6145	Extracurricular And Cocurricular Activities
6145	Extracurricular And Cocurricular Activities
6145.2	Athletic Competition
6145.2	Athletic Competition
6161.11	Supplementary Instructional Materials
6163.1	Library Media Centers
9140	Board Representatives

Policy 1312.3: Uniform Complaint Procedures

Status: ADOPTED

Original Adopted Date: 11/15/2016 | Last Revised Date: 01/09/2024 | Last Reviewed Date:
01/09/2024

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

Complaints Subject to UCP

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

1. Accommodations for pregnant and parenting students (Education Code 46015)
2. Adult education programs (Education Code 8500-8538, 52334.7, 52500-52617)
3. After School Education and Safety programs (Education Code 8482-8484.65)
4. Agricultural career technical education (Education Code 52460-52462)
5. Career technical and technical education and career technical and technical training programs (Education Code 52300-52462)
6. Child care and development programs (Education Code 8200-8488)
7. Compensatory education (Education Code 54400)
8. Consolidated categorical aid programs (Education Code 33315; 34 CFR 299.10-299.12)
9. Course periods without educational content (Education Code 51228.1-51228.3)
10. Discrimination, harassment, intimidation, or bullying in district programs and activities, including in those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on a person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, immigration status, ethnic group identification, age, religion, ~~marital status, pregnancy, parental status,~~ physical or mental disability, medical condition, ~~sex, sexual orientation, gender, gender identity, gender expression,~~ or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on the person's association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610)

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

requirements of Education Code 51204.5 and 60040, unless such study would violate Education Code 51501 or 60044. Additionally, discrimination includes, but is not limited to, the Board's adoption or approval of use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or other resource in a school library if the use would subject a student to unlawful discrimination pursuant to Education Code 220. A complaint alleging such unlawful discrimination may, in addition to or in lieu of being filed with the district, be directly filed with the Superintendent of Public Instruction (SPI). (Education Code 243, 244)

The UCP shall not be used to investigate and resolve employment discrimination complaints. (5 CCR 4611)

11. Educational and graduation requirements for students in foster care, ~~homeless~~ students experiencing homelessness, students from military families, and students formerly in a juvenile court school, students who are migratory, and newcomer students (Education Code 48645.7, 48853, 48853.5, 49069.5, 51225.1, 51225.2)

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

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

14. Migrant education (Education Code 54440-54445)

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

16. Student fees (Education Code 49010-49013)

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

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

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

~~201.~~ School site councils as required for the consolidated application for specified federal and/or state categorical funding (Education Code 65000)

~~212.~~ State preschool programs (Education Code 8207-8225)

~~223.~~ State preschool health and safety issues in license-exempt programs (Education Code 8212)

~~234.~~ 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

~~245.~~ 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 federal, state and federal-local laws and regulations.

The district shall protect all complainants from retaliation. In investigating complaints, the confidentiality of the parties involved shall be protected as required by law. For any complaint

alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the Superintendent or designee shall keep the identity of the complainant, and/or the subject of the complaint if different from the complainant, confidential when appropriate and as long as the integrity of the complaint process is maintained.

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

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

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

Non-UCP Complaints

The following complaints shall be subject to the district's UCP but shall be investigated and resolved by the specified agency or through an alternative process:

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

2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services. (5 CCR 4611)

3. Any complaint alleging that a student, while in an education program or activity ~~in which the district exercises substantial control over the context and respondent~~, was subjected to ~~sexual conduct known to the district that may reasonably constitute sex discrimination under Title IX, including sex-based~~ harassment as defined in 34 CFR 106.230 ~~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.~~

Discrimination on the basis of sex includes sex stereotypes; sex characteristics; sexual orientation; gender; gender identity; gender expression; pregnancy, childbirth, termination of pregnancy, or lactation, including related medical conditions or recovery; and parental, marital, and family status. Such a complaint shall be addressed through the federal Title IX complaint procedures adopted pursuant to 34 CFR 106.44-106.45, as specified in Administrative Regulation 5145.71 - Title IX SexualSex Discrimination and Sex-Based Harassment Complaint Procedures. (34 CFR 106.2, 106.10, 106.11, 106.44)

4. ~~Any~~ Except for complaints alleging sex discrimination, including sex-based harassment, 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.~~

Employment complaints alleging sex discrimination, including sex-based harassment, shall be investigated and resolved as specified in 34 CFR 106.44 and 106.45 and Administrative Regulation 4119.12/4219.12/4319.12 – Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures.

5. Any complaint alleging a violation of a state or federal law or regulation related to special education, a settlement agreement related to the provision of a free appropriate public education (FAPE), failure or refusal to implement a due process hearing order to which the district is subject,

or a physical safety concern that interferes with the district's provision of FAPE shall be submitted to the California Department of Education (CDE) in accordance with AR 6159.1 - Procedural Safeguards and Complaints for Special Education. (5 CCR 3200-3205)

6. Any complaint alleging noncompliance of the district's food service program with laws regarding meal counting and claiming, reimbursable meals, eligibility of children or adults, or use of cafeteria funds and allowable expenses shall be filed with or referred to CDE in accordance with BP 3555 - Nutrition Program Compliance. (5 CCR 15580-15584)

7. Any allegation of discrimination based on race, color, national origin, sex, age, or disability in the district's food service program shall be filed with or referred to the U.S. Department of Agriculture in accordance with BP 3555 - Nutrition Program Compliance. (5 CCR 15582)

8. Any complaint related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, or teacher vacancies and misassignments shall be investigated and resolved in accordance with AR 1312.4 - Williams Uniform Complaint Procedures. (Education Code 35186)

Policy Reference Disclaimer:

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

State	Description
2 CCR 11023	Harassment and discrimination prevention and correction
5 CCR 15580-15584	Child nutrition programs complaint procedures
5 CCR 3200-3205	Special education compliance complaints
5 CCR 4600-4670	Uniform complaint procedures
5 CCR 4600-4687	Uniform complaint procedures and Williams complaints
5 CCR 4690-4694	Complaints regarding health and safety issues in license-exempt preschool programs
5 CCR 4900-4965	Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance
Ed. Code 18100-18203	<u>School libraries</u>
Ed. Code 200-262.4	<u>Prohibition of discrimination</u>
Ed. Code 32280-32289.5	<u>School safety plans</u>
Ed. Code 35186	<u>Williams uniform complaint procedures</u>
Ed. Code 46015	<u>Parental leave for students</u>
Ed. Code 48645.7	<u>Juvenile court schools</u>

Ed. Code 48853-48853.5	<u>Foster youth</u>
Ed. Code 48900.5	Suspension; other means of correction
Ed. Code 48985	<u>Notices to parents in language other than English</u>
Ed. Code 49010-49013	<u>Student fees</u>
Ed. Code 49060-49079	<u>Student records</u>
Ed. Code 49069.5	<u>Records of foster youth</u>
Ed. Code 49490-49590	<u>Child nutrition programs</u>
Ed. Code 49701	<u>Provisions of the Interstate Compact on Educational Opportunities for Military Children</u>
Ed. Code 51204.5	<u>Social sciences instruction; contributions of specified groups</u>
Ed. Code 51210	<u>Course of study for grades 1-6</u>
Ed. Code 51222	<u>Physical education</u>
Ed. Code 51223	<u>Physical education; elementary schools</u>
Ed. Code 51225.1-51225.2	<u>Foster youth, homeless children, former juvenile court school students; course credits; graduation requirements</u>
Ed. Code 51226-51226.1	<u>Career technical education</u>
Ed. Code 51228.1-51228.3	<u>Course periods without educational content</u>
Ed. Code 51501	<u>Nondiscriminatory subject matter</u>
Ed. Code 52059.5	<u>Statewide system of support</u>
Ed. Code 52060-52077	<u>Local control and accountability plan</u>
Ed. Code 52075	<u>Complaint for lack of compliance with local control and accountability plan requirements</u>
Ed. Code 52300-52462	<u>Career technical education</u>
Ed. Code 52500-52617	<u>Adult schools</u>
Ed. Code 54400-54425	<u>Compensatory education programs</u>
Ed. Code 54440-54445	<u>Migrant education</u>
Ed. Code 54460-54529	<u>Compensatory education programs</u>
Ed. Code 59000-59300	<u>Special schools and centers</u>
Ed. Code 60010	<u>Instructional materials; definition</u>
Ed. Code 60040-60052	<u>Requirements for instructional materials</u>

Ed. Code 64000-64001	Consolidated application process; school plan for student achievement
Ed. Code 65000-65001	School site councils
Ed. Code 8200-8488	Child care and development programs
Ed. Code 8500-8538	Adult basic education
Gov. Code 11135	Prohibition of discrimination
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	Crimes; harassment
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; discrimination based on sex
20 USC 6301-6576	Title I Improving the Academic Achievement of the Disadvantaged
20 USC 6801-7014	Title III language instruction for limited English proficient and immigrant students
28 CFR 35.107	Nondiscrimination on basis of disability; complaints
29 USC 794	Rehabilitation Act of 1973; Section 504
34 CFR 100.3	Prohibition of discrimination on basis of race, color or national origin
34 CFR 104.7	Section 504; Designation of responsible employee and adoption of grievances procedures
34 CFR 106.1-106.82	Nondiscrimination on the basis of sex in education programs
34 CFR 106.30	Discrimination on the basis of sex in education programs and activities; definitions

34 CFR 106.44	Recipient's response to sexual harassment
34 CFR 106.45	Grievance process for formal complaints of sexual harassment
34 CFR 106.8	Designation of coordinator; dissemination of policy, and adoption of grievance procedures
34 CFR 110.25	Notification of nondiscrimination on the basis of age
34 CFR 99.1-99.67	Family Educational Rights and Privacy
42 USC 11431-11435	McKinney-Vento Homeless Assistance Act
42 USC 12101-12213	Americans with Disabilities Act
42 USC 2000d-2000d-7	Title VI, Civil Rights Act of 1964
42 USC 2000h-2-2000h-6	Title IX of the Civil Rights Act of 1964
42 USC 6101-6107	Age Discrimination Act of 1975
Management Resources	Description
California Department of Education Publication	Uniform Complaint Procedure 2021-22 Program Instrument
California Department of Education Publication	Sample UCP Board Policies and Procedures
California Department of Justice Publication	Guidance to School Officials re: Legal Requirements for Providing Inclusive Curricula and Books, January 2024
CSBA Publication	Reference: State Roles, Responsibilities, and Process for Instructional Materials Adoption, February 2024
CSBA Publication	Fact Sheet: Instructional Materials Adoption: Local governing board responsibilities, February 2024
CSBA Publication	Instructional Materials Adoptions: State and local governing board processes, roles, and responsibilities, February 2024
Federal Register	Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, April 29, 2024, Vol. 89, No. 83, pages 33474-33896
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014
U.S. DOJ Publication	Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin

Discrimination Affecting Limited English Proficient
Persons, 2007

Website	CSBA District and County Office of Education Legal Services
Website	Student Privacy Policy Office
Website	U.S. Department of Agriculture
Website	California Department of Social Services
Website	U.S. Department of Justice
Website	California Department of Education
Website	CSBA
Website	U.S. Department of Education, Office for Civil Rights
Website	California Civil Rights Department

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 PDF(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 Websites
1113	District And School Websites
1113-E PDF(1)	District And School Websites

1114	<u>District-Sponsored Social Media</u>
1220	<u>Citizen Advisory Committees</u>
1220	<u>Citizen Advisory Committees</u>
1250	<u>Visitors/Outsiders</u>
1250	<u>Visitors/Outsiders</u>
1312.1	<u>Complaints Concerning District Employees</u>
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 PDF(1)	<u>Complaints Concerning Instructional Materials</u>
1312.4	<u>Williams Uniform Complaint Procedures</u>
1312.4-E PDF(1)	<u>Williams Uniform Complaint Procedures</u>
1340	<u>Access To District Records</u>
1340	<u>Access To District Records</u>
3260	<u>Fees And Charges</u>
3260	<u>Fees And Charges</u>
3555	<u>Nutrition Program Compliance</u>
3555-E PDF(1)	<u>Nutrition Program Compliance</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 PDF(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>Sex Discrimination and Sex-Based Harassment</u>

4119.11	<u>Sex Discrimination and Sex-Based Harassment</u>
4119.12	<u>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</u>
4119.12-E PDF(1)	<u>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</u>
4119.23	<u>Unauthorized Release Of Confidential/Privileged Information</u>
4131	<u>Staff Development</u>
4131	<u>Staff Development</u>
4212.9	<u>Employee Notifications</u>
4212.9	<u>Employee Notifications</u>
4212.9-E PDF(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>Sex Discrimination and Sex-Based Harassment</u>
4219.11	<u>Sex Discrimination and Sex-Based Harassment</u>
4219.12	<u>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</u>
4219.12-E PDF(1)	<u>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</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 PDF(1)	<u>Employee Notifications</u>
4319.1	<u>Civil And Legal Rights</u>

4319.11	<u>Sex Discrimination and Sex-Based Harassment</u>
4319.11	<u>Sex Discrimination and Sex-Based Harassment</u>
4319.12	<u>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</u>
4319.12-E PDF(1)	<u>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</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>
5131.2	<u>Bullying</u>
5131.2	<u>Bullying</u>
5131.62	<u>Tobacco</u>
5131.62	<u>Tobacco</u>
5137	<u>Positive School Climate</u>
5141.22	<u>Infectious Diseases</u>
5141.22	<u>Infectious Diseases</u>
5141.4	<u>Child Abuse Prevention And Reporting</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>Parent/Guardian Notifications</u>
5145.6-E PDF(1)	<u>Parent/Guardian Notifications</u>
5145.7	<u>Sex Discrimination and Sex-Based Harassment</u>
5145.7	<u>Sex Discrimination and Sex-Based Harassment</u>
5145.71	<u>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</u>
5145.71-E PDF(1)	<u>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</u>
5145.9	<u>Hate-Motivated Behavior</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>
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>
6146.1	<u>High School Graduation Requirements</u>
6152	<u>Class Assignment</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>
6161.1	<u>Selection And Evaluation Of Instructional Materials</u>
6161.1	<u>Selection And Evaluation Of Instructional Materials</u>
6161.1-E PDF(1)	<u>Selection And Evaluation Of Instructional Materials</u>
6161.11	<u>Supplementary Instructional Materials</u>
6163.1	<u>Library Media Centers</u>
6164.2	<u>Guidance/Counseling Services</u>
6164.2	<u>Guidance/Counseling Services</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>
6164.5	<u>Student Success Teams</u>
6164.5	<u>Student Success Teams</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 PDF(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>
6173.3	<u>Education For Juvenile Court School Students</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>
6178.1	<u>Work-Based Learning</u>
6178.1	<u>Work-Based Learning</u>
6178.2	<u>Regional Occupational Center/Program</u>
6200	<u>Adult Education</u>
6200	<u>Adult Education</u>
6200-E PDF(1)	<u>Adult Education</u>
9000	<u>Role Of The Board</u>
9011	<u>Disclosure Of Confidential/Privileged Information</u>
9012	<u>Board Member Electronic Communications</u>
9124	<u>Attorney</u>
9200	<u>Limits Of Board Member Authority</u>
9321	<u>Closed Session</u>
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9321-E PDF(2)	<u>Closed Session</u>
9322	<u>Agenda/Meeting Materials</u>

Policy 1312.3: Uniform Complaint Procedures

Status: ADOPTED

Original Adopted Date: 11/15/2016 | **Last Revised Date:** 01/09/2024 | **Last Reviewed Date:** 01/09/2024

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

Complaints Subject to UCP

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

1. Accommodations for pregnant and parenting students (Education Code 46015)
2. Adult education programs (Education Code 8500-8538, 52334.7, 52500-52617)
3. After School Education and Safety programs (Education Code 8482-8484.65)
4. Agricultural career technical education (Education Code 52460-52462)
5. Career technical and technical education and career technical and technical training programs (Education Code 52300-52462)
6. Child care and development programs (Education Code 8200-8488)
7. Compensatory education (Education Code 54400)
8. Consolidated categorical aid programs (Education Code 33315; 34 CFR 299.10-299.12)
9. Course periods without educational content (Education Code 51228.1-51228.3)
10. Discrimination, harassment, intimidation, or bullying in district programs and activities, including in those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on a person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, immigration status, ethnic group identification, age, religion, physical or mental disability, medical condition, , or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on the person's association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610) Discrimination includes, but is not limited to, the Board's refusal to approve the use or prohibit the use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or other resource in a school library, on the basis that it includes a study of the role and contributions of any individual or group consistent with the requirements of Education Code 51204.5 and 60040, unless such study would violate Education Code 51501 or 60044. Additionally, discrimination includes, but is not limited to, the Board's adoption or approval of use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any

book or other resource in a school library if the use would subject a student to unlawful discrimination pursuant to Education Code 220. A complaint alleging such unlawful discrimination may, in addition to or in lieu of being filed with the district, be directly filed with the Superintendent of Public Instruction (SPI). (Education Code 243, 244)

The UCP shall not be used to investigate and resolve employment discrimination complaints. (5 CCR 4611)

11. Educational and graduation requirements for students in foster care, students experiencing homelessness, students from military families, and students formerly in a juvenile court school, students who are migratory, and newcomer students (Education Code 48645.7, 48853, 48853.5, 49069.5, 51225.1, 51225.2)
12. Every Student Succeeds Act (Education Code 52059.5; 20 USC 6301 et seq.)
13. Local control and accountability plan (Education Code 52075)
14. Migrant education (Education Code 54440-54445)
15. Physical education instructional minutes (Education Code 51210, 51222, 51223)
16. Student fees (Education Code 49010-49013)
17. Reasonable accommodations to a lactating student (Education Code 222)
18. Regional occupational centers and programs (Education Code 52300-52334.7)
19. School plans for student achievement as required for the consolidated application for specified federal and/or state categorical funding (Education Code 64001)
20. School site councils as required for the consolidated application for specified federal and/or state categorical funding (Education Code 65000)
21. State preschool programs (Education Code 8207-8225)
22. State preschool health and safety issues in license-exempt programs (Education Code 8212)
23. 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
24. 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 federal, state and local laws and regulations.

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

subject of the complaint if different from the complainant, confidential when appropriate and as long as the integrity of the complaint process is maintained.

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

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

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

Non-UCP Complaints

The following complaints shall be subject to the district's UCP but shall be investigated and resolved by the specified agency or through an alternative process:

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

2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services. (5 CCR 4611)

3. Any complaint alleging that a student, while in an education program or activity, was subjected to conduct known to the district that may reasonably constitute sex discrimination under Title IX, including sex-based harassment as defined in 34 CFR 106.2

Discrimination on the basis of sex includes sex stereotypes; sex characteristics; sexual orientation; gender; gender identity; gender expression; pregnancy, childbirth, termination of pregnancy, or lactation, including related medical conditions or recovery; and parental, marital, and family status. Such a complaint shall be addressed through the federal Title IX complaint procedures adopted pursuant to 34 CFR 106.44-106.45, as specified in Administrative Regulation 5145.71 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures. (34 CFR 106.2, 106.10, 106.11, 106.44)

4. Except for complaints alleging sex discrimination, including sex-based harassment, 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 Industrial Relations. Employment complaints alleging sex discrimination, including sex-based harassment, shall be investigated and resolved as specified in 34 CFR 106.44 and 106.45 and Administrative Regulation 4119.12/4219.12/4319.12 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures.

5. Any complaint alleging a violation of a state or federal law or regulation related to special education, a settlement agreement related to the provision of a free appropriate public education (FAPE), failure or refusal to implement a due process hearing order to which the district is subject, or a physical safety concern that interferes with the district's provision of FAPE shall be submitted to the California Department of Education (CDE) in accordance with AR 6159.1 - Procedural Safeguards and Complaints for Special Education. (5 CCR 3200-3205)

6. Any complaint alleging noncompliance of the district's food service program with laws

regarding meal counting and claiming, reimbursable meals, eligibility of children or adults, or use of cafeteria funds and allowable expenses shall be filed with or referred to CDE in accordance with BP 3555 - Nutrition Program Compliance. (5 CCR 15580-15584)

7. Any allegation of discrimination based on race, color, national origin, sex, age, or disability in the district's food service program shall be filed with or referred to the U.S. Department of Agriculture in accordance with BP 3555 - Nutrition Program Compliance. (5 CCR 15582)

8. Any complaint related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, or teacher vacancies and misassignments shall be investigated and resolved in accordance with AR 1312.4 - Williams Uniform Complaint Procedures. (Education Code 35186)

Policy Reference Disclaimer:

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

State	Description
2 CCR 11023	Harassment and discrimination prevention and correction
5 CCR 15580-15584	Child nutrition programs complaint procedures
5 CCR 3200-3205	Special education compliance complaints
5 CCR 4600-4670	Uniform complaint procedures
5 CCR 4600-4687	Uniform complaint procedures and Williams complaints
5 CCR 4690-4694	Complaints regarding health and safety issues in license-exempt preschool programs
5 CCR 4900-4965	Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance
Ed. Code 18100-18203	School libraries
Ed. Code 200-262.4	Prohibition of discrimination
Ed. Code 32280-32289.5	School safety plans
Ed. Code 35186	Williams uniform complaint procedures
Ed. Code 46015	Parental leave for students
Ed. Code 48645.7	Juvenile court schools
Ed. Code 48853-48853.5	Foster youth
Ed. Code 48900.5	Suspension; other means of correction
Ed. Code 48985	Notices to parents in language other than English

Ed. Code 49010-49013	<u>Student fees</u>
Ed. Code 49060-49079	<u>Student records</u>
Ed. Code 49069.5	<u>Records of foster youth</u>
Ed. Code 49490-49590	<u>Child nutrition programs</u>
Ed. Code 49701	<u>Provisions of the Interstate Compact on Educational Opportunities for Military Children</u>
Ed. Code 51204.5	<u>Social sciences instruction; contributions of specified groups</u>
Ed. Code 51210	<u>Course of study for grades 1-6</u>
Ed. Code 51222	<u>Physical education</u>
Ed. Code 51223	<u>Physical education; elementary schools</u>
Ed. Code 51225.1-51225.2	<u>Foster youth, homeless children, former juvenile court school students; course credits; graduation requirements</u>
Ed. Code 51226-51226.1	<u>Career technical education</u>
Ed. Code 51228.1-51228.3	<u>Course periods without educational content</u>
Ed. Code 51501	<u>Nondiscriminatory subject matter</u>
Ed. Code 52059.5	<u>Statewide system of support</u>
Ed. Code 52060-52077	<u>Local control and accountability plan</u>
Ed. Code 52075	<u>Complaint for lack of compliance with local control and accountability plan requirements</u>
Ed. Code 52300-52462	<u>Career technical education</u>
Ed. Code 52500-52617	<u>Adult schools</u>
Ed. Code 54400-54425	<u>Compensatory education programs</u>
Ed. Code 54440-54445	<u>Migrant education</u>
Ed. Code 54460-54529	<u>Compensatory education programs</u>
Ed. Code 59000-59300	<u>Special schools and centers</u>
Ed. Code 60010	<u>Instructional materials; definition</u>
Ed. Code 60040-60052	<u>Requirements for instructional materials</u>
Ed. Code 64000-64001	<u>Consolidated application process; school plan for student achievement</u>
Ed. Code 65000-65001	<u>School site councils</u>

Ed. Code 8200-8488	<u>Child care and development programs</u>
Ed. Code 8500-8538	<u>Adult basic education</u>
Gov. Code 11135	<u>Prohibition of discrimination</u>
Gov. Code 12900-12996	<u>Fair Employment and Housing Act</u>
H&S Code 1596.792	<u>California Child Day Care Act; general provisions and definitions</u>
H&S Code 1596.7925	<u>California Child Day Care Act; health and safety regulations</u>
Pen. Code 422.55	<u>Definition of hate crime</u>
Pen. Code 422.6	<u>Crimes; harassment</u>
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; discrimination based on sex
20 USC 6301-6576	Title I Improving the Academic Achievement of the Disadvantaged
20 USC 6801-7014	Title III language instruction for limited English proficient and immigrant students
28 CFR 35.107	Nondiscrimination on basis of disability; complaints
29 USC 794	Rehabilitation Act of 1973; Section 504
34 CFR 100.3	Prohibition of discrimination on basis of race, color or national origin
34 CFR 104.7	Section 504; Designation of responsible employee and adoption of grievances procedures
34 CFR 106.1-106.82	Nondiscrimination on the basis of sex in education programs
34 CFR 106.30	Discrimination on the basis of sex in education programs and activities; definitions
34 CFR 106.44	Recipient's response to sexual harassment
34 CFR 106.45	Grievance process for formal complaints of sexual harassment

34 CFR 106.8	Designation of coordinator; dissemination of policy, and adoption of grievance procedures
34 CFR 110.25	Notification of nondiscrimination on the basis of age
34 CFR 99.1-99.67	Family Educational Rights and Privacy
42 USC 11431-11435	McKinney-Vento Homeless Assistance Act
42 USC 12101-12213	Americans with Disabilities Act
42 USC 2000d-2000d-7	Title VI, Civil Rights Act of 1964
42 USC 2000h-2-2000h-6	Title IX of the Civil Rights Act of 1964
42 USC 6101-6107	Age Discrimination Act of 1975
Management Resources	Description
California Department of Education Publication	Uniform Complaint Procedure 2021-22 Program Instrument
California Department of Education Publication	Sample UCP Board Policies and Procedures
California Department of Justice Publication	Guidance to School Officials re: Legal Requirements for Providing Inclusive Curricula and Books, January 2024
CSBA Publication	Reference: State Roles, Responsibilities, and Process for Instructional Materials Adoption, February 2024
CSBA Publication	Fact Sheet: Instructional Materials Adoption: Local governing board responsibilities, February 2024
CSBA Publication	Instructional Materials Adoptions: State and local governing board processes, roles, and responsibilities, February 2024
Federal Register	Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, April 29, 2024, Vol. 89, No. 83, pages 33474-33896
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014
U.S. DOJ Publication	Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 2007
Website	CSBA District and County Office of Education Legal Services

Website	Student Privacy Policy Office
Website	U.S. Department of Agriculture
Website	California Department of Social Services
Website	U.S. Department of Justice
Website	California Department of Education
Website	CSBA
Website	U.S. Department of Education, Office for Civil Rights
Website	California Civil Rights Department

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 PDF(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 Websites
1113	District And School Websites
1113-E PDF(1)	District And School Websites
1114	District-Sponsored Social Media
1220	Citizen Advisory Committees
1220	Citizen Advisory Committees

1250	<u>Visitors/Outsiders</u>
1250	<u>Visitors/Outsiders</u>
1312.1	<u>Complaints Concerning District Employees</u>
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 PDF(1)	<u>Complaints Concerning Instructional Materials</u>
1312.4	<u>Williams Uniform Complaint Procedures</u>
1312.4-E PDF(1)	<u>Williams Uniform Complaint Procedures</u>
1340	<u>Access To District Records</u>
1340	<u>Access To District Records</u>
3260	<u>Fees And Charges</u>
3260	<u>Fees And Charges</u>
3555	<u>Nutrition Program Compliance</u>
3555-E PDF(1)	<u>Nutrition Program Compliance</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 PDF(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>Sex Discrimination and Sex-Based Harassment</u>
4119.11	<u>Sex Discrimination and Sex-Based Harassment</u>
4119.12	<u>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</u>

4119.12-E PDF(1)	<u>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</u>
4119.23	<u>Unauthorized Release Of Confidential/Privileged Information</u>
4131	<u>Staff Development</u>
4131	<u>Staff Development</u>
4212.9	<u>Employee Notifications</u>
4212.9	<u>Employee Notifications</u>
4212.9-E PDF(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>Sex Discrimination and Sex-Based Harassment</u>
4219.11	<u>Sex Discrimination and Sex-Based Harassment</u>
4219.12	<u>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</u>
4219.12-E PDF(1)	<u>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</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 PDF(1)	<u>Employee Notifications</u>
4319.1	<u>Civil And Legal Rights</u>
4319.11	<u>Sex Discrimination and Sex-Based Harassment</u>
4319.11	<u>Sex Discrimination and Sex-Based Harassment</u>

4319.12	<u>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</u>
4319.12-E PDF(1)	<u>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</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>
5131.2	<u>Bullying</u>
5131.2	<u>Bullying</u>
5131.62	<u>Tobacco</u>
5131.62	<u>Tobacco</u>
5137	<u>Positive School Climate</u>
5141.22	<u>Infectious Diseases</u>
5141.22	<u>Infectious Diseases</u>
5141.4	<u>Child Abuse Prevention And Reporting</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>Parent/Guardian Notifications</u>
5145.6-E PDF(1)	<u>Parent/Guardian Notifications</u>
5145.7	<u>Sex Discrimination and Sex-Based Harassment</u>
5145.7	<u>Sex Discrimination and Sex-Based Harassment</u>
5145.71	<u>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</u>
5145.71-E PDF(1)	<u>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</u>
5145.9	<u>Hate-Motivated Behavior</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>
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>
6146.1	<u>High School Graduation Requirements</u>
6152	<u>Class Assignment</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>
6161.1	<u>Selection And Evaluation Of Instructional Materials</u>
6161.1	<u>Selection And Evaluation Of Instructional Materials</u>
6161.1-E PDF(1)	<u>Selection And Evaluation Of Instructional Materials</u>
6161.11	<u>Supplementary Instructional Materials</u>
6163.1	<u>Library Media Centers</u>
6164.2	<u>Guidance/Counseling Services</u>
6164.2	<u>Guidance/Counseling Services</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>
6164.5	<u>Student Success Teams</u>
6164.5	<u>Student Success Teams</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 PDF(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>
6173.3	<u>Education For Juvenile Court School Students</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>
6178.1	<u>Work-Based Learning</u>
6178.1	<u>Work-Based Learning</u>
6178.2	<u>Regional Occupational Center/Program</u>
6200	<u>Adult Education</u>
6200	<u>Adult Education</u>
6200-E PDF(1)	<u>Adult Education</u>
9000	<u>Role Of The Board</u>
9011	<u>Disclosure Of Confidential/Privileged Information</u>
9012	<u>Board Member Electronic Communications</u>
9124	<u>Attorney</u>
9200	<u>Limits Of Board Member Authority</u>
9321	<u>Closed Session</u>
9321-E PDF(1)	<u>Closed Session</u>
9321-E PDF(2)	<u>Closed Session</u>
9322	<u>Agenda/Meeting Materials</u>

Policy 2121: Superintendent's Contract

Status: ADOPTED

Original Adopted Date: ~~11/15/2016~~12/01/2015 | **Last Revised Date:** ~~02/28/2023~~06/01/2024 |
Last Reviewed Date: ~~02/28/2023~~06/01/2024

The Governing Board believes that the Superintendent's employment contract should outline the framework through which the Board and Superintendent will work together as a governance team to achieve district goals and objectives. When approving the Superintendent's employment contract, the Board shall consider the value of stability in district administration, the best use of district resources, and the Board's duty to ensure accountability to the public for the performance of the district's schools.

The contract shall be reviewed by ~~the district's~~district legal counsel and may include the following:

~~1.~~_____

1. Term of the contract, which shall be for no more than four years pursuant to Education Code 35031

~~2.~~_____

2. Length of the work year and hours of work

~~3.~~_____

3. Salary, health and welfare benefits, and other compensation for the position, including a statement that any subsequent increase in the Superintendent's salary shall be at the sole discretion of the Board

~~4.~~_____

4. Reimbursement of work-related expenses, including mileage reimbursement, consistent with Board policies, regulations, and guidelines applicable to other professional administrative staff

The contract may also address payment for professional dues and activities, the district's provision of cell phones or other technological devices, and the use of a personal vehicle.

~~5.~~_____

5. Vacation, illness and injury leave, and personal leaves

~~6.~~_____

6. Professional development

~~7.~~_____

7. General duties and responsibilities of the position

~~8.~~_____

8. Criteria, process, and procedure for annual evaluation of the Superintendent

~~9.~~

9. A statement that there shall be no automatic renewal or extension of the contract, although the Board ~~can~~ may enter into a new contract with the Superintendent prior to the expiration of the existing contract

~~10.~~

10. Timeline for providing written notice to the Superintendent if the Board does not wish to enter into a new contract, which shall be at least 45 calendar days in advance of the expiration of the term of the contract pursuant to Education Code 35031, and the responsibility of the Superintendent to remind the Board in writing and in a timely manner of the requirement to give notice

~~11.~~

11. Conditions and process for termination of the contract, including the maximum cash settlement that the Superintendent may receive if the contract is terminated prior to its expiration date

~~12.~~

12. Matters related to liability and indemnification against demands, claims, suits, actions, and legal proceedings brought against the Superintendent in the Superintendent's official capacity in the performance of employment-related duties

The Board may deliberate about terms of the contract in closed session at a regular meeting. However, discussions regarding the salary, salary schedule, or other compensation may occur in the closed session of a regular meeting only between the Board and its designated representative(s), as permitted under Government Code 54957.6 ~~(the "labor exception"), for the purpose of reviewing the Board's position and/or instructing the designated representative(s) prior to or during bona fide negotiations with the current or prospective Superintendent.~~ Such deliberations shall not be held during a special meeting. (Government Code 54956, 54957, 54957.6)

~~The Board may consult with district legal counsel prior to holding a closed session with the designated representative(s) to discuss compensation to be paid to the current or prospective Superintendent.~~

Terms of the contract shall remain confidential until the ratification approval process commences.

The Board shall take final action on the Superintendent's contract during an open session of a regularly scheduled Board meeting, and that action shall be reflected in the Board's minutes. At that meeting, prior to taking action, the Board shall orally report a summary of the recommendation for the final action on the Superintendent's salary or compensation in the form of fringe benefits. (Government Code 3511.1, 53262, 54953)

Copies of the contract and other public records created or received in the process of developing the recommendation related to the Superintendent's salary, benefits, and other compensation shall be available to the public upon request. (Government Code 53262, 54953)

Termination of Contract

Prior to the expiration of the contract, the Board may terminate the Superintendent's employment contract in accordance with law and applicable contract provisions.

In such an event, the maximum cash settlement that the Superintendent may receive upon termination of the contract shall not exceed the Superintendent's monthly salary multiplied by the number of months left on the contract or the Superintendent's monthly salary multiplied by 12, whichever is less. ~~(Government Code 53260)~~

The cash settlement shall not include any noncash items other than health benefits, which may be continued for the same duration of time as covered in the settlement or until the Superintendent finds other employment, whichever occurs first. ~~(Government Code 53260, 53261)~~

However, when the termination of the Superintendent's contract is based upon the Board's belief and subsequent confirmation through an independent audit that the Superintendent has engaged in fraud, misappropriation of funds, or other illegal fiscal practices, no cash or noncash settlement of any amount shall be provided. ~~(Government Code 53260)~~

In addition, if the Superintendent is convicted of a crime involving an abuse of office or position, the Superintendent shall reimburse the district for payments received as paid leave salary pending investigation or as cash settlement upon termination, and for any funds expended by the district in defending the Superintendent against a crime involving the Superintendent's office or position. ~~(Government Code 53243-53243.4, 53260)~~
 ~~- (Government Code 53243-53243.4, 53260)~~

The Board shall not take action to terminate the Superintendent without cause at a special or emergency meeting of the Board. (Education Code 35150)

Additionally, the Board shall not take action to terminate the Superintendent without cause or within 30 days after the first convening of the Board after an election at which one or more Board members are elected or recalled. (Education Code 35150)

However, the Board may take action to terminate the Superintendent without cause at a regular meeting during any month in which a regular meeting of the Board is not scheduled. (Education Code 35150)

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 35031

Description

Term of employment

Ed. Code 35150	Termination of superintendent
Ed. Code 41325-41328	Conditions of emergency apportionment
Gov. Code 3511.1-3511.2	Local agency executives
Gov. Code 53243-53243.4	Abuse of office
Gov. Code 53260-53264	Employment contracts
Gov. Code 54953	Oral summary of recommended salary and benefits of superintendent
Gov. Code 54954	Time and place of regular meetings
Gov. Code 54956	Special meetings
Gov. Code 54957	Closed session personnel matters
Gov. Code 54957.1	Closed session; public report of action taken
Gov. Code 54957.6	Closed sessions regarding employee matters
Gov. Code 7920.000-7930.215	California Public Records Act
Federal	Description
26 CFR 1.105-11	Self-insured medical reimbursement plan
26 USC 105	Self-insured medical reimbursement plan; definition of highly compensated individual
42 USC 300gg-16	Group health plan; nondiscrimination in favor of highly compensated individuals
Management Resources	Description
Attorney General Opinion	57 Ops. Cal. Atty. Gen. 209 (1974)
Attorney General Publication	The Brown Act: Open Meetings for Legislative Bodies, rev. 2003
Court Decision	San Diego Union v. City Council (1983) 146 Cal.App.3d 947
CSBA Publication	Superintendent Contract Template
Website	CSBA District and County Office of Education Legal Services
Website	California Office of the Attorney General
Website	Association of California School Administrators
Website	CSBA

Cross References

Code	Description
0200	<u>Goals For The School District</u> Goals For The School District
0460	<u>Local Control And Accountability Plan</u> Local Control And Accountability Plan
0460	<u>Local Control And Accountability Plan</u> Local Control And Accountability Plan
1340	<u>Access To District Records</u> Access To District Records
1340	<u>Access To District Records</u> Access To District Records
2110	<u>Superintendent Responsibilities And Duties</u> Superintendent Responsibilities And Duties
2120	<u>Superintendent Recruitment And Selection</u> Superintendent Recruitment And Selection
2140	<u>Evaluation Of The Superintendent</u> Evaluation Of The Superintendent
2210	<u>Administrative Discretion Regarding Board Policy</u> Administrative Discretion Regarding Board Policy
3312	<u>Contracts</u> Contracts
3350	<u>Travel Expenses</u> Travel Expenses
3580	<u>District Records</u> District Records
3580	<u>District Records</u> District Records
4040	<u>Employee Use Of Technology</u> Employee Use Of Technology
4040	<u>Employee Use Of Technology</u> Employee Use Of Technology
4112.9	<u>Employee Notifications</u> Employee Notifications
4112.9	<u>Employee Notifications</u> Employee Notifications
4112.9-E PDF(1)	<u>Employee Notifications</u>
4117.5	<u>Termination Agreements</u> Termination Agreements
4161	<u>Leaves</u> Leaves
4161	<u>Leaves</u> Leaves
4161.1	<u>Personal Illness/Injury Leave</u> Personal Illness/Injury Leave

4161.2	<u>Personal Leaves</u> Personal Leaves
4161.5	<u>Military Leave</u> Military Leave
4161.8	<u>Family Care And Medical Leave</u> Family Care And Medical Leave
4212.9	<u>Employee Notifications</u> Employee Notifications
4212.9	<u>Employee Notifications</u> Employee Notifications
4212.9-E PDF(1)	<u>Employee Notifications</u>
4217.5	<u>Termination Agreements</u> Termination Agreements
4254	<u>Health And Welfare Benefits</u> Health And Welfare Benefits
4254	<u>Health And Welfare Benefits</u> Health And Welfare Benefits
4261	<u>Leaves</u> Leaves
4261	<u>Leaves</u> Leaves
4261.2	<u>Personal Leaves</u> Personal Leaves
4261.5	<u>Military Leave</u> Military Leave
4261.8	<u>Family Care And Medical Leave</u> Family Care And Medical Leave
4312.1	<u>Contracts</u> Contracts
4312.9	<u>Employee Notifications</u> Employee Notifications
4312.9	<u>Employee Notifications</u> Employee Notifications
4312.9-E PDF(1)	<u>Employee Notifications</u>
4317.5	<u>Termination Agreements</u> Termination Agreements
4354	<u>Health And Welfare Benefits</u> Health And Welfare Benefits
4354	<u>Health And Welfare Benefits</u> Health And Welfare Benefits
4361	<u>Leaves</u> Leaves
4361	<u>Leaves</u> Leaves
4361.1	<u>Personal Illness/Injury Leave</u> Personal Illness/Injury Leave
4361.2	<u>Personal Leaves</u> Personal Leaves

4361.5	Military Leave Military Leave
4361.8	Family Care And Medical Leave Family Care And Medical Leave
9000	Role Of The Board Role Of The Board
9011	Disclosure Of Confidential/Privileged Information Disclosure Of Confidential/Privileged Information
9124	Attorney Attorney
9320	Meetings And Notices Meetings And Notices
9321	Closed Session Closed Session
9321-E PDF(1)	Closed Session Closed Session
9321-E PDF(2)	Closed Session Closed Session
9323.2	Actions By The Board Actions By The Board
9323.2-E PDF(1)	Actions By The Board
9323.2-E PDF(2)	Actions By The Board Actions By The Board

Policy 2121: Superintendent's Contract

Status: ADOPTED

Original Adopted Date: 11/15/2016 | **Last Revised Date:** 02/28/2023 | **Last Reviewed Date:** 02/28/2023

The Governing Board believes that the Superintendent's employment contract should outline the framework through which the Board and Superintendent will work together as a governance team to achieve district goals and objectives. When approving the Superintendent's employment contract, the Board shall consider the value of stability in district administration, the best use of district resources, and the Board's duty to ensure accountability to the public for the performance of the district's schools.

The contract shall be reviewed by district legal counsel and may include the following:

1. Term of the contract, which shall be for no more than four years pursuant to Education Code 35031
2. Length of the work year and hours of work
3. Salary, health and welfare benefits, and other compensation for the position, including a statement that any subsequent increase in the Superintendent's salary shall be at the sole discretion of the Board
4. Reimbursement of work-related expenses, including mileage reimbursement, consistent with Board policies, regulations, and guidelines applicable to other professional administrative staff

The contract may also address payment for professional dues and activities, the district's provision of cell phones or other technological devices, and the use of a personal vehicle.

5. Vacation, illness and injury leave, and personal leaves
6. Professional development
7. General duties and responsibilities of the position
8. Criteria, process, and procedure for annual evaluation of the Superintendent
9. A statement that there shall be no automatic renewal or extension of the contract, although the Board may enter into a new contract with the Superintendent prior to the expiration of the existing contract
10. Timeline for providing written notice to the Superintendent if the Board does not wish to enter into a new contract, which shall be at least 45 calendar days in advance of the expiration of the term of the contract pursuant to Education Code 35031, and the responsibility of the Superintendent to remind the Board in writing and in a timely manner of the requirement to give notice

11. Conditions and process for termination of the contract, including the maximum cash settlement that the Superintendent may receive if the contract is terminated prior to its expiration date
12. Matters related to liability and indemnification against demands, claims, suits, actions, and legal proceedings brought against the Superintendent in the Superintendent's official capacity in the performance of employment-related duties

The Board may deliberate about terms of the contract in closed session at a regular meeting. However, discussions regarding the salary, salary schedule, or other compensation may occur in the closed session of a regular meeting only between the Board and its designated representative(s), as permitted under Government Code 54957.6. Such deliberations shall not be held during a special meeting. (Government Code 54956, 54957, 54957.6)

Terms of the contract shall remain confidential until the approval process commences.

The Board shall take final action on the Superintendent's contract during an open session of a regularly scheduled Board meeting, and that action shall be reflected in the Board's minutes. At that meeting, prior to taking action, the Board shall orally report a summary of the recommendation for the final action on the Superintendent's salary or compensation in the form of fringe benefits. (Government Code 3511.1, 53262, 54953)

Copies of the contract and other public records created or received in the process of developing the recommendation related to the Superintendent's salary, benefits, and other compensation shall be available to the public upon request. (Government Code 53262, 54953)

Termination of Contract

Prior to the expiration of the contract, the Board may terminate the Superintendent's employment contract in accordance with law and applicable contract provisions.

In such an event, the maximum cash settlement that the Superintendent may receive upon termination of the contract shall not exceed the Superintendent's monthly salary multiplied by the number of months left on the contract or the Superintendent's monthly salary multiplied by 12, whichever is less. (Government Code 53260)

The cash settlement shall not include any noncash items other than health benefits, which may be continued for the same duration of time as covered in the settlement or until the Superintendent finds other employment, whichever occurs first. (Government Code 53260, 53261)

However, when the termination of the Superintendent's contract is based upon the Board's belief and subsequent confirmation through an independent audit that the Superintendent has engaged in fraud, misappropriation of funds, or other illegal fiscal practices, no cash or noncash settlement of any amount shall be provided. (Government Code 53260)

In addition, if the Superintendent is convicted of a crime involving an abuse of office or position, the Superintendent shall reimburse the district for payments received as paid leave salary pending investigation or as cash settlement upon termination, and for any funds expended by the district in

defending the Superintendent against a crime involving the Superintendent's office or position. (Government Code 53243-53243.4, 53260)

The Board shall not take action to terminate the Superintendent without cause at a special or emergency meeting of the Board. (Education Code 35150)

Additionally, the Board shall not take action to terminate the Superintendent without cause or within 30 days after the first convening of the Board after an election at which one or more Board members are elected or recalled. (Education Code 35150)

However, the Board may take action to terminate the Superintendent without cause at a regular meeting during any month in which a regular meeting of the Board is not scheduled. (Education Code 35150)

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 35031

Description

[Term of employment](#)

Ed. Code 35150

Termination of superintendent

Ed. Code 41325-41328

[Conditions of emergency apportionment](#)

Gov. Code 3511.1-3511.2

[Local agency executives](#)

Gov. Code 53243-53243.4

[Abuse of office](#)

Gov. Code 53260-53264

[Employment contracts](#)

Gov. Code 54953

[Oral summary of recommended salary and benefits of superintendent](#)

Gov. Code 54954

[Time and place of regular meetings](#)

Gov. Code 54956

[Special meetings](#)

Gov. Code 54957

[Closed session personnel matters](#)

Gov. Code 54957.1

[Closed session; public report of action taken](#)

Gov. Code 54957.6

[Closed sessions regarding employee matters](#)

Gov. Code 7920.000-7930.215

[California Public Records Act](#)

Federal

26 CFR 1.105-11

Description

Self-insured medical reimbursement plan

26 USC 105

Self-insured medical reimbursement plan; definition of highly compensated individual

42 USC 300gg-16	Group health plan; nondiscrimination in favor of highly compensated individuals
Management Resources	Description
Attorney General Opinion	57 Ops. Cal. Atty. Gen. 209 (1974)
Attorney General Publication	The Brown Act: Open Meetings for Legislative Bodies, rev. 2003
Court Decision	San Diego Union v. City Council (1983) 146 Cal.App.3d 947
CSBA Publication	Superintendent Contract Template
Website	CSBA District and County Office of Education Legal Services
Website	California Office of the Attorney General
Website	Association of California School Administrators
Website	CSBA

Cross References

Code	Description
0200	Goals For The School District
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
1340	Access To District Records
1340	Access To District Records
2110	Superintendent Responsibilities And Duties
2120	Superintendent Recruitment And Selection
2140	Evaluation Of The Superintendent
2210	Administrative Discretion Regarding Board Policy
3312	Contracts
3350	Travel Expenses
3580	District Records
3580	District Records
4040	Employee Use Of Technology
4040	Employee Use Of Technology

4112.9	Employee Notifications
4112.9	Employee Notifications
4117.5	Termination Agreements
4161	Leaves
4161	Leaves
4161.1	Personal Illness/Injury Leave
4161.2	Personal Leaves
4161.5	Military Leave
4161.8	Family Care And Medical Leave
4212.9	Employee Notifications
4212.9	Employee Notifications
4217.5	Termination Agreements
4254	Health And Welfare Benefits
4254	Health And Welfare Benefits
4261	Leaves
4261	Leaves
4261.2	Personal Leaves
4261.5	Military Leave
4261.8	Family Care And Medical Leave
4312.1	Contracts
4312.9	Employee Notifications
4312.9	Employee Notifications
4317.5	Termination Agreements
4354	Health And Welfare Benefits
4354	Health And Welfare Benefits
4361	Leaves
4361	Leaves
4361.1	Personal Illness/Injury Leave
4361.2	Personal Leaves
4361.5	Military Leave

4361.8	Family Care And Medical Leave
9000	Role Of The Board
9011	Disclosure Of Confidential/Privileged Information
9124	Attorney
9320	Meetings And Notices
9321	Closed Session
9321	Closed Session
9321	Closed Session
9323.2	Actions By The Board
9323.2	Actions By The Board

Policy 4030: Nondiscrimination In Employment

Status: ADOPTED

Original Adopted Date: ~~08/10/2010~~05/01/2016 | **Last Revised Date:** ~~08/22/2023~~07/01/2024 |
Last Reviewed Date: ~~08/22/2023~~07/01/2024

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The Governing Board is determined to provide a safe, positive environment where all district employees are assured of full and equal employment access and opportunities, protection from harassment and intimidation, and freedom from any fear of reprisal or retribution for asserting their employment rights in accordance with law. For purposes of this policy, employees include job applicants, interns, volunteers, and persons who contracted with the district to provide services, as applicable.

No district employee shall be discriminated against or harassed by any coworker, supervisor, manager, or other person with whom the employee comes in contact in the course of employment, on the basis of the employee's actual or perceived race; color; ancestry; national origin; age; religious creed; pregnancy, childbirth, termination of pregnancy, or lactation, including related medical conditions and recovery; parental, family, or marital status, pregnancy; physical or mental disability; medical condition; genetic information; veteran or military status; sex; sex stereotypes; sex characteristics; sexual orientation; gender; gender identity; gender expression; or association with a person or group with one or more of these actual or perceived characteristics.

Employers are also prohibited from discrimination against employees or job applicants on the basis of reproductive health ~~decisionmaking~~decision-making, defined as a person's decision to use or access a particular drug, device, product, or medical service for reproductive health. ~~—~~ (Government Code 12926, 12940)

The district shall not inquire into any employee's immigration status nor discriminate against an employee on the basis of immigration status, unless there is clear and convincing evidence that ~~the district is required to do so in order to comply with federal immigration law. (2 CCR 11028)~~such inquiry is necessary to comply with federal immigration law. (2 CCR 11028)

Unless otherwise provided for in law, the district may not discriminate against an employee, including an applicant for employment, in any term or condition of employment, or otherwise penalize a person, including termination, based on the person's use of cannabis off the job and away from the workplace, or on a drug screening which finds that the person has nonpsychoactive cannabis metabolites in the applicant's hair, blood, urine, or other bodily fluid. However, the district retains the right to maintain drug-free schools or prohibit employees from possessing, being impaired by, or using cannabis while on the job. (Government Code 12954)

Discrimination in employment based on the characteristics listed above is prohibited in all areas of employment and in all employment-related practices, including the following:

1. Hiring, compensation, terms, conditions, and other privileges of employment
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2. Taking ~~of~~ adverse employment actions such as termination or denial of employment, promotion, job assignment, or training
3. Unwelcome conduct, whether verbal, physical, or visual, that is **offensive and** so severe or pervasive as to adversely affect an employee's employment opportunities or that has the purpose or effect of unreasonably interfering with the employee's work performance or creating an intimidating, hostile, or offensive work environment
-
4. Actions and practices identified as unlawful or discriminatory pursuant to Government Code 12940 or 2 CCR 11006-11086, such as:
 - a. Sex discrimination ~~based on an employee's pregnancy, childbirth, breastfeeding, or any related medical condition or on an employee's gender, gender expression, or gender identity, including transgender status~~ as specified in Board Policy and Administrative Regulation 4119.11/4219.11/4319.11 - Sex Discrimination and Sex-Based Harassment
 - b. Religious creed discrimination based on an employee's religious belief or observance, including religious dress or grooming practices, or based on the district's failure or refusal to use reasonable means to accommodate an employee's religious belief, observance, or practice which conflicts with an employment requirement
 - c. Requiring medical or psychological examination of a job applicant or making an inquiry into whether a job applicant has a mental or physical disability or a medical condition or as to the severity of any such disability or condition, without the showing of a job-related need or business necessity
 - d. Failure to make reasonable accommodation for the known physical or mental disability of an employee or to engage in a timely, good faith, interactive process with an employee who has requested such accommodations in order to determine the effective reasonable accommodations, if any, to be provided to the employee
 - e. Requiring an applicant or employee to disclose information relating to the employee's reproductive health decision ~~making~~

The Board also prohibits retaliation against any district employee who opposes any discriminatory employment practice by the district or its employees, agents, or representatives or who complains, reports an incident, testifies, assists, or in any way participates in the district's complaint process pursuant to this policy. No employee who requests an accommodation for any protected characteristic listed in this policy shall be subjected to any punishment or sanction, regardless of whether the request was granted. ~~—~~ (Government Code 12940; 2 CCR 11028)

No employee shall, in exchange for a raise or bonus or as a condition of employment or continued employment, be required to sign a release of the employee's claim or right to file a claim against the district or a nondisparagement agreement or other document that has the purpose or effect of preventing the employee from disclosing information about harassment, discrimination, or other unlawful acts in the workplace, including any conduct that the employee has reasonable cause to believe is unlawful.—(Government Code 12964.5)

Complaints concerning employment discrimination, harassment, or retaliation shall immediately be investigated in accordance with procedures specified in the accompanying administrative regulation. However, complaints alleging sex discrimination under Title IX shall be investigated and resolved in accordance with the procedures specified in 34 CFR 106.44 and 106.45 and Administrative Regulation 4119.12/4219.12/4319.12 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures.

Any supervisory or management employee who observes or has knowledge of an incident of prohibited discrimination or harassment, including harassment of an employee by a nonemployee, shall report the incident to the Superintendent or designated district coordinator ~~as soon as practical after the incident~~within one workday. All other employees ~~are encouraged to~~shall report such incidents to their supervisor ~~immediately~~or designated district coordinator within one workday.

The Superintendent or designee shall use all appropriate means to reinforce the district's nondiscrimination policy, including providing training and information to employees about how to recognize harassment, discrimination, or other prohibited conduct, how to respond appropriately, and components of the district's policies and regulations regarding discrimination. The Superintendent or designee shall regularly review the district's employment practices and, as necessary, shall take action to ensure district compliance with the nondiscrimination laws.

Any district employee who engages in prohibited discrimination, harassment, or retaliation or who aids, abets, incites, compels, or coerces another to engage or attempt to engage in such behavior in violation of this policy shall be subject to disciplinary action, up to and including dismissal.

The district shall maintain and preserve all applications, personnel, membership, or employment referral records and files for at least four years after the records are initially created or received or, for an applicant or a terminated employee, for four years after the date the employment action was taken. However, when the district is notified that a complaint has been filed with the California Civil Rights Department, records related to the employee involved shall be maintained and preserved until the later of the first date after the time for filing a civil action has expired or the first date after the complaint has been fully and finally disposed of and all administrative proceedings, civil actions, appeals, or related proceedings have been terminated.—(Government Code 12946)

Policy Reference Disclaimer:

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

State	Description
2 CCR 11006-11086	Discrimination in employment
2 CCR 11023	Harassment and discrimination prevention and correction
2 CCR 11024	Required training and education on harassment based on sex, gender identity and expression, and sexual orientation
2 CCR 11027-11028	National origin and ancestry discrimination
5 CCR 4900-4965	Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance
CA Constitution Article 1, Section 1	Inalienable rights
Civ. Code 51.7	Freedom from violence or intimidation
Ed. Code 200-262.4	Prohibition of discrimination
Gov. Code 11135	Prohibition of discrimination
Gov. Code 12900-12996	Fair Employment and Housing Act
Gov. Code 12940-12954	Unlawful employment practices
Gov. Code 12960-12976	Unlawful employment practices; complaints
Lab. Code 1030-1034	Lactation accommodation
Lab. Code 1197.5	Wages, hours and working conditions
Lab. Code 79-107	Division of Labor Standards Enforcement
Pen. Code 422.56	Definitions; hate crimes
Federal	Description
20 USC 1681-1688	Title IX of the Education Amendments of 1972; discrimination based on sex
28 CFR 35.101-35.190	Americans with Disabilities Act
29 CFR 1636	Implementation of the Pregnant Workers Fairness Act
29 USC 218d	Fair Labor Standards Act; Providing Urgent Maternal Protections for Nursing Mothers (PUMP) Act
29 USC 621-634	Age Discrimination in Employment Act
29 USC 794	Rehabilitation Act of 1973; Section 504
34 CFR 100.6	Title VI; Compliance information

34 CFR 104.7	Section 504; Designation of responsible employee and adoption of grievances procedures
34 CFR 104.8	Notice of Nondiscrimination on the Basis of Handicap
34 CFR 106.1-106.82	Discrimination on the basis of sex; effectuating Title IX
34 CFR 110.1-110.39	Nondiscrimination on the basis of age
42 USC 12101-12213	Americans with Disabilities Act
42 USC 2000d-2000d-7	Title VI, Civil Rights Act of 1964
42 USC 2000e-2000e-17	Title VII, Civil Rights Act of 1964, as amended
42 USC 2000ff-2000ff-11	Genetic Information Nondiscrimination Act of 2008
42 USC 2000gg-2000gg-6	Pregnant Workers Fairness Act
42 USC 2000h-2-2000h-6	Title IX of the Civil Rights Act of 1964
42 USC 6101-6107	Age discrimination in federally assisted programs
Executive Order 11246	Equal Employment Opportunity
U.S. Constitution, First Amendment	Free exercise, free speech, and establishment clauses
Management Resources	Description
CA Civil Rights Department Publication	Sexual Harassment, January 2023
CA Civil Rights Department Publication	Family Care and Medical Leave and Pregnancy Disability Leave, January 2023
CA Civil Rights Department Publication	California Law Prohibits Workplace Discrimination and Harassment, January 2024
CA Civil Rights Department Publication	The Rights of Employees Who Are Transgender or Gender Nonconforming: Fact Sheet, November 2022
CA Civil Rights Department Publication	Harassment Prevention Guide for California Employers, 2017
CA Civil Rights Department Publication	Your Rights and Obligations as a Pregnant Employee, January 2023
Court Decision	Burlington Industries, Inc v. Ellerth (1998) 524 U.S. 742
Court Decision	Fragher-Ellerth v. City of Boca Raton (1998) 524 U.S. 775
Court Decision	Groff v. DeJoy (2023) 600 U.S. 447
Court Decision	Kennedy v. Bremerton (2022) 142 S.Ct. 2407

Court Decision	Shephard v. Loyola Marymount (2002) 102 Cal.App. 4th 837
Court Decision	Thomson v. North American Stainless LP (2011) 62 U.S. 170
Federal Register	Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, April 29, 2024, Vol. 89, No. 83, pages 33474-33896
U.S. Department of Education Publication	Guidance on Constitutionally Protected Prayer and Religious Expression in Public Elementary and Secondary Schools, May 2023
U.S. Equal Employment Opportunity Comm Publication	Know Your Rights: Workplace Discrimination is Illegal, June 2023
U.S. Equal Employment Opportunity Comm Publication	Enforcement Guidance on Harassment in the Workplace, April 2024
U.S. Equal Employment Opportunity Comm Publication	EEOC Compliance Manual
Website	U.S. Department of Labor, Office of Federal Contract Compliance Program
Website	CSBA District and County Office of Education Legal Services
Website	California Department of Industrial Relations
Website	California Civil Rights Department
Website	U.S. Department of Education, Office for Civil Rights
Website	Equal Employment Opportunity Commission

Cross References

Code	Description
0410	Nondiscrimination In District Programs And Activities
1113	District And School Websites
1113	District And School Websites

1113	E PDF(1)	District And School Websites	District And School Websites
1114		District-Sponsored Social Media	District-Sponsored Social Media
<u>1114</u>		<u>District-Sponsored Social Media</u>	
1240		Volunteer Assistance	Volunteer Assistance
1240		Volunteer Assistance	Volunteer Assistance
1312.1		Complaints Concerning District Employees	Complaints Concerning District Employees
1312.1		Complaints Concerning District Employees	Complaints Concerning District Employees
1312.3		Uniform Complaint Procedures	Uniform Complaint Procedures
1312.3		Uniform Complaint Procedures	Uniform Complaint Procedures
1312.3	E PDF(1)	Uniform Complaint Procedures	Uniform Complaint Procedures
<u>1312.3</u>		<u>Uniform Complaint Procedures</u>	
<u>1313</u>		<u>Civility</u>	
3312		Contracts	Contracts
3530		Risk Management/Insurance	Risk Management/Insurance
3530		Risk Management/Insurance	Risk Management/Insurance
3580		District Records	District Records
3580		District Records	District Records
3600		Consultants	Consultants
4000		Concepts And Roles	Concepts And Roles
4032		Reasonable Accommodation	Reasonable Accommodation
4033		Lactation Accommodation	Lactation Accommodation
4111		Recruitment And Selection	Recruitment And Selection
4111.2		Legal Status Requirement	Legal Status Requirement

4111.2	Legal Status Requirement Legal Status Requirement
4112.4	Health Examinations Health Examinations
4112.41	Employee Drug Testing Employee Drug Testing
4112. 541	Criminal Record Check Employee Drug Testing
4112.5-E PDF(1)	Criminal Record Check Criminal Record Check
4112. 65	Personnel Files Criminal Record Check
4112. 86	Employment Of Relatives Personnel Files
4112. 98	Employee Notifications Employment Of Relatives
4112.9	Employee Notifications Employee Notifications
4112.9-E PDF(1)	Employee Notifications Employee Notifications
4113.5	Working Remotely
4114	Transfers
4118	Dismissal/Suspension/Disciplinary Action Dismissal/Suspension/Disciplinary Action
4118	Dismissal/Suspension/Disciplinary Action Dismissal/Suspension/Disciplinary Action
4119.1	Civil And Legal Rights Civil And Legal Rights
4119.11	Sex Discrimination and Sex-Based Harassment Sex Discrimination and Sex-Based Harassment
4119.11	Sex Discrimination and Sex-Based Harassment Sex Discrimination and Sex-Based Harassment
4119.12	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures
4119.12-E PDF(1)	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures
4119.22	Dress And Grooming Dress And Grooming
4119.23	Unauthorized Release Of Confidential/Privileged Information Unauthorized Release Of Confidential/Privileged Information
4119.41	Employees With Infectious Disease Employees With Infectious Disease

4131	<u>Staff Development</u> Staff Development
4131	<u>Staff Development</u>
4144	<u>Complaints</u> Complaints
4144	<u>Complaints</u> Complaints
4151	<u>Employee Compensation</u> Employee Compensation
4154	<u>Health And Welfare Benefits</u> Health And Welfare Benefits
4154	<u>Health And Welfare Benefits</u> Health And Welfare Benefits
4161.5	<u>Military Leave</u> Military Leave
4161.8	<u>Family Care And Medical Leave</u> Family Care And Medical Leave
4211	<u>Recruitment And Selection</u> Recruitment And Selection
4211.2	<u>Legal Status Requirement</u> Legal Status Requirement
4211.2	<u>Legal Status Requirement</u> Legal Status Requirement
4212.4	<u>Health Examinations</u> Health Examinations
4212.41	<u>Employee Drug Testing</u> Employee Drug Testing
4212. 641	<u>Personnel Files</u> Employee Drug Testing
4212. 86	<u>Employment Of Relatives</u> Personnel Files
4212. 98	<u>Employee Notifications</u> Employment Of Relatives
4212.9	<u>Employee Notifications</u> Employee Notifications
4212.9-E PDF(1)	<u>Employee Notifications</u> Employee Notifications
<u>4213.5</u>	<u>Working Remotely</u>
4218	<u>Dismissal/Suspension/Disciplinary Action</u> Dismissal/Suspension/Disciplinary Action
4218	<u>Dismissal/Suspension/Disciplinary Action</u> Dismissal/Suspension/Disciplinary Action
<u>4218.1</u>	<u>Dismissal/Suspension/Disciplinary Action (Merit System)</u>
4219.1	<u>Civil And Legal Rights</u> Civil And Legal Rights
4219.11	<u>Sex Discrimination and Sex-Based Harassment</u> Sex Discrimination and Sex-Based Harassment

4219.11	Sex Discrimination and Sex-Based Harassment <u>Sex Discrimination and Sex-Based Harassment</u>
4219.12	Title IX Sex Discrimination and Sex-Based Harassment <u>Title IX Sex Discrimination and Sex-Based Harassment</u>
4219.12-E PDF(1)	Title IX Sex Discrimination and Sex-Based Harassment <u>Title IX Sex Discrimination and Sex-Based Harassment</u>
4219.22	Dress And Grooming <u>Dress And Grooming</u>
4219.23	Unauthorized Release Of Confidential/Privileged <u>Unauthorized Release Of Confidential/Privileged</u>
4219.41	Employees With Infectious Disease <u>Employees With Infectious Disease</u>
4231	Staff Development <u>Staff Development</u>
4231	Staff Development <u>Staff Development</u>
4244	Complaints <u>Complaints</u>
4244	Complaints <u>Complaints</u>
4251	Employee Compensation <u>Employee Compensation</u>
4254	Health And Welfare Benefits <u>Health And Welfare Benefits</u>
4254	Health And Welfare Benefits <u>Health And Welfare Benefits</u>
4261.5	Military Leave <u>Military Leave</u>
4261.8	Family Care And Medical Leave <u>Family Care And Medical Leave</u>
4311	Recruitment And Selection <u>Recruitment And Selection</u>
4311	Recruitment And Selection <u>Recruitment And Selection</u>
4311.2	Legal Status Requirement <u>Legal Status Requirement</u>
4311.2	Legal Status Requirement <u>Legal Status Requirement</u>
4312.4	Health Examinations <u>Health Examinations</u>
4312.41	Employee Drug Testing <u>Employee Drug Testing</u>
4312.641	Personnel Files <u>Personnel Files</u>

4312.86	<u>Employment Of Relatives</u> Personnel Files
4312.98	<u>Employee Notifications</u> Employment Of Relatives
4312.9	<u>Employee Notifications</u> Employee Notifications
4312.9-E-PDF(1)	<u>Employee Notifications</u> Employee Notifications
<u>4313.5</u>	<u>Working Remotely</u>
4319.1	<u>Civil And Legal Rights</u> Civil And Legal Rights
4319.11	<u>Sex Discrimination and Sex-Based Harassment</u> Sex <u>Discrimination and Sex-Based Harassment</u>
4319.11	<u>Sex Discrimination and Sex-Based Harassment</u> Sex <u>Discrimination and Sex-Based Harassment</u>
4319.12	<u>Title IX Sex Discrimination and Sex-Based Harassment</u> <u>Complaint Procedures</u> Title IX Sex Discrimination and <u>Sex-Based Harassment Complaint Procedures</u>
4319.12-E-PDF(1)	<u>Title IX Sex Discrimination and Sex-Based Harassment</u> <u>Complaint Procedures</u> Title IX Sex Discrimination and <u>Sex-Based Harassment Complaint Procedures</u>
4319.22	<u>Dress And Grooming</u> Dress And Grooming
4319.23	<u>Unauthorized Release Of Confidential/Privileged</u> <u>Information</u> Unauthorized Release Of <u>Confidential/Privileged Information</u>
4319.41	<u>Employees With Infectious Disease</u> Employees With <u>Infectious Disease</u>
4331	<u>Staff Development</u> Staff Development
4331	<u>Staff Development</u>
4344	<u>Complaints</u> Complaints
4344	<u>Complaints</u> Complaints
4351	<u>Employee Compensation</u> Employee Compensation
4354	<u>Health And Welfare Benefits</u> Health And Welfare <u>Benefits</u>
4354	<u>Health And Welfare Benefits</u> Health And Welfare <u>Benefits</u>
4361.5	<u>Military Leave</u> Military Leave

4361.8	Family Care And Medical Leave Family Care And Medical Leave
5145.71	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures
5145.71-E PDF(1)	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures
9000	Role Of The Board Role Of The Board
9321	Closed Session Closed Session
9321-E PDF(1)	Closed Session Closed Session
9321-E PDF(2)	Closed Session Closed Session

Policy 4030: Nondiscrimination In Employment

Status: ADOPTED

Original Adopted Date: 08/10/2010 | **Last Revised Date:** 08/22/2023 | **Last Reviewed Date:** 08/22/2023

The Governing Board is determined to provide a safe, positive environment where all district employees are assured of full and equal employment access and opportunities, protection from harassment and intimidation, and freedom from any fear of reprisal or retribution for asserting their employment rights in accordance with law. For purposes of this policy, employees include job applicants, interns, volunteers, and persons who contracted with the district to provide services, as applicable.

No district employee shall be discriminated against or harassed by any coworker, supervisor, manager, or other person with whom the employee comes in contact in the course of employment, on the basis of the employee's actual or perceived race; color; ancestry; national origin; age; religious creed; pregnancy, childbirth, termination of pregnancy, or lactation, including related medical conditions and recovery; parental, family, or marital status; physical or mental disability; medical condition; genetic information; veteran or military status; sex; sex stereotypes; sex characteristics; sexual orientation; gender; gender identity; gender expression; or association with a person or group with one or more of these actual or perceived characteristics.

Employers are also prohibited from discrimination against employees or job applicants on the basis of reproductive health decision-making, defined as a person's decision to use or access a particular drug, device, product, or medical service for reproductive health. (Government Code 12926, 12940)

The district shall not inquire into any employee's immigration status nor discriminate against an employee on the basis of immigration status, unless there is clear and convincing evidence that such inquiry is necessary to comply with federal immigration law. (2 CCR 11028)

Unless otherwise provided for in law, the district may not discriminate against an employee, including an applicant for employment, in any term or condition of employment, or otherwise penalize a person, including termination, based on the person's use of cannabis off the job and away from the workplace, or on a drug screening which finds that the person has nonpsychoactive cannabis metabolites in the applicant's hair, blood, urine, or other bodily fluid. However, the district retains the right to maintain drug-free schools or prohibit employees from possessing, being impaired by, or using cannabis while on the job. (Government Code 12954)

Discrimination in employment based on the characteristics listed above is prohibited in all areas of employment and in all employment-related practices, including the following:

1. Hiring, compensation, terms, conditions, and other privileges of employment

2. Taking adverse employment actions such as termination or denial of employment, promotion, job assignment, or training
3. Unwelcome conduct, whether verbal, physical, or visual, that is offensive and so severe or pervasive as to adversely affect an employee's employment opportunities or that has the purpose or effect of unreasonably interfering with the employee's work performance or creating an intimidating, hostile, or offensive work environment
4. Actions and practices identified as unlawful or discriminatory pursuant to Government Code 12940 or 2 CCR 11006-11086, such as:
 - a. Sex discrimination as specified in Board Policy and Administrative Regulation 4119.11/4219.11/4319.11 - Sex Discrimination and Sex-Based Harassment
 - b. Religious creed discrimination based on an employee's religious belief or observance, including religious dress or grooming practices, or based on the district's failure or refusal to use reasonable means to accommodate an employee's religious belief, observance, or practice which conflicts with an employment requirement
 - c. Requiring medical or psychological examination of a job applicant or making an inquiry into whether a job applicant has a mental or physical disability or a medical condition or as to the severity of any such disability or condition, without the showing of a job-related need or business necessity
 - d. Failure to make reasonable accommodation for the known physical or mental disability of an employee or to engage in a timely, good faith, interactive process with an employee who has requested such accommodations in order to determine the effective reasonable accommodations, if any, to be provided to the employee
 - e. Requiring an applicant or employee to disclose information relating to the employee's reproductive health decision-making

The Board also prohibits retaliation against any district employee who opposes any discriminatory employment practice by the district or its employees, agents, or representatives or who complains, reports an incident, testifies, assists, or in any way participates in the district's complaint process pursuant to this policy. No employee who requests an accommodation for any protected characteristic listed in this policy shall be subjected to any punishment or sanction, regardless of whether the request was granted. (Government Code 12940; 2 CCR 11028)

No employee shall, in exchange for a raise or bonus or as a condition of employment or continued employment, be required to sign a release of the employee's claim or right to file a claim against the district or a non-disparagement agreement or other document that has the purpose or effect of preventing the employee from disclosing information about harassment, discrimination, or other unlawful acts in the workplace, including any conduct that the employee has reasonable cause to believe is unlawful. (Government Code 12964.5)

Complaints concerning employment discrimination, harassment, or retaliation shall immediately be investigated in accordance with procedures specified in the accompanying administrative regulation. However, complaints alleging sex discrimination under Title IX shall be investigated and resolved in accordance with the procedures specified in 34 CFR 106.44 and 106.45 and Administrative Regulation 4119.12/4219.12/4319.12 - Title IX Sex Discrimination and Sex-Based

Harassment Complaint Procedures.

Any supervisory or management employee who observes or has knowledge of an incident of prohibited discrimination or harassment, including harassment of an employee by a nonemployee, shall report the incident to the Superintendent or designated district coordinator within one workday. All other employees shall report such incidents to their supervisor or designated district coordinator within one workday.

The Superintendent or designee shall use all appropriate means to reinforce the district's nondiscrimination policy, including providing training and information to employees about how to recognize harassment, discrimination, or other prohibited conduct, how to respond appropriately, and components of the district's policies and regulations regarding discrimination. The Superintendent or designee shall regularly review the district's employment practices and, as necessary, shall take action to ensure district compliance with the nondiscrimination laws.

Any district employee who engages in prohibited discrimination, harassment, or retaliation or who aids, abets, incites, compels, or coerces another to engage or attempt to engage in such behavior in violation of this policy shall be subject to disciplinary action, up to and including dismissal.

The district shall maintain and preserve all applications, personnel, membership, or employment referral records and files for at least four years after the records are initially created or received or, for an applicant or a terminated employee, for four years after the date the employment action was taken. However, when the district is notified that a complaint has been filed with the California Civil Rights Department, records related to the employee involved shall be maintained and preserved until the later of the first date after the time for filing a civil action has expired or the first date after the complaint has been fully and finally disposed of and all administrative proceedings, civil actions, appeals, or related proceedings have been terminated. (Government Code 12946)

Policy Reference Disclaimer:

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

State	Description
2 CCR 11006-11086	Discrimination in employment
2 CCR 11023	Harassment and discrimination prevention and correction
2 CCR 11024	Required training and education on harassment based on sex, gender identity and expression, and sexual orientation
2 CCR 11027-11028	National origin and ancestry discrimination
5 CCR 4900-4965	Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance

CA Constitution Article 1, Section 1	Inalienable rights
Civ. Code 51.7	Freedom from violence or intimidation
Ed. Code 200-262.4	Prohibition of discrimination
Gov. Code 11135	Prohibition of discrimination
Gov. Code 12900-12996	Fair Employment and Housing Act
Gov. Code 12940-12954	Unlawful employment practices
Gov. Code 12960-12976	Unlawful employment practices; complaints
Lab. Code 1030-1034	Lactation accommodation
Lab. Code 1197.5	Wages, hours and working conditions
Lab. Code 79-107	Division of Labor Standards Enforcement
Pen. Code 422.56	Definitions; hate crimes
Federal	Description
20 USC 1681-1688	Title IX of the Education Amendments of 1972; discrimination based on sex
28 CFR 35.101-35.190	Americans with Disabilities Act
29 CFR 1636	Implementation of the Pregnant Workers Fairness Act
29 USC 218d	Fair Labor Standards Act; Providing Urgent Maternal Protections for Nursing Mothers (PUMP) Act
29 USC 621-634	Age Discrimination in Employment Act
29 USC 794	Rehabilitation Act of 1973; Section 504
34 CFR 100.6	Title VI; Compliance information
34 CFR 104.7	Section 504; Designation of responsible employee and adoption of grievance procedures
34 CFR 104.8	Notice of Nondiscrimination on the Basis of Handicap
34 CFR 106.1-106.82	Discrimination on the basis of sex; effectuating Title IX
34 CFR 110.1-110.39	Nondiscrimination on the basis of age
42 USC 12101-12213	Americans with Disabilities Act
42 USC 2000d-2000d-7	Title VI, Civil Rights Act of 1964
42 USC 2000e-2000e-17	Title VII, Civil Rights Act of 1964, as amended
42 USC 2000ff-2000ff-11	Genetic Information Nondiscrimination Act of 2008
42 USC 2000gg-2000gg-6	Pregnant Workers Fairness Act

42 USC 2000h-2-2000h-6	Title IX of the Civil Rights Act of 1964
42 USC 6101-6107	Age discrimination in federally assisted programs
Executive Order 11246	Equal Employment Opportunity
U.S. Constitution, First Amendment	Free exercise, free speech, and establishment clauses
Management Resources	Description
CA Civil Rights Department Publication	Sexual Harassment, January 2023
CA Civil Rights Department Publication	Family Care and Medical Leave and Pregnancy Disability Leave, January 2023
CA Civil Rights Department Publication	California Law Prohibits Workplace Discrimination and Harassment, January 2024
CA Civil Rights Department Publication	The Rights of Employees Who Are Transgender or Gender Nonconforming: Fact Sheet, November 2022
CA Civil Rights Department Publication	Harassment Prevention Guide for California Employers, 2017
CA Civil Rights Department Publication	Your Rights and Obligations as a Pregnant Employee, January 2023
Court Decision	Burlington Industries, Inc v. Ellerth (1998) 524 U.S. 742
Court Decision	Faragher-Ellerth v. City of Boca Raton (1998) 524 U.S. 775
Court Decision	Groff v. DeJoy (2023) 600 U.S. 447
Court Decision	Kennedy v. Bremerton (2022) 142 S.Ct. 2407
Court Decision	Shephard v. Loyola Marymount (2002) 102 Cal.App. 4th 837
Court Decision	Thomson v. North American Stainless LP (2011) 62 U.S. 170
Federal Register	Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, April 29, 2024, Vol. 89, No. 83, pages 33474-33896
U.S. Department of Education Publication	Guidance on Constitutionally Protected Prayer and Religious Expression in Public Elementary and Secondary Schools, May 2023
U.S. Equal Employment Opportunity Comm Publication	Know Your Rights: Workplace Discrimination is Illegal, June 2023

U.S. Equal Employment Opportunity Comm Publication	Enforcement Guidance on Harassment in the Workplace, April 2024
U.S. Equal Employment Opportunity Comm Publication	EEOC Compliance Manual
Website	U.S. Department of Labor, Office of Federal Contract Compliance Program
Website	CSBA District and County Office of Education Legal Services
Website	California Department of Industrial Relations
Website	California Civil Rights Department
Website	U.S. Department of Education, Office for Civil Rights
Website	Equal Employment Opportunity Commission

Cross References

Code	Description
0410	Nondiscrimination In District Programs And Activities
1113	District And School Websites
1113	District And School Websites
1113	District And School Websites
1114	District-Sponsored Social Media
1114	District-Sponsored Social Media
1240	Volunteer Assistance
1240	Volunteer Assistance
1312.1	Complaints Concerning District Employees
1312.1	Complaints Concerning District Employees
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1313	Civility
3312	Contracts
3530	Risk Management/Insurance

3530	Risk Management/Insurance
3580	District Records
3580	District Records
3600	Consultants
4000	Concepts And Roles
4032	Reasonable Accommodation
4033	Lactation Accommodation
4111	Recruitment And Selection
4111.2	Legal Status Requirement
4111.2	Legal Status Requirement
4112.4	Health Examinations
4112.41	Employee Drug Testing
4112.41	Employee Drug Testing
4112.5	Criminal Record Check
4112.5	Criminal Record Check
4112.6	Personnel Files
4112.8	Employment Of Relatives
4112.9	Employee Notifications
4112.9	Employee Notifications
4113.5	Working Remotely
4114	Transfers
4118	Dismissal/Suspension/Disciplinary Action
4118	Dismissal/Suspension/Disciplinary Action
4119.1	Civil And Legal Rights
4119.11	Sex Discrimination and Sex-Based Harassment
4119.11	Sex Discrimination and Sex-Based Harassment
4119.12	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures
4119.12	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures

4119.22	Dress And Grooming
4119.23	Unauthorized Release Of Confidential/Privileged Information
4119.41	Employees With Infectious Disease
4131	Staff Development
4144	Complaints
4144	Complaints
4151	Employee Compensation
4154	Health And Welfare Benefits
4154	Health And Welfare Benefits
4161.5	Military Leave
4161.8	Family Care And Medical Leave
4211	Recruitment And Selection
4211.2	Legal Status Requirement
4211.2	Legal Status Requirement
4212.4	Health Examinations
4212.41	Employee Drug Testing
4212.41	Employee Drug Testing
4212.6	Personnel Files
4212.8	Employment Of Relatives
4212.9	Employee Notifications
4212.9	Employee Notifications
4213.5	Working Remotely
4218	Dismissal/Suspension/Disciplinary Action
4218	Dismissal/Suspension/Disciplinary Action
4218.1	Dismissal/Suspension/Disciplinary Action (Merit System)
4219.1	Civil And Legal Rights
4219.11	Sex Discrimination and Sex-Based Harassment
4219.11	Sex Discrimination and Sex-Based Harassment

4219.12	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures
4219.12	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures
4219.22	Dress And Grooming
4219.23	Unauthorized Release Of Confidential/Privileged Information
4219.41	Employees With Infectious Disease
4231	Staff Development
4244	Complaints
4244	Complaints
4251	Employee Compensation
4254	Health And Welfare Benefits
4254	Health And Welfare Benefits
4261.5	Military Leave
4261.8	Family Care And Medical Leave
4311	Recruitment And Selection
4311.2	Legal Status Requirement
4311.2	Legal Status Requirement
4312.4	Health Examinations
4312.41	Employee Drug Testing
4312.41	Employee Drug Testing
4312.6	Personnel Files
4312.8	Employment Of Relatives
4312.9	Employee Notifications
4312.9	Employee Notifications
4313.5	Working Remotely
4319.1	Civil And Legal Rights
4319.11	Sex Discrimination and Sex-Based Harassment
4319.11	Sex Discrimination and Sex-Based Harassment

4319.12	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures
4319.12	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures
4319.22	Dress And Grooming
4319.23	Unauthorized Release Of Confidential/Privileged Information
4319.41	Employees With Infectious Disease
4331	Staff Development
4344	Complaints
4344	Complaints
4351	Employee Compensation
4354	Health And Welfare Benefits
4354	Health And Welfare Benefits
4361.5	Military Leave
4361.8	Family Care And Medical Leave
5145.71	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures
5145.71	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures
9000	Role Of The Board
9321	Closed Session
9321	Closed Session
9321	Closed Session

Policy 4033: Lactation Accommodation

Status: ADOPTED

Original Adopted Date: [05/13/2012](#) | **Last Revised Date:** [02/11/2020](#) |
Last Reviewed Date: [02/11/2020](#)

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

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

Lactation accommodations shall be granted unless limited circumstances exist as specified in law. -(Labor Code 1031, 1032; 29 USC ~~207~~218d, 42 USC 2000gg-1)

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

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

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

Break Time and Location Requirements

The district shall provide a reasonable amount of break time to accommodate an employee each

time the employee has a need to express breast milk for an infant child.—(Labor Code 1030); 42 USC 2000gg-1; 34 CFR 106.57)

To the extent possible, any break time granted for lactation accommodation shall run concurrently with the break time already provided to the employee. Any additional break time used by a non-exempt employee for this purpose shall be unpaid.—(Labor Code 1030; 29 USC ~~207~~218d)

The employee shall be provided a lactation space which may be used by the use of employee for expressing breast milk or breastfeeding as needed. The lactation space shall be a private room or location, other than a bathroom, which may be the employee's work area or another location that is in close proximity to the employee's work area.—The room or location provided, and shall meet the following requirements:—(Labor Code 1031; 29 USC ~~207~~218d; 34 CFR 106.57)

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

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

~~Dispute Resolution~~

~~An~~ (Labor Code 1031)

Dispute Resolution

Complaints alleging sex discrimination under Title IX shall be investigated and resolved in accordance with the procedures specified in 34 CFR 106.44 and 106.45 and Administrative Regulation 4119.12/4219.12/4319.12 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures.

Additionally, an employee may file a complaint with the Wage and Hour Division of the U.S. Department of Labor for an alleged violation of the Providing Urgent Maternal Protections for Nursing Mothers Act and/or the Equal Employment Opportunity Commission for failure to provide reasonable accommodations pursuant to the Pregnant Workers Fairness Act. (29 USC 218c, 218d, 42 USC 2000gg-2).

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

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

2 CCR 11035-11051

Description

Unlawful sex discrimination; pregnancy, childbirth, and related medical conditions

29 USC 218c

Fair Labor Standards Act; protections for employees

Civ. Code 43.3

[Right of mothers to breastfeed in any public or private location](#)

Ed. Code 200-262.4

[Prohibition of discrimination](#)

Gov. Code 12925-12954

Unlawful discriminatory employment practices

Gov. Code 12945

[Unlawful discrimination based on pregnancy, childbirth, or related medical conditions](#)

Lab. Code 1030-1034

[Lactation Accommodation](#)

Lab. Code 6382

[Procedure for listing hazardous substances](#)

Federal

20 USC 1681-1688

Description

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

29 CFR 1636

Implementation of the Pregnant Workers Fairness Act

29 USC 218d

Fair Labor Standards Act; Providing Urgent Maternal Protections for Nursing Mothers (PUMP) Act

34 CFR 106.1-106.82

Discrimination on the basis of sex; effectuating Title IX

42 USC 2000gg-2000gg-6

Pregnant Workers Fairness Act

Management Resources

Description

CA Department of Industrial Relations Publication

[Rest Periods/Lactation Accommodation, Frequently Asked Questions](#)

California Civil Rights Department Decision

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

California Department of Public Health Publication

[Lactation Accommodation for Employers](#)

Federal Register	<u>Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, April 29, 2024, Vol. 89, No. 83, pages 33474-33896</u>
Federal Register	<u>Reasonable Break Time for Nursing Mothers, December 21, 2010, Vol. 78, No. 244, pages 80073-80079</u>
Office of the Surgeon General Publication	<u>The Surgeon General's Call to Action to Support Breastfeeding, 2011</u>
U.S. DoL, Wage and Hour Div., Publication	<u>Education FAQs</u>
U.S. DoL, Wage and Hour Div., Publication	<u>Frequently Asked Questions - Pumping Breast Milk at Work</u>
U.S. DoL, Wage and Hour Div., Publication	<u>Fact Sheet #73: FLSA Protections for Employees to Pump Breast Milk at Work, rev. January 2023</u>
U.S. HHS Office on Women's Health Publication	<u>The Business Case for Breastfeeding: Steps for Creating a Breastfeeding Friendly Worksite, Toolkit, 2008</u>
Website	<u>CSBA District and County Office of Education Legal Services</u>
Website	<u>Equal Employment Opportunity Commission</u>
Website	<u>California Department of Industrial Relations, Division of Labor and Standards Enforcement</u>
Website	<u>California Department of Public Health</u>
Website	<u>California Women, Infants and Children Program</u>
Website	<u>Centers for Disease Control and Prevention</u>
Website	<u>Health Resources and Services Administration</u>
Website	<u>Office of the Surgeon General</u>
Website	<u>U.S. Department of Labor, Wage and Hour Division, FLSA Protections to Pump at Work</u>

Cross References

Code	Description
0410	<u>Nondiscrimination In District Programs And Activities</u> <u>Nondiscrimination In District Programs And Activities</u>

4030	<u>Nondiscrimination In Employment</u> <u>Nondiscrimination In Employment</u>
4030	<u>Nondiscrimination In Employment</u> <u>Nondiscrimination In Employment</u>
4032	<u>Reasonable Accommodation</u> <u>Reasonable Accommodation</u>
4112.9	<u>Employee Notifications</u> <u>Employee Notifications</u>
4112.9	<u>Employee Notifications</u> <u>Employee Notifications</u>
4112.9-E PDF(1)	<u>Employee Notifications</u>
4113.4	<u>Temporary Modified/Light-Duty Assignment</u> <u>Temporary Modified/Light-Duty Assignment</u>
4119.11	<u>Sex Discrimination and Sex-Based Harassment</u> <u>Sex Discrimination and Sex-Based Harassment</u>
4119.11	<u>Sex Discrimination and Sex-Based Harassment</u> <u>Sex Discrimination and Sex-Based Harassment</u>
4119.12	<u>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</u> <u>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</u>
4119.12-E PDF(1)	<u>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</u> <u>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</u>
4144	<u>Complaints</u> <u>Complaints</u>
4144	<u>Complaints</u> <u>Complaints</u>
4161.8	<u>Family Care And Medical Leave</u> <u>Family Care And Medical Leave</u>
4212.9	<u>Employee Notifications</u> <u>Employee Notifications</u>
4212.9	<u>Employee Notifications</u> <u>Employee Notifications</u>
4212.9-E PDF(1)	<u>Employee Notifications</u>
4213.4	<u>Temporary Modified/Light-Duty Assignment</u> <u>Temporary Modified/Light-Duty Assignment</u>
4219.11	<u>Sex Discrimination and Sex-Based Harassment</u> <u>Sex Discrimination and Sex-Based Harassment</u>
4219.11	<u>Sex Discrimination and Sex-Based Harassment</u> <u>Sex Discrimination and Sex-Based Harassment</u>

4219.12	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures
4219.12-E PDF(1)	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures
4244	Complaints Complaints
4244	Complaints Complaints
4261.8	Family Care And Medical Leave Family Care And Medical Leave
4312.9	Employee Notifications Employee Notifications
4312.9	Employee Notifications Employee Notifications
4312.9-E PDF(1)	Employee Notifications
4313.4	Temporary Modified/Light-Duty Assignment Temporary Modified/Light-Duty Assignment
4319.11	Sex Discrimination and Sex-Based Harassment Sex Discrimination and Sex-Based Harassment
4319.11	Sex Discrimination and Sex-Based Harassment Sex Discrimination and Sex-Based Harassment
4319.12	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures
4319.12-E PDF(1)	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures
4344	Complaints Complaints
4344	Complaints Complaints
4361.8	Family Care And Medical Leave Family Care And Medical Leave

Policy 4033: Lactation Accommodation

Status: ADOPTED

Original Adopted Date: 05/13/2012 | **Last Revised Date:** 02/11/2020 | **Last Reviewed Date:** 02/11/2020

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

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

Lactation accommodations shall be granted unless limited circumstances exist as specified in law. (Labor Code 1031, 1032; 29 USC 218d, 42 USC 2000gg-1)

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

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

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

Break Time and Location Requirements

The district shall provide a reasonable amount of break time to accommodate an employee each time the employee has a need to express breast milk for an infant child. (Labor Code 1030; 42 USC 2000gg-1; 34 CFR 106.57)

To the extent possible, any break time granted for lactation accommodation shall run concurrently with the break time already provided to the employee. Any additional break time used by a non-exempt employee for this purpose shall be unpaid. (Labor Code 1030; 29 USC 218d)

The employee shall be provided a lactation space which may be used by the employee for expressing breast milk or breastfeeding as needed. The lactation space shall be a private room or location, other than a bathroom, which may be the employee's work area or another location that is in close proximity to the employee's work area, and shall meet the following requirements: (Labor Code 1031; 29 USC 218d; 34 CFR 106.57)

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

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

Dispute Resolution

Complaints alleging sex discrimination under Title IX shall be investigated and resolved in accordance with the procedures specified in 34 CFR 106.44 and 106.45 and Administrative Regulation 4119.12/4219.12/4319.12 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures.

Additionally, an employee may file a complaint with the Wage and Hour Division of the U.S. Department of Labor for an alleged violation of the Providing Urgent Maternal Protections for Nursing Mothers Act and/or the Equal Employment Opportunity Commission for failure to provide reasonable accommodations pursuant to the Pregnant Workers Fairness Act. (29 USC 218c, 218d, 42 USC 2000gg-2).

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

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State

2 CCR 11035-11051

Description

Unlawful sex discrimination; pregnancy, childbirth, and related medical conditions

29 USC 218c

Fair Labor Standards Act; protections for employees

Civ. Code 43.3	Right of mothers to breastfeed in any public or private location
Ed. Code 200-262.4	Prohibition of discrimination
Gov. Code 12925-12954	Unlawful discriminatory employment practices
Gov. Code 12945	Unlawful discrimination based on pregnancy, childbirth, or related medical conditions
Lab. Code 1030-1034	Lactation Accommodation
Lab. Code 6382	Procedure for listing hazardous substances
Federal	Description
20 USC 1681-1688	Title IX of the Education Amendments of 1972; discrimination based on sex
29 CFR 1636	Implementation of the Pregnant Workers Fairness Act
29 USC 218d	Fair Labor Standards Act; Providing Urgent Maternal Protections for Nursing Mothers (PUMP) Act
34 CFR 106.1-106.82	Discrimination on the basis of sex; effectuating Title IX
42 USC 2000gg-2000gg-6	Pregnant Workers Fairness Act
Management Resources	Description
CA Department of Industrial Relations Publication	Rest Periods/Lactation Accommodation, Frequently Asked Questions
California Civil Rights Department Decision	Department of Fair Employment and Housing v. Acosta Tacos (Chavez), FEHC Precedential Decision 09-03P, 2009
California Department of Public Health Publication	Lactation Accommodation for Employers
Federal Register	Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, April 29, 2024, Vol. 89, No. 83, pages 33474-33896
Federal Register	Reasonable Break Time for Nursing Mothers, December 21, 2010, Vol. 78, No. 244, pages 80073-80079
Office of the Surgeon General Publication	The Surgeon General's Call to Action to Support Breastfeeding, 2011
U.S. DoL, Wage and Hour Div., Publication	Education FAQs
U.S. DoL, Wage and Hour Div., Publication	Frequently Asked Questions - Pumping Breast Milk at Work

U.S. DoL, Wage and Hour Div., Publication	Fact Sheet #73: FLSA Protections for Employees to Pump Breast Milk at Work, rev. January 2023
U.S. HHS Office on Women's Health Publication	The Business Case for Breastfeeding: Steps for Creating a Breastfeeding Friendly Worksite, Toolkit, 2008
Website	CSBA District and County Office of Education Legal Services
Website	Equal Employment Opportunity Commission
Website	California Department of Industrial Relations, Division of Labor and Standards Enforcement
Website	California Department of Public Health
Website	California Women, Infants and Children Program
Website	Centers for Disease Control and Prevention
Website	Health Resources and Services Administration
Website	Office of the Surgeon General
Website	U.S. Department of Labor, Wage and Hour Division, FLSA Protections to Pump at Work

Cross References

Code	Description
0410	Nondiscrimination In District Programs And Activities
4030	Nondiscrimination In Employment
4030	Nondiscrimination In Employment
4032	Reasonable Accommodation
4112.9	Employee Notifications
4112.9	Employee Notifications
4113.4	Temporary Modified/Light-Duty Assignment
4119.11	Sex Discrimination and Sex-Based Harassment
4119.11	Sex Discrimination and Sex-Based Harassment
4119.12	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures
4119.12	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures

4144	Complaints
4144	Complaints
4161.8	Family Care And Medical Leave
4212.9	Employee Notifications
4212.9	Employee Notifications
4213.4	Temporary Modified/Light-Duty Assignment
4219.11	Sex Discrimination and Sex-Based Harassment
4219.11	Sex Discrimination and Sex-Based Harassment
4219.12	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures
4219.12	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures
4244	Complaints
4244	Complaints
4261.8	Family Care And Medical Leave
4312.9	Employee Notifications
4312.9	Employee Notifications
4313.4	Temporary Modified/Light-Duty Assignment
4319.11	Sex Discrimination and Sex-Based Harassment
4319.11	Sex Discrimination and Sex-Based Harassment
4319.12	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures
4319.12	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures
4344	Complaints
4344	Complaints
4361.8	Family Care And Medical Leave

Policy 4112.9/4212.9/4312.9: Employee Notifications

Status: ADOPTED

Original Adopted Date: ~~11/27/2012~~06/01/1994 | **Last Revised Date:** ~~03/22/2022~~06/01/2024 |
Last Reviewed Date: ~~03/22/2022~~06/01/2024

The Governing Board 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 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 – District Records)~~

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

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State	Description
13 CCR 1234	Reports regarding school buses and bus drivers
13 CCR 2480	Vehicle idling; limitations
2 CCR 11023	Harassment and discrimination prevention and correction
2 CCR 11035-11051	Unlawful sex discrimination; pregnancy, childbirth, and related medical conditions
2 CCR 11087-11098	California Family Rights Act
5 CCR 4622	Uniform complaint procedures
5 CCR 80303	Reports of change in employment status; alleged misconduct
8 CCR 3204	Access to employee exposure and medical records
8 CCR 5191	Chemical hygiene plan

8 CCR 5194	Hazard communication
Civ. Code 1798.29	District records; breach of security
Ed. Code 17612	Notification of pesticide use
Ed. Code 22455.5	STRS information to potential members
Ed. Code 22461	Postretirement compensation limitation
Ed. Code 231.5	Sexual harassment policy
Ed. Code 35031	Term of employment
Ed. Code 35171	Availability of rules and regulations for evaluation of performance
Ed. Code 37616	Consultation regarding year-round schedule
Ed. Code 44663-44664	Evaluation of certificated employees
Ed. Code 44842	Reemployment notices; certificated employees
Ed. Code 44896	Transfer of administrator or supervisor to teaching position
Ed. Code 44916	Written statement of employment status
Ed. Code 44929.21	Notice of reelection decision; districts with 250 ADA or more
Ed. Code 44929.23	Districts with less than 250 ADA
Ed. Code 44934	Notice of disciplinary action for cause
Ed. Code 44938	Notice of unprofessional conduct and opportunity to correct
Ed. Code 44940.5-44941	Notification of suspension and intent to dismiss
Ed. Code 44948.3-44948.5	Dismissal of probationary employees
Ed. Code 44948.5	Nonreelection procedures; districts under 250 ADA
Ed. Code 44949	Dismissal of probationary employees
Ed. Code 44951	Continuation in position unless notified; administrative or supervisory personnel
Ed. Code 44954	Nonreelection of temporary employees
Ed. Code 44955	Reduction in number of permanent employees
Ed. Code 44955.5	Decrease in number of permanent employees during specified time period upon determination related to

	<u>local control funding formula per unit of average daily attendance</u>
Ed. Code 45113	<u>Notification of charges; classified employees</u>
Ed. Code 45117	<u>Notice of layoff; classified employees</u>
Ed. Code 45169	<u>Employee salary data; classified employees</u>
Ed. Code 45192	<u>Industrial accident and illness leave for classified employees</u>
Ed. Code 45195	<u>Additional leave</u>
Ed. Code 46162	<u>Alternative schedule for junior high and high school; public hearing with notice</u>
Ed. Code 48201	<u>Transfer student's record for acts that resulted in suspension or expulsion</u>
Ed. Code 48851.3	Education of students in foster care and students who are homeless
Ed. Code 49013	<u>Complaints regarding student fees</u>
Ed. Code 49079	<u>Notification to teacher, student who has engaged in acts re: grounds suspension or expulsion</u>
Ed. Code 49414	<u>Epinephrine auto-injectors</u>
Ed. Code 49414.3	<u>Administration of opioid antagonist</u>
Gov. Code 1126	<u>Incompatible activities of employees</u>
Gov. Code 12950	<u>Sexual harassment</u>
Gov. Code 21029	<u>Retirement credit for period of military service</u>
Gov. Code 54957	<u>Complaints against employees; right to open session</u>
Gov. Code 54963	<u>Unauthorized disclosure of confidential information</u>
Gov. Code 8355	<u>Certification of drug-free workplace, including notification</u>
H&S Code 104420	<u>Tobacco-free schools</u>
H&S Code 120875	<u>Information on AIDS, AIDS-related conditions, and hepatitis B</u>
H&S Code 120880	<u>Notification to employees re AIDS, AIDS-related conditions, and hepatitis B</u>
H&S Code 1797.196	<u>Automated external defibrillators; notification of use and locations</u>

Lab. Code 230	<u>Accommodations and leave for victims of domestic violence</u>
Lab. Code 2800.2	<u>Notification of availability of continuation health coverage</u>
Lab. Code 3550-3553	<u>Notifications: Workers' compensation benefits</u>
Lab. Code 5401	<u>Workers' compensation; claim form and notice of potential eligibility</u>
Pen. Code 11165.7	<u>Child Abuse and Neglect Reporting Act; notification requirement</u>
Pen. Code 11166.5	<u>Employment; statement of knowledge of duty to report child abuse or neglect</u>
Unemp. Ins. Code 2613	<u>Disability insurance; notice of rights and benefits</u>
W&I Code 827	<u>Limited exception to juvenile court record</u>
Federal	Description
20 USC 2354	Local application for career and technical education programs
29 CFR 825.300	Family and Medical Leave Act; notice requirement
34 CFR 100	Nondiscrimination under programs receiving federal assistance
34 CFR 104.8	Nondiscrimination
34 CFR 106.9	Severability
34 CFR 84.205-84.210	Drug-free workplace statement
38 USC 4334	Uniformed Services Employment and Reemployment Rights Act; notice requirement
40 CFR 763.84	Asbestos inspections, response actions and post-response actions
40 CFR 763.93	Asbestos management plans
41 USC 8101-8106	Drug-Free Workplace Act
42 USC 11431-11435	McKinney-Vento Homeless Assistance Act
49 CFR 382.113	Controlled substance and alcohol use and testing notifications
49 CFR 382.303	Post-accident information, procedures, and instructions

49 CFR 382.601

Controlled substance and alcohol use and testing notification

Management Resources

Website

Description

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

Cross References

Code	Description
1312.3	Uniform Complaint Procedures Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures Uniform Complaint Procedures
1312.3-E PDF(1)	Uniform Complaint Procedures Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
2121	Superintendent's Contract Superintendent's Contract
3260	Fees And Charges Fees And Charges
3260	Fees And Charges Fees And Charges
3513.3	Tobacco-Free Schools Tobacco-Free Schools
3513.3	Tobacco-Free Schools Tobacco-Free Schools
3514	Environmental Safety Environmental Safety
3514	Environmental Safety Environmental Safety
3514.1	Hazardous Substances Hazardous Substances
3514.1	Hazardous Substances Hazardous Substances
3514.2	Integrated Pest Management Integrated Pest Management
3515.3	District Police/Security Department
3515.3	District Police/Security Department
3542	School Bus Drivers School Bus Drivers
3580	District Records District Records
3580	District Records District Records
4020	Drug And Alcohol-Free Workplace Drug And Alcohol-Free Workplace
4030	Nondiscrimination In Employment Nondiscrimination In Employment

4030	<u>Nondiscrimination In Employment</u> <u>Nondiscrimination In Employment</u>
4033	<u>Lactation Accommodation</u> <u>Lactation Accommodation</u>
4112.42	<u>Drug And Alcohol Testing For School Bus Drivers</u> <u>Drug And Alcohol Testing For School Bus Drivers</u>
<u>4112.42</u>	<u>Drug And Alcohol Testing For School Bus Drivers</u>
4112.5	<u>Criminal Record Check</u> <u>Criminal Record Check</u>
4112.5-E PDF(1)	<u>Criminal Record Check</u> <u>Criminal Record Check</u>
4112.6	<u>Personnel Files</u> <u>Personnel Files</u>
4115	<u>Evaluation/Supervision</u> <u>Evaluation/Supervision</u>
4115	<u>Evaluation/Supervision</u> <u>Evaluation/Supervision</u>
4116	<u>Probationary/Permanent Status</u> <u>Probationary/Permanent Status</u>
4116	<u>Probationary/Permanent Status</u> <u>Probationary/Permanent Status</u>
4117.14	<u>Postretirement Employment</u> <u>Postretirement Employment</u>
4117.3	<u>Personnel Reduction</u> <u>Personnel Reduction</u>
4117.7	<u>Employment Status Reports</u> <u>Employment Status Reports</u>
4118	<u>Dismissal/Suspension/Disciplinary Action</u> <u>Dismissal/Suspension/Disciplinary Action</u>
4118	<u>Dismissal/Suspension/Disciplinary Action</u> <u>Dismissal/Suspension/Disciplinary Action</u>
4119.11	<u>Sexual Harassment</u> <u>Sexual Harassment</u>
4119.11	<u>Sexual Harassment</u> <u>Sexual Harassment</u>
4119.43	<u>Universal Precautions</u> <u>Universal Precautions</u>
4119.43	<u>Universal Precautions</u> <u>Universal Precautions</u>
4121	<u>Temporary/Substitute Personnel</u> <u>Temporary/Substitute Personnel</u>
4121	<u>Temporary/Substitute Personnel</u> <u>Temporary/Substitute Personnel</u>
4136	<u>Nonschool Employment</u> <u>Nonschool Employment</u>
4154	<u>Health And Welfare Benefits</u> <u>Health And Welfare Benefits</u>

4154	Health And Welfare Benefits Health And Welfare Benefits
4157	Employee Safety Employee Safety
4157	Employee Safety Employee Safety
4157.1	Work-Related Injuries Work-Related Injuries
4157.1	Work-Related Injuries
4158	Employee Security Employee Security
4158	Employee Security Employee Security
4161.1	Personal Illness/Injury Leave Personal Illness/Injury Leave
4161.11	Industrial Accident/Illness Leave Industrial Accident/Illness Leave
4161.2	Personal Leaves Personal Leaves
4161.5	Military Leave Military Leave
4161.8	Family Care And Medical Leave Family Care And Medical Leave
4212	Appointment And Conditions Of Employment Appointment And Conditions Of Employment
4212.42	Drug And Alcohol Testing For School Bus Drivers Drug And Alcohol Testing For School Bus Drivers
4212.42	Drug And Alcohol Testing For School Bus Drivers
4212.5	Criminal Record Check Criminal Record Check
4212.5-E PDF(1)	Criminal Record Check Criminal Record Check
4212.6	Personnel Files Personnel Files
4216	Probationary/Permanent Status Probationary/Permanent Status
4217.3	Layoff/Rehire
4219.11	Sexual Harassment Sexual Harassment
4219.11	Sexual Harassment Sexual Harassment
4219.43	Universal Precautions Universal Precautions
4219.43	Universal Precautions Universal Precautions
4236	Nonschool Employment Nonschool Employment
4254	Health And Welfare Benefits Health And Welfare Benefits
4254	Health And Welfare Benefits Health And Welfare Benefits

4257	<u>Employee SafetyEmployee Safety</u>
4257	<u>Employee SafetyEmployee Safety</u>
4257.1	<u>Work-Related InjuriesWork-Related Injuries</u>
4257.1	<u>Work-Related Injuries</u>
4258	<u>Employee SecurityEmployee Security</u>
4258	<u>Employee SecurityEmployee Security</u>
4261.1	<u>Personal Illness/Injury LeavePersonal Illness/Injury Leave</u>
4261.11	<u>Industrial Accident/Illness LeaveIndustrial Accident/Illness Leave</u>
4261.2	<u>Personal LeavesPersonal Leaves</u>
4261.5	<u>Military LeaveMilitary Leave</u>
4261.8	<u>Family Care And Medical LeaveFamily Care And Medical Leave</u>
4312.1	<u>ContractsContracts</u>
4312.42	<u>Drug And Alcohol Testing For School Bus DriversDrug And Alcohol Testing For School Bus Drivers</u>
4312.42	<u>Drug And Alcohol Testing For School Bus Drivers</u>
4312.5	<u>Criminal Record CheckCriminal Record Check</u>
4312.5-E PDF(1)	<u>Criminal Record CheckCriminal Record Check</u>
4312.6	<u>Personnel FilesPersonnel Files</u>
4315	<u>Evaluation/SupervisionEvaluation/Supervision</u>
4317.14	<u>Postretirement EmploymentPostretirement Employment</u>
4317.7	<u>Employment Status ReportsEmployment Status Reports</u>
4319.11	<u>Sexual HarassmentSexual Harassment</u>
4319.11	<u>Sexual HarassmentSexual Harassment</u>
4319.43	<u>Universal PrecautionsUniversal Precautions</u>
4319.43	<u>Universal PrecautionsUniversal Precautions</u>
4336	<u>Nonschool EmploymentNonschool Employment</u>
4354	<u>Health And Welfare BenefitsHealth And Welfare Benefits</u>
4354	<u>Health And Welfare BenefitsHealth And Welfare Benefits</u>
4357	<u>Employee SafetyEmployee Safety</u>

4357	<u>Employee Safety</u> Employee Safety
4357.1	<u>Work-Related Injuries</u> Work-Related Injuries
4357.1	<u>Work-Related Injuries</u>
4358	<u>Employee Security</u> Employee Security
4358	<u>Employee Security</u> Employee Security
4361.1	<u>Personal Illness/Injury Leave</u> Personal Illness/Injury Leave
4361.11	<u>Industrial Accident/Illness Leave</u> Industrial Accident/Illness Leave
4361.2	<u>Personal Leaves</u> Personal Leaves
4361.5	<u>Military Leave</u> Military Leave
4361.8	<u>Family Care And Medical Leave</u> Family Care And Medical Leave
5141.21	<u>Administering Medication And Monitoring Health Conditions</u> Administering Medication And Monitoring Health Conditions
5141.21	<u>Administering Medication And Monitoring Health Conditions</u> Administering Medication And Monitoring Health Conditions
5141.4	<u>Child Abuse Prevention And Reporting</u> Child Abuse Prevention And Reporting
5141.4	<u>Child Abuse Prevention And Reporting</u> Child Abuse Prevention And Reporting
5145.3	<u>Nondiscrimination/Harassment</u> Nondiscrimination/Harassment
5145.3	<u>Nondiscrimination/Harassment</u> Nondiscrimination/Harassment
6117	<u>Year-Round Schedules</u>
6173	<u>Education For Homeless Children</u> Education For Homeless Children
6173	<u>Education For Homeless Children</u> Education For Homeless Children
6173-E PDF(1)	<u>Education For Homeless Children</u> Education For Homeless Children
6173	<u>Education For Homeless Children</u>
6178	<u>Career Technical Education</u> Career Technical Education
6178	<u>Career Technical Education</u> Career Technical Education

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~~Board Policies~~Board Policies

9321

~~Closed Session~~Closed Session

9321-E PDF(1)

~~Closed Session~~Closed Session

9321-E PDF(2)

~~Closed Session~~Closed Session

Policy 4112.9/4212.9/4312.9: Employee Notifications

Status: ADOPTED

Original Adopted Date: 06/01/1994 | Last Revised Date: 06/01/2024 | Last Reviewed Date: 06/01/2024

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2 CCR 11087-11098	California Family Rights Act
5 CCR 4622	Uniform complaint procedures
5 CCR 80303	Reports of change in employment status; alleged misconduct
8 CCR 3204	Access to employee exposure and medical records
8 CCR 5191	Chemical hygiene plan
8 CCR 5194	Hazard communication
Civ. Code 1798.29	District records; breach of security
Ed. Code 17612	Notification of pesticide use

Ed. Code 22455.5	<u>STRS information to potential members</u>
Ed. Code 22461	<u>Postretirement compensation limitation</u>
Ed. Code 231.5	<u>Sexual harassment policy</u>
Ed. Code 35031	<u>Term of employment</u>
Ed. Code 35171	<u>Availability of rules and regulations for evaluation of performance</u>
Ed. Code 37616	<u>Consultation regarding year-round schedule</u>
Ed. Code 44663-44664	<u>Evaluation of certificated employees</u>
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Ed. Code 44896	<u>Transfer of administrator or supervisor to teaching position</u>
Ed. Code 44916	<u>Written statement of employment status</u>
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Ed. Code 44929.23	<u>Districts with less than 250 ADA</u>
Ed. Code 44934	<u>Notice of disciplinary action for cause</u>
Ed. Code 44938	<u>Notice of unprofessional conduct and opportunity to correct</u>
Ed. Code 44940.5-44941	<u>Notification of suspension and intent to dismiss</u>
Ed. Code 44948.3-44948.5	<u>Dismissal of probationary employees</u>
Ed. Code 44948.5	<u>Nonreelection procedures; districts under 250 ADA</u>
Ed. Code 44949	<u>Dismissal of probationary employees</u>
Ed. Code 44951	<u>Continuation in position unless notified; administrative or supervisory personnel</u>
Ed. Code 44954	<u>Nonreelection of temporary employees</u>
Ed. Code 44955	<u>Reduction in number of permanent employees</u>
Ed. Code 44955.5	<u>Decrease in number of permanent employees during specified time period upon determination related to local control funding formula per unit of average daily attendance</u>
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Ed. Code 45117	<u>Notice of layoff; classified employees</u>

Ed. Code 45169	<u>Employee salary data; classified employees</u>
Ed. Code 45192	<u>Industrial accident and illness leave for classified employees</u>
Ed. Code 45195	<u>Additional leave</u>
Ed. Code 46162	<u>Alternative schedule for junior high and high school; public hearing with notice</u>
Ed. Code 48201	<u>Transfer student's record for acts that resulted in suspension or expulsion</u>
Ed. Code 48851.3	Education of students in foster care and students who are homeless
Ed. Code 49013	<u>Complaints regarding student fees</u>
Ed. Code 49079	<u>Notification to teacher, student who has engaged in acts re: grounds suspension or expulsion</u>
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Ed. Code 49414.3	<u>Administration of opioid antagonist</u>
Gov. Code 1126	<u>Incompatible activities of employees</u>
Gov. Code 12950	<u>Sexual harassment</u>
Gov. Code 21029	<u>Retirement credit for period of military service</u>
Gov. Code 54957	<u>Complaints against employees; right to open session</u>
Gov. Code 54963	<u>Unauthorized disclosure of confidential information</u>
Gov. Code 8355	<u>Certification of drug-free workplace, including notification</u>
H&S Code 104420	<u>Tobacco-free schools</u>
H&S Code 120875	<u>Information on AIDS, AIDS-related conditions, and hepatitis B</u>
H&S Code 120880	<u>Notification to employees re AIDS, AIDS-related conditions, and hepatitis B</u>
H&S Code 1797.196	<u>Automated external defibrillators; notification of use and locations</u>
Lab. Code 230	<u>Accommodations and leave for victims of domestic violence</u>
Lab. Code 2800.2	<u>Notification of availability of continuation health coverage</u>

Lab. Code 3550-3553	Notifications: Workers' compensation benefits
Lab. Code 5401	Workers' compensation; claim form and notice of potential eligibility
Pen. Code 11165.7	Child Abuse and Neglect Reporting Act; notification requirement
Pen. Code 11166.5	Employment; statement of knowledge of duty to report child abuse or neglect
Unemp. Ins. Code 2613	Disability insurance; notice of rights and benefits
W&I Code 827	Limited exception to juvenile court record
Federal	Description
20 USC 2354	Local application for career and technical education programs
29 CFR 825.300	Family and Medical Leave Act; notice requirement
34 CFR 100	Nondiscrimination under programs receiving federal assistance
34 CFR 104.8	Nondiscrimination
34 CFR 106.9	Severability
34 CFR 84.205-84.210	Drug-free workplace statement
38 USC 4334	Uniformed Services Employment and Reemployment Rights Act; notice requirement
40 CFR 763.84	Asbestos inspections, response actions and post-response actions
40 CFR 763.93	Asbestos management plans
41 USC 8101-8106	Drug-Free Workplace Act
42 USC 11431-11435	McKinney-Vento Homeless Assistance Act
49 CFR 382.113	Controlled substance and alcohol use and testing notifications
49 CFR 382.303	Post-accident information, procedures, and instructions
49 CFR 382.601	Controlled substance and alcohol use and testing notification
Management Resources	Description
Website	CSBA District and County Office of Education Legal Services

Cross References

Code	Description
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
2121	Superintendent's Contract
3260	Fees And Charges
3260	Fees And Charges
3513.3	Tobacco-Free Schools
3513.3	Tobacco-Free Schools
3514	Environmental Safety
3514	Environmental Safety
3514.1	Hazardous Substances
3514.1	Hazardous Substances
3514.2	Integrated Pest Management
3515.3	District Police/Security Department
3515.3	District Police/Security Department
3542	School Bus Drivers
3580	District Records
3580	District Records
4020	Drug And Alcohol-Free Workplace
4030	Nondiscrimination In Employment
4030	Nondiscrimination In Employment
4033	Lactation Accommodation
4112.42	Drug And Alcohol Testing For School Bus Drivers
4112.42	Drug And Alcohol Testing For School Bus Drivers
4112.5	Criminal Record Check
4112.5	Criminal Record Check
4112.6	Personnel Files
4115	Evaluation/Supervision

4115	Evaluation/Supervision
4116	Probationary/Permanent Status
4116	Probationary/Permanent Status
4117.14	Postretirement Employment
4117.3	Personnel Reduction
4117.7	Employment Status Reports
4118	Dismissal/Suspension/Disciplinary Action
4118	Dismissal/Suspension/Disciplinary Action
4119.11	Sexual Harassment
4119.11	Sexual Harassment
4119.43	Universal Precautions
4119.43	Universal Precautions
4121	Temporary/Substitute Personnel
4121	Temporary/Substitute Personnel
4136	Nonschool Employment
4154	Health And Welfare Benefits
4154	Health And Welfare Benefits
4157	Employee Safety
4157	Employee Safety
4157.1	Work-Related Injuries
4158	Employee Security
4158	Employee Security
4161.1	Personal Illness/Injury Leave
4161.11	Industrial Accident/Illness Leave
4161.2	Personal Leaves
4161.5	Military Leave
4161.8	Family Care And Medical Leave
4212	Appointment And Conditions Of Employment
4212.42	Drug And Alcohol Testing For School Bus Drivers
4212.42	Drug And Alcohol Testing For School Bus Drivers

4212.5	Criminal Record Check
4212.5	Criminal Record Check
4212.6	Personnel Files
4216	Probationary/Permanent Status
4217.3	Layoff/Rehire
4219.11	Sexual Harassment
4219.11	Sexual Harassment
4219.43	Universal Precautions
4219.43	Universal Precautions
4236	Nonschool Employment
4254	Health And Welfare Benefits
4254	Health And Welfare Benefits
4257	Employee Safety
4257	Employee Safety
4257.1	Work-Related Injuries
4258	Employee Security
4258	Employee Security
4261.1	Personal Illness/Injury Leave
4261.11	Industrial Accident/Illness Leave
4261.2	Personal Leaves
4261.5	Military Leave
4261.8	Family Care And Medical Leave
4312.1	Contracts
4312.42	Drug And Alcohol Testing For School Bus Drivers
4312.42	Drug And Alcohol Testing For School Bus Drivers
4312.5	Criminal Record Check
4312.5	Criminal Record Check
4312.6	Personnel Files
4315	Evaluation/Supervision
4317.14	Postretirement Employment

4317.7	Employment Status Reports
4319.11	Sexual Harassment
4319.11	Sexual Harassment
4319.43	Universal Precautions
4319.43	Universal Precautions
4336	Nonschool Employment
4354	Health And Welfare Benefits
4354	Health And Welfare Benefits
4357	Employee Safety
4357	Employee Safety
4357.1	Work-Related Injuries
4358	Employee Security
4358	Employee Security
4361.1	Personal Illness/Injury Leave
4361.11	Industrial Accident/Illness Leave
4361.2	Personal Leaves
4361.5	Military Leave
4361.8	Family Care And Medical Leave
5141.21	Administering Medication And Monitoring Health Conditions
5141.21	Administering Medication And Monitoring Health Conditions
5141.4	Child Abuse Prevention And Reporting
5141.4	Child Abuse Prevention And Reporting
5145.3	Nondiscrimination/Harassment
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6117	Year-Round Schedules
6173	Education For Homeless Children
6173	Education For Homeless Children
6173	Education For Homeless Children

6173	Education For Homeless Children
6178	Career Technical Education
6178	Career Technical Education
9310	Board Policies
9321	Closed Session
9321	Closed Session
9321	Closed Session

Policy 4119.11/4219.11/4319.11: Sex Discrimination and Sex-Based Harassment **Status: ADOPTED**

Original Adopted Date: ~~08/25/2009~~12/01/2015 | **Last Revised Date:** ~~05/11/2021~~07/01/2024 |
Last Reviewed Date: ~~05/11/2021~~07/01/2024

The following policy shall apply to all district employees, interns, volunteers, contractors, job applicants, and other persons with an employment relationship with the district.

The Governing Board is committed to providing a safe work environment that is free of discrimination, harassment, and intimidation. The Board prohibits ~~sexual~~sex discrimination, including sex-based harassment, as defined in the accompanying administrative regulation, in district programs and activities by and against district employees ~~and~~.

Additionally, the Board prohibits retaliatory behavior or action against any person who complains, or testifies about conduct that reasonably may constitute sex discrimination, including sex-based harassment, reports such conduct, or otherwise participates or refuses to participate in the complaint process established for the purpose of this policy.

~~Sexual harassment includes, but is not limited to, harassment that is based on the sex, gender, gender identity, gender expression, or sexual orientation of the victim and harassment based on pregnancy, childbirth, or related medical conditions. (Education Code 220.1; 34 CFR 106.71)~~

The Superintendent or designee shall take all actions necessary to ensure the prevention, investigation, and correction of ~~sexual~~sex discrimination and sex-based harassment, including but not limited to:

1. Providing training to employees in accordance with law and administrative regulation
2. Publicizing and disseminating the district's ~~sexual~~sex discrimination and sex-based harassment policy to employees and others to whom the policy may apply
-
3. Publicizing, in accordance with 34 CFR 106.8 and as specified in Administrative Regulation 4030 - Nondiscrimination in Employment, a Title IX notice of nondiscrimination to employees, applicants for employment, and bargaining units
-
- ~~3.4.~~4. Ensuring prompt, thorough, fair, and equitable investigation of complaints through the appropriate state and/or federal procedures
-
- ~~4.5.~~4. Taking timely and appropriate corrective/remedial action(s), which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments

The Superintendent or designee shall periodically evaluate the effectiveness of the district's strategies to prevent and address sex discrimination and sex-based harassment. Such evaluation may involve conducting regular anonymous employee surveys to assess whether sex discrimination and/or sex-based harassment is occurring or is perceived to be tolerated, partnering with researchers or other agencies with the needed expertise to evaluate the district's prevention strategies, and using any ~~other~~other effective tool for receiving feedback on systems and/or processes. As necessary, changes shall be made to ~~the~~ harassment policy,(ies), complaint procedures, or training.

Sexual Harassment, as appropriate and in accordance with law.

Reports and Complaints

~~District employees who feel that they have been sexually harassed in the performance of their Any district responsibilities~~employee who has experienced sex discrimination or who has sex-based harassment in the district's education program or activity may file a complaint with the district's Title IX Coordinator. (34 CFR 106.2, 106.44)

Any employee with knowledge of any incident of sexual conduct that reasonably may constitute sex discrimination or sex-based harassment by or against another employee shall immediately report the incident to their direct supervisor, a district administrator, or the district's Title IX Coordinator. Employees may bypass their supervisor in filing a complaint if the supervisor is the subject of the complaint. A supervisor or administrator who receives a harassment complaint shall promptly employee, a student, or a third party in a district education program or activity shall notify the Title IX Coordinator within one workday. An employee may be subject to discipline for failure to timely report such conduct. (34 CFR 106.44)

Once notified, the Title IX Coordinator shall ensure the complaint or allegation is addressed through AR Administrative Regulation 4119.12/4219.12/4319.12 - Title IX Sexual Sex Discrimination and Sex-Based Harassment Complaint Procedures ~~or AR 4030 - Nondiscrimination in Employment, as applicable. Because a complaint or allegation that is dismissed or denied under the Title IX complaint procedure may still be subject to consideration under state law, the Title IX Coordinator shall ensure that any implementation of AR 4119.12/4219.12/4319.12 concurrently meets the requirements of AR 4030.~~

The Title IX Coordinator shall offer and coordinate supportive measures to be provided to the complainant and ~~, if the district has begun grievance procedures or offered an informal resolution process to the~~ respondent, offer and coordinate supportive measures to be provided to the respondent as deemed appropriate under the circumstances. (34 CFR 106.44)

Upon investigation of a ~~sexual~~sex discrimination or sex-based harassment complaint, any district employee found to have engaged or participated in ~~sexual~~sex discrimination or sex-based harassment or to have aided, abetted, incited, compelled, or coerced another to commit ~~sexual~~sex discrimination or sex-based harassment in violation of this policy shall be subject to disciplinary

action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

Policy Reference Disclaimer:

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

State	Description
2 CCR 11006-11086	Discrimination in employment
2 CCR 11009	Employment discrimination
2 CCR 11021	Discrimination in employment - retaliation
2 CCR 11023	Harassment and discrimination prevention and correction
2 CCR 11024	Required training and education on harassment based on sex, gender identity and expression, and sexual orientation
2 CCR 11034	Terms, conditions, and privileges of employment
5 CCR 4900-4965	Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance
Ed. Code 200-262.4	Prohibition of discrimination
Ed. Code 220.1	Prohibition of retaliation related to educational equity
Ed. Code 220.3	Prohibition of disclosure of information related to student's sexual orientation, gender identity, or gender expression
Ed. Code 220.5	Prohibition of policies requiring disclosure of information related to student's sexual orientation, gender identity, or gender expression
Gov. Code 12900-12996	Fair Employment and Housing Act
Gov. Code 12940	Unlawful discriminatory employment practices
Gov. Code 12950	Sexual harassment
Gov. Code 12950.1	Sexual harassment training
Lab. Code 1101	Political activities of employees
Lab. Code 1102.1	Discrimination: sexual orientation
Lab. Code 1197.5	Wages, hours, and working conditions

Federal	Description
20 USC 1681-1688	Title IX of the Education Amendments of 1972; discrimination based on sex
29 CFR 1636	Implementation of the Pregnant Workers Fairness Act
34 CFR 106.1-106.82	Nondiscrimination on the basis of sex in education programs
42 USC 2000e-2000e-17	Title VII, Civil Rights Act of 1964, as amended
42 USC 2000gg-2000gg-6	Pregnant Workers Fairness Act
Management Resources	Description
Court Decision	Burlington Industries v. Ellreth (1998) 118 S.Ct. 2257
Court Decision	Department of Health Services v. Superior Court of California (2003) 31 Cal.4th 1026
Court Decision	Faragher v. City of Boca Raton (1998) 118 S.Ct. 2275
Court Decision	Gebser v. Lago Vista Independent School District (1998) 118 S.Ct. 1989
Court Decision	Meritor Savings Bank, FSB v. Vinson et al. (1986) 447 U.S. 57
Court Decision	Oncale v. Sundowner Offshore Serv. Inc. (1998) 118 S.Ct. 998
Federal Register	Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, April 29, 2024, Vol. 89, No. 83, pages 33474-33896
U.S. Equal Employment Opportunity Com. Publication	Promising Practices for Preventing Harassment, November 2017
Website	CSBA District and County Office of Education Legal Services
Website	California Department of Education
Website	California Civil Rights Department
Website	U.S. Department of Education, Office for Civil Rights
Website	Equal Employment Opportunity Commission

Cross References

Code	Description
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0410	<u>Nondiscrimination In District Programs And Activities</u> <u>Nondiscrimination In District Programs And Activities</u>
0450	<u>Comprehensive Safety Plan</u> <u>Comprehensive Safety Plan</u>
0450	<u>Comprehensive Safety Plan</u> <u>Comprehensive Safety Plan</u>
1312.3	<u>Uniform Complaint Procedures</u> <u>Uniform Complaint Procedures</u>
1312.3	<u>Uniform Complaint Procedures</u> <u>Uniform Complaint Procedures</u>
1312.3-E PDF(1)	<u>Uniform Complaint Procedures</u> <u>Uniform Complaint Procedures</u>
<u>1312.3</u>	<u>Uniform Complaint Procedures</u>
<u>1313</u>	<u>Civility</u>
3530	<u>Risk Management/Insurance</u> <u>Risk Management/Insurance</u>
3530	<u>Risk Management/Insurance</u> <u>Risk Management/Insurance</u>
3600	<u>Consultants</u> <u>Consultants</u>
4030	<u>Nondiscrimination In Employment</u> <u>Nondiscrimination In Employment</u>
4030	<u>Nondiscrimination In Employment</u> <u>Nondiscrimination In Employment</u>
4033	<u>Lactation Accommodation</u> <u>Lactation Accommodation</u>
4040	<u>Employee Use Of Technology</u> <u>Employee Use Of Technology</u>
4040	<u>Employee Use Of Technology</u> <u>Employee Use Of Technology</u>
4112.9	<u>Employee Notifications</u> <u>Employee Notifications</u>
4112.9	<u>Employee Notifications</u> <u>Employee Notifications</u>
4112.9-E PDF(1)	<u>Employee Notifications</u>
4117.7	<u>Employment Status Reports</u> <u>Employment Status Reports</u>
4118	<u>Dismissal/Suspension/Disciplinary Action</u> <u>Dismissal/Suspension/Disciplinary Action</u>
4118	<u>Dismissal/Suspension/Disciplinary Action</u> <u>Dismissal/Suspension/Disciplinary Action</u>
4119.12	<u>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</u> <u>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</u>

4119.12- E PDF(1)	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures <u>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</u>
4119.21	Professional Standards <u>Professional Standards</u>
4119.21- E PDF(1)	Professional Standards <u>Professional Standards</u>
4119.22	Dress And Grooming <u>Dress And Grooming</u>
4131	Staff Development <u>Staff Development</u>
4131	Staff Development <u>Staff Development</u>
4144	Complaints <u>Complaints</u>
4144	Complaints <u>Complaints</u>
4212.9	Employee Notifications <u>Employee Notifications</u>
4212.9	Employee Notifications <u>Employee Notifications</u>
4212.9-E PDF(1) <u>4218.1</u>	Employee Notifications <u>Dismissal/Suspension/Disciplinary Action (Merit System)</u>
4219.12	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures <u>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</u>
4219.12- E PDF(1)	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures <u>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</u>
4219.21	Professional Standards <u>Professional Standards</u>
4219.21- E PDF(1)	Professional Standards—Code Of Ethics Classified Employees <u>Professional Standards</u>
4219.22	Dress And Grooming <u>Dress And Grooming</u>
4231	Staff Development <u>Staff Development</u>
4231	Staff Development <u>Staff Development</u>
4244	Complaints <u>Complaints</u>
4244	Complaints <u>Complaints</u>
4300	Administrative And Supervisory Personnel <u>Administrative And Supervisory Personnel</u>
4300	Administrative And Supervisory Personnel <u>Administrative And Supervisory Personnel</u>
4312.9	Employee Notifications <u>Employee Notifications</u>

4312.9	<u>Employee Notifications</u> Employee Notifications
4312.9-E PDF(1)	<u>Employee Notifications</u>
4317.7	<u>Employment Status Reports</u> Employment Status Reports
4319.12	<u>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</u> Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures
4319.12-E PDF(1)	<u>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</u> Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures
4319.21	<u>Professional Standards</u> Professional Standards
4319.21-E PDF(1)	<u>Professional Standards</u> Professional Standards
4319.22	<u>Dress And Grooming</u> Dress And Grooming
4344	<u>Complaints</u> Complaints
4344	<u>Complaints</u> Complaints
5145.3	<u>Nondiscrimination/Harassment</u> Nondiscrimination/Harassment
5145.3	<u>Nondiscrimination/Harassment</u> Nondiscrimination/Harassment
5145.7	<u>Sex Discrimination and Sex-Based Harassment</u> Sex Discrimination and Sex-Based Harassment
5145.7	<u>Sex Discrimination and Sex-Based Harassment</u> Sex Discrimination and Sex-Based Harassment
5145.71	<u>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</u> Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures
5145.71-E PDF(1)	<u>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</u> Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures
5146	<u>Married/Pregnant/Parenting Students</u> Married/Pregnant/Parenting Students
5146	<u>Married/Pregnant/Parenting Students</u>

Policy 4119.11/4219.11/4319.11: Sex Discrimination and Sex-Based Harassment **Status: ADOPTED**

Original Adopted Date: 08/25/2009 | **Last Revised Date:** 05/11/2021 | **Last Reviewed Date:** 05/11/2021

The following policy shall apply to all district employees, interns, volunteers, contractors, job applicants, and other persons with an employment relationship with the district.

The Governing Board is committed to providing a safe work environment that is free of discrimination, harassment, and intimidation. The Board prohibits sex discrimination, including sex-based harassment, as defined in the accompanying administrative regulation, in district programs and activities by and against district employees.

Additionally, the Board prohibits retaliatory behavior or action against any person who complains or testifies about conduct that reasonably may constitute sex discrimination, including sex-based harassment, reports such conduct, or otherwise participates or refuses to participate in the complaint process established for the purpose of this policy. (Education Code 220.1; 34 CFR 106.71)

The Superintendent or designee shall take all actions necessary to ensure the prevention, investigation, and correction of sex discrimination and sex-based harassment, including but not limited to:

1. Providing training to employees in accordance with law and administrative regulation
2. Publicizing and disseminating the district's sex discrimination and sex-based harassment policy to employees and others to whom the policy may apply
3. Publicizing, in accordance with 34 CFR 106.8 and as specified in Administrative Regulation 4030 - Nondiscrimination in Employment, a Title IX notice of nondiscrimination to employees, applicants for employment, and bargaining units
4. Ensuring prompt, thorough, fair, and equitable investigation of complaints through the appropriate state and/or federal procedures
5. Taking timely and appropriate corrective/remedial action(s), which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments

The Superintendent or designee shall periodically evaluate the effectiveness of the district's strategies to prevent and address sex discrimination and sex-based harassment. Such evaluation may involve conducting regular anonymous employee surveys to assess whether sex discrimination and/or sex-based harassment is occurring or is perceived to be tolerated, partnering with researchers or other agencies with the needed expertise to evaluate the district's prevention strategies, and using any other effective tool for receiving feedback on systems and/or processes.

As necessary, changes shall be made to harassment policy(ies), complaint procedures, or training, as appropriate and in accordance with law.

Reports and Complaints

Any district employee who has experienced sex discrimination or sex-based harassment in the district's education program or activity may file a complaint with the district's Title IX Coordinator. (34 CFR 106.2, 106.44)

Any employee with knowledge of conduct that reasonably may constitute sex discrimination or sex-based harassment by or against another district employee, a student, or a third party in a district education program or activity shall notify the Title IX Coordinator within one workday. An employee may be subject to discipline for failure to timely report such conduct. (34 CFR 106.44)

Once notified, the Title IX Coordinator shall ensure the complaint or allegation is addressed through Administrative Regulation 4119.12/4219.12/4319.12 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures.

The Title IX Coordinator shall offer and coordinate supportive measures to be provided to the complainant and, if the district has begun grievance procedures or offered an informal resolution process to the respondent, offer and coordinate supportive measures to be provided to the respondent as deemed appropriate under the circumstances. (34 CFR 106.44)

Upon investigation of a sex discrimination or sex-based harassment complaint, any district employee found to have engaged or participated in sex discrimination or sex-based harassment or to have aided, abetted, incited, compelled, or coerced another to commit sex discrimination or sex-based harassment in violation of this policy shall be subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

Policy Reference Disclaimer:

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

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2 CCR 11021	Discrimination in employment - retaliation
2 CCR 11023	Harassment and discrimination prevention and correction
2 CCR 11024	Required training and education on harassment based on sex, gender identity and expression, and sexual orientation
2 CCR 11034	Terms, conditions, and privileges of employment

5 CCR 4900-4965	Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance
Ed. Code 200-262.4	Prohibition of discrimination
Ed. Code 220.1	Prohibition of retaliation related to educational equity
Ed. Code 220.3	Prohibition of disclosure of information related to student's sexual orientation, gender identity, or gender expression
Ed. Code 220.5	Prohibition of policies requiring disclosure of information related to student's sexual orientation, gender identity, or gender expression
Gov. Code 12900-12996	Fair Employment and Housing Act
Gov. Code 12940	Unlawful discriminatory employment practices
Gov. Code 12950	Sexual harassment
Gov. Code 12950.1	Sexual harassment training
Lab. Code 1101	Political activities of employees
Lab. Code 1102.1	Discrimination: sexual orientation
Lab. Code 1197.5	Wages, hours, and working conditions
Federal	Description
20 USC 1681-1688	Title IX of the Education Amendments of 1972; discrimination based on sex
29 CFR 1636	Implementation of the Pregnant Workers Fairness Act
34 CFR 106.1-106.82	Nondiscrimination on the basis of sex in education programs
42 USC 2000e-2000e-17	Title VII, Civil Rights Act of 1964, as amended
42 USC 2000gg-2000gg-6	Pregnant Workers Fairness Act
Management Resources	Description
Court Decision	Burlington Industries v. Ellreth (1998) 118 S.Ct. 2257
Court Decision	Department of Health Services v. Superior Court of California (2003) 31 Cal.4th 1026
Court Decision	Faragher v. City of Boca Raton (1998) 118 S.Ct. 2275
Court Decision	Gebser v. Lago Vista Independent School District (1998) 118 S.Ct. 1989

Court Decision	Meritor Savings Bank, FSB v. Vinson et al. (1986) 447 U.S. 57
Court Decision	Oncale v. Sundowner Offshore Serv. Inc. (1998) 118 S.Ct. 998
Federal Register	Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, April 29, 2024, Vol. 89, No. 83, pages 33474-33896
U.S. Equal Employment Opportunity Com. Publication	Promising Practices for Preventing Harassment, November 2017
Website	CSBA District and County Office of Education Legal Services
Website	California Department of Education
Website	California Civil Rights Department
Website	U.S. Department of Education, Office for Civil Rights
Website	Equal Employment Opportunity Commission

Cross References

Code	Description
0410	Nondiscrimination In District Programs And Activities
0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1313	Civility
3530	Risk Management/Insurance
3530	Risk Management/Insurance
3600	Consultants
4030	Nondiscrimination In Employment
4030	Nondiscrimination In Employment

4033	Lactation Accommodation
4040	Employee Use Of Technology
4040	Employee Use Of Technology
4112.9	Employee Notifications
4112.9	Employee Notifications
4117.7	Employment Status Reports
4118	Dismissal/Suspension/Disciplinary Action
4118	Dismissal/Suspension/Disciplinary Action
4119.12	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures
4119.12	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures
4119.21	Professional Standards
4119.21	Professional Standards
4119.22	Dress And Grooming
4131	Staff Development
4144	Complaints
4144	Complaints
4212.9	Employee Notifications
4212.9	Employee Notifications
4218.1	Dismissal/Suspension/Disciplinary Action (Merit System)
4219.12	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures
4219.12	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures
4219.21	Professional Standards
4219.21	Professional Standards
4219.22	Dress And Grooming
4231	Staff Development
4244	Complaints
4244	Complaints

4300	Administrative And Supervisory Personnel
4300	Administrative And Supervisory Personnel
4312.9	Employee Notifications
4312.9	Employee Notifications
4317.7	Employment Status Reports
4319.12	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures
4319.12	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures
4319.21	Professional Standards
4319.21	Professional Standards
4319.22	Dress And Grooming
4344	Complaints
4344	Complaints
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
5145.7	Sex Discrimination and Sex-Based Harassment
5145.7	Sex Discrimination and Sex-Based Harassment
5145.71	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures
5145.71	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures
5146	Married/Pregnant/Parenting Students

Policy 4121: Temporary/Substitute Personnel

Status: ADOPTED

Original Adopted Date: ~~04/09/2013~~07/01/2012 | Last Revised Date: ~~11/10/2015~~06/01/2024 |
Last Reviewed Date: ~~11/10/2015~~06/01/2024

The Governing Board recognizes that substitute and temporary personnel perform an essential role in promoting student achievement and desires to employ highly qualified, appropriately credentialed employees to fill such positions.

Hiring

The Superintendent or designee shall recommend candidates for substitute or temporary positions for Board approval, and shall ensure that all substitute and temporary employees are assigned in accordance with law and the authorizations specified in their credential.

Substitute personnel may be employed on an on-call, day-to-day basis.

In addition, after September 1 of any school year, the Board may employ substitute personnel for the remainder of the school year ~~for~~in positions for which no regular employee is available. The district shall first demonstrate to the Commission on Teacher Credentialing the inability to acquire the services of a qualified regular employee. (Education Code 44917)

Permanent or probationary certificated employees who were laid off pursuant to Education Code 44955 and who have a preferred right of reappointment shall be given priority for substitute service in the order of their original employment. (Education Code 44956, 44957)

Classification

At the time of initial employment and each July thereafter, the Board shall classify substitute and temporary employees as such. (Education Code 44915, 44916)

The Board may classify as substitute personnel a teacher hired to fill the position of a regularly employed person who is absent from service. (Education Code 44917)

To address the need for additional certificated employees when regular district employees are absent due to leaves or long-term illness, the Board may classify a teacher who is employed for at least one semester and up to one complete school year as a temporary employee. Any person whose service begins in the second semester and before March 15 may be classified as a temporary employee, even if employed for less than a semester. The Board shall determine the number of persons who shall be so employed, which shall not exceed the identified need based on the absence of regular employees. (Education Code 44920)

The

Additionally, the Board ~~also~~ shall classify as temporary employees those certificated persons, other than substitute employees, who are employed to:

1. Serve from day to day during the first three months of any school term to teach temporary classes which shall not exist after that time, or perform any other duties which do not last longer than the first three months of any school term. (Education Code 44919)
2. Teach in special day and evening classes for adults or in schools of migratory population for not more than four months of any school term. (Education Code 44919)
3. Serve in a limited assignment supervising student athletic activities provided such assignments have first been made available to teachers presently employed in the district. (Education Code 44919)
4. Serve in a position for a period not to exceed 20 working days, in order to prevent the stoppage of district business during an emergency when persons are not immediately available for probationary classification. (Education Code 44919)
5. Serve only for the first semester, because the district expects a reduction in student enrollment during the second semester due to mid-year graduations. (Education Code 44921)

For purposes of classifying employees pursuant to ~~item~~Item #1 or #2 above, the school year shall not be divided into more than two school terms. (Education Code 44919)

Any employee hired to provide services in a categorically funded program or project may be employed for a period less than a full school year. ~~He/she~~An employee may be classified as a temporary employee if the period of employment will end at the expiration of that program or project. (Education Code 44909)

Salary and Benefits

The Board shall adopt and make public a salary schedule setting the daily or pay period rate(s) for substitute employees for all categories or classes of certificated employees of the district.
(~~Education Code 44977, 45030~~)

~~Substitute employees shall not participate in the health and welfare plans or other fringe benefits of the district.~~

Paid Sick Leave

~~Any substitute employee who works for 30 or more days within a year of his/her employment shall be credited with 24 hours of paid sick leave for that year. (Education Code 44977, 45030)~~

OPTION 1: (Temporary employees participate in district benefits)

~~Temporary employees shall participate in the health and welfare plans or other fringe benefits of the district.~~

OPTION 1 ENDS HERE

OPTION 2: (Temporary employees do not participate in district benefits)

~~Temporary employees shall not participate in the health and welfare plans or other fringe benefits of the district.~~

OPTION 2 ENDS HERE

Paid Sick Leave

OPTION 1: (Paid leave accrual based on one hour for every 30 hours worked)

~~Except for a retired annuitant who is not reinstated to the retirement system, any temporary or substitute employee who works for 30 or more days within a year of employment shall be entitled to one hour of paid sick leave for every 30 hours worked. Accrued paid sick days shall carry over to the following year of employment, up to a maximum of 80 hours or ten days. However, the district may limit an employee's use of accrued paid sick days to 40 hours or five days in each year of employment. (Labor Code 246)~~

OPTION 1 ENDS HERE

OPTION 2: (Paid leave accrual method that provides for a regular accrual basis)

~~Except for a retired annuitant who is not reinstated to the retirement system, any temporary or substitute employee who works for 30 or more days within a year of employment shall accrue, on a regular basis, paid sick leave of up to 24 hours by the 120th calendar day of employment or each calendar year or 12-month period, and at least 40 hours of accrued sick leave by the 200th calendar~~

day of employment, each calendar year, or 12-month period. Accrued paid sick days shall carry over to the following year of employment, up to a maximum of 80 hours or ten days. However, the district may limit an employee's use of accrued paid sick days to 40 hours or five days in each year of employment. (Labor Code 246)

OPTION 2 ENDS HERE

OPTION 3: (Paid leave that credits employees with sick leave at the beginning of each year and does not allow unused sick leave to carry over to the next year)

Except for a retired annuitant who is not reinstated to the retirement system, any temporary or substitute employee who works for 30 or more days within a year of their employment shall be credited with 40 hours or five days of paid sick leave for that year. Unused sick leave shall not carry over to the following year of employment.~~(Labor Code 246)~~ (Labor Code 246)

OPTION 3 ENDS HERE

Any temporary or substitute employee may begin to use accrued paid sick days on the 90th day of employment, after which the employee may use the sick days as they are accrued. (Labor Code 246)

A temporary or substitute employee may use accrued sick leave for absences due to: (Labor Code 246.5)

~~A substitute employee may use accrued sick leave~~The employee's own need or the need of a family member, as defined in Labor Code 245.5, for absences due to:~~(Labor Code 246.5)~~

1. ~~The~~the diagnosis, care, or treatment of an existing health condition ~~of,~~ or for preventive care ~~for, the employee or his/her family member as defined in Labor Code 245.5~~
2. Need of the employee to obtain or seek any relief or medical attention specified in Labor Code 230(c) and 230.1(a) for the health, safety, or welfare of the employee, or ~~his/her~~the employee's child, when the employee has been a victim of domestic violence, sexual assault, or stalking;

No employee shall be denied the right to use accrued sick days and the district shall not in any manner discriminate or retaliate against ~~any~~an employee for using or attempting to use sick leave, filing a complaint with the Labor Commissioner, or alleging district violation of Labor Code 245-249. The Superintendent or designee shall display a poster containing required information, provide notice to eligible employees of their sick leave rights, keep ~~of~~ records of employees' use of sick leave for three years, and comply with other requirements specified in Labor Code 245-249 and in ARAdministrative Regulation 4161.1/4361.1 - Personal Illness/Injury Leave.

Release from Employment/Dismissal

The Board may dismiss a substitute employee at any time at its discretion. (Education Code 44953)

The Board may release a ~~substitute~~temporary employee at its discretion if the employee has served less than 75 percent of the number of days the regular schools of the district are maintained during one school year. After serving 75 percent of the number of days that district schools are maintained during one school year, a temporary employee may be released as long as ~~he/she~~the employee is notified, before the last day of June, of the district's decision not to reelect ~~him/her~~the temporary employee for the following school year. (Education Code 37200, 44954)

Reemployment as a Probationary Employee

Reemployment provisions contained in Education Code 44918 do not apply to districts with average daily attendance of over 250,000; such districts should modify the following section accordingly.

Unless released from employment pursuant to Education Code 44954, any person employed for one complete school year as a ~~substitute~~temporary employee shall, if reemployed for the following school year in a vacant position requiring certification qualifications, be classified as a probationary employee. With the exception of on-call, day-to-day substitutes, if a temporary or substitute employee performs the duties normally required of certificated employees for at least 75 percent of the number of days the regular schools of the district were maintained in that school year and is then employed as a probationary employee for the following school year, ~~his/her~~the employee's previous employment as a temporary or substitute employee shall be credited as one year's employment as a probationary employee for purposes of acquiring permanent status. (Education Code 44917, 44918, 44920)

Vacant position means a position in which the employee is qualified to serve and which is not filled by a permanent or probationary employee. It shall not include a position which would be filled by a permanent or probationary employee except for the fact that such employee is on leave. (Education Code 44920, 44921)

A temporary employee hired pursuant to ~~item~~Item #1 or #2 in the section "Classification" above shall be classified as a probationary employee if the duties continue beyond the time limits of the assignment. (Education Code 44919)

A person employed pursuant to ~~item~~Item #5 in the section "Classification" above who is then continued in employment beyond the first semester shall be classified as a probationary employee for the entire school year and shall be reemployed to fill any vacant ~~positions~~position in the district

for which ~~he/she~~[the employee](#) is certified. Preference for available positions shall be determined by the Board as prescribed by Education Code 44845 and 44846. (Education Code 44921)

With the exception of on-call, day-to-day substitutes, any [temporary or](#) substitute employee who was released pursuant to Education Code 44954 but who has nevertheless served in a certificated position in the district for at least 75 percent of each of two consecutive school years shall receive first priority if the district fills a vacant position for the subsequent school year at the grade level at which the employee served during either year. In the case of a departmentalized program, the employee shall have taught the subject matter in which the vacant position occurs. (Education Code 44918)

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 5502	Filing of notice of physical examination for employment of retired person
5 CCR 5503	Physical examination for employment of retired persons
5 CCR 5590	Temporary athletic team coach
5 CCR 80025-80025.5	Emergency substitute teaching permits
Ed. Code 22455.5	STRS information to potential members
Ed. Code 22515	Irrevocable election to join retirement plan
Ed. Code 37200	School calendar
Ed. Code 44252.5	State basic skills assessment required for certificated personnel
Ed. Code 44300	Emergency permits
Ed. Code 44830	Employment of certificated persons
Ed. Code 44839.5	Requirements for employment of retirant
Ed. Code 44845	Date of employment
Ed. Code 44846	Criteria for reemployment preferences
Ed. Code 44909	Employees providing services through categorically funded programs
Ed. Code 44914	Substitute and probationary employment computation for classification as permanent employee

Ed. Code 44915	<u>Classification of probationary employees</u>
Ed. Code 44916	<u>Written statement of employment status</u>
Ed. Code 44917	<u>Classification of substitute employees</u>
Ed. Code 44918	<u>Substitute or temporary employee deemed probationary employee; reemployment rights</u>
Ed. Code 44919	<u>Classification of temporary employees; classifications</u>
Ed. Code 44920	<u>Employment of certain temporary employees; classifications</u>
Ed. Code 44921	<u>Employment of temporary employees; reemployment rights (unified and high school districts)</u>
Ed. Code 44953	<u>Dismissal of substitute employees</u>
Ed. Code 44954	<u>Nonreelection of temporary employees</u>
Ed. Code 44955	<u>Reduction in number of permanent employees</u>
Ed. Code 44956	<u>Rights of laid-off permanent employees to substitute positions</u>
Ed. Code 44957	<u>Rights of laid-off probationary employees to substitute positions</u>
Ed. Code 44977	<u>Salary schedule for substitute employees</u>
Ed. Code 45030	<u>Substitutes</u>
Ed. Code 45041	<u>Computation of salary</u>
Ed. Code 45042	<u>Alternative method of computation for less than one school year</u>
Ed. Code 45043	<u>Compensation for employment beginning in the second semester</u>
Ed. Code 56060-56063	<u>Substitute teachers in special education</u>
Gov. Code 3540.1	<u>Public employment; definitions</u>
Lab. Code 220	<u>Sections inapplicable to public employees</u>
Lab. Code 230	<u>Accommodations and leave for victims of domestic violence</u>
Lab. Code 230.1	<u>Employers with 25 or more employees; domestic violence, sexual assault, and stalking victims; right to time off</u>
Lab. Code 233	<u>Leave to attend to family illness</u>

Lab. Code 234	Absence control policy
Lab. Code 245-249	Healthy Workplaces, Healthy Families Act of 2014
Management Resources	Description
Court Decision	Kavanaugh v. West Sonoma Union High School District (2003) 29 Cal.4th 911
Court Decision	McIntyre v. Sonoma Valley Unified School District (2012) 206 Cal.App.4th 170
Court Decision	Neily v. Manhattan Beach Unified School District (2011) 192 Cal.App.4th 187
Court Decision	Stockton Teachers Association CTA/NEA v. Stockton Unified School District (2012) 204 Cal.App.4th 446
Court Decision	Bakersfield Elementary Teachers Association v. Bakersfield City School District (2006) 145 Cal.App.4th 1260
Court Decision	California Teachers Association v. Vallejo City Unified School District (2007) 149 Cal.App.4th 135
Website	CSBA District and County Office of Education Legal Services
Website	Commission on Teacher Credentialing
Website	CSBA

Cross References

Code	Description
0500	Accountability Accountability
4111.2	Legal Status Requirement Legal Status Requirement
4111.2	Legal Status Requirement Legal Status Requirement
4112	Appointment And Conditions Of Employment Appointment And Conditions Of Employment
4112.1	Contracts Contracts
4112.1	Contracts
4112.2	Certification Certification
4112.2	Certification Certification
4112.3	Oath Or Affirmation Oath Or Affirmation

4112.3- E PDF(1)	Oath Or Affirmation Oath Or Affirmation
4112.4	Health Examinations Health Examinations
4112.5	Criminal Record Check Criminal Record Check
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4112.9	Employee Notifications Employee Notifications
4112.9	Employee Notifications Employee Notifications
4112.9 E PDF(1)	Employee Notifications
4113	Assignment Assignment
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4116	Probationary/Permanent Status Probationary/Permanent Status
4116	Probationary/Permanent Status Probationary/Permanent Status
4117.14	Postretirement Employment Postretirement Employment
4117.3	Personnel Reduction Personnel Reduction
4127	Temporary Athletic Team Coaches Temporary Athletic Team Coaches
4127	Temporary Athletic Team Coaches Temporary Athletic Team Coaches
4140	Bargaining Units Bargaining Units
4141.6	Concerted Action/Work Stoppage Concerted Action/Work Stoppage
4141.6	Concerted Action/Work Stoppage Concerted Action/Work Stoppage
4151	Employee Compensation Employee Compensation
4154	Health And Welfare Benefits Health And Welfare Benefits
4154	Health And Welfare Benefits Health And Welfare Benefits
4161.1	Personal Illness/Injury Leave Personal Illness/Injury Leave
4161.2	Personal Leaves Personal Leaves

4211.2	<u>Legal Status Requirement</u> Legal Status Requirement
4211.2	<u>Legal Status Requirement</u> Legal Status Requirement
4212.3	<u>Oath Or Affirmation</u> Oath Or Affirmation
4212.3-E PDF(1)	<u>Oath Or Affirmation</u> Oath Or Affirmation
4212.4	<u>Health Examinations</u> Health Examinations
4212.5	<u>Criminal Record Check</u> Criminal Record Check
4212.5-E PDF(1)	<u>Criminal Record Check</u> Criminal Record Check
4212.9	<u>Employee Notifications</u> Employee Notifications
4212.9	<u>Employee Notifications</u> Employee Notifications
4212.9-E PDF(1) 4217.3	<u>Employee Notifications</u> Layoff/Rehire
4227	<u>Temporary Athletic Team Coaches</u> Temporary Athletic Team Coaches
4227	<u>Temporary Athletic Team Coaches</u> Temporary Athletic Team Coaches
4240	<u>Bargaining Units</u> Bargaining Units
4241.6	<u>Concerted Action/Work Stoppage</u> Concerted Action/Work Stoppage
4241.6	<u>Concerted Action/Work Stoppage</u> Concerted Action/Work Stoppage
4251	<u>Employee Compensation</u> Employee Compensation
4254	<u>Health And Welfare Benefits</u> Health And Welfare Benefits
4254	<u>Health And Welfare Benefits</u> Health And Welfare Benefits
4261.2	<u>Personal Leaves</u> Personal Leaves
4311.2	<u>Legal Status Requirement</u> Legal Status Requirement
4311.2	<u>Legal Status Requirement</u> Legal Status Requirement
4312.3	<u>Oath Or Affirmation</u> Oath Or Affirmation
4312.3-E PDF(1)	<u>Oath Or Affirmation</u> Oath Or Affirmation
4312.4	<u>Health Examinations</u> Health Examinations
4312.5	<u>Criminal Record Check</u> Criminal Record Check

4312.5-E PDF(1)	<u>Criminal Record Check</u> <u>Criminal Record Check</u>
4312.9	<u>Employee Notifications</u> <u>Employee Notifications</u>
4312.9	<u>Employee Notifications</u> <u>Employee Notifications</u>
4312.9-E PDF(1)	<u>Employee Notifications</u>
4317.14	<u>Postretirement Employment</u> <u>Postretirement Employment</u>
4327	<u>Temporary Athletic Team Coaches</u> <u>Temporary Athletic Team Coaches</u>
4327	<u>Temporary Athletic Team Coaches</u> <u>Temporary Athletic Team Coaches</u>
4340	<u>Bargaining Units</u> <u>Bargaining Units</u>
4351	<u>Employee Compensation</u> <u>Employee Compensation</u>
4354	<u>Health And Welfare Benefits</u> <u>Health And Welfare Benefits</u>
4354	<u>Health And Welfare Benefits</u> <u>Health And Welfare Benefits</u>
4361.1	<u>Personal Illness/Injury Leave</u> <u>Personal Illness/Injury Leave</u>
4361.2	<u>Personal Leaves</u> <u>Personal Leaves</u>
5141.52	<u>Suicide Prevention</u> <u>Suicide Prevention</u>
5141.52	<u>Suicide Prevention</u> <u>Suicide Prevention</u>
5141.52-E PDF(1)	<u>Suicide Prevention</u>
6175	<u>Migrant Education Program</u> <u>Migrant Education Program</u>
6175	<u>Migrant Education Program</u> <u>Migrant Education Program</u>
6200	<u>Adult Education</u> <u>Adult Education</u>
6200	<u>Adult Education</u> <u>Adult Education</u>
6200-E PDF(1)	<u>Adult Education</u>

Policy 4121: Temporary/Substitute Personnel

Status: ADOPTED

Original Adopted Date: 04/09/2013 | **Last Revised Date:** 11/10/2015 | **Last Reviewed Date:** 11/10/2015

The Governing Board recognizes that substitute and temporary personnel perform an essential role in promoting student achievement and desires to employ highly qualified, appropriately credentialed employees to fill such positions.

Hiring

The Superintendent or designee shall recommend candidates for substitute or temporary positions for Board approval, and shall ensure that all substitute and temporary employees are assigned in accordance with law and the authorizations specified in their credential.

Substitute personnel may be employed on an on-call, day-to-day basis.

In addition, after September 1 of any school year, the Board may employ substitute personnel for the remainder of the school year in positions for which no regular employee is available. The district shall first demonstrate to the Commission on Teacher Credentialing the inability to acquire the services of a qualified regular employee. (Education Code 44917)

Permanent or probationary certificated employees who were laid off pursuant to Education Code 44955 and who have a preferred right of reappointment shall be given priority for substitute service in the order of their original employment. (Education Code 44956, 44957)

Classification

At the time of initial employment and each July thereafter, the Board shall classify substitute and temporary employees as such. (Education Code 44915, 44916)

The Board may classify as substitute personnel a teacher hired to fill the position of a regularly employed person who is absent from service. (Education Code 44917)

To address the need for additional certificated employees when regular district employees are absent due to leaves or long-term illness, the Board may classify a teacher who is employed for at least one semester and up to one complete school year as a temporary employee. Any person whose service begins in the second semester and before March 15 may be classified as a temporary employee, even if employed for less than a semester. The Board shall determine the number of persons who shall be so employed, which shall not exceed the identified need based on the absence of regular employees. (Education Code 44920)

Additionally, the Board shall classify as temporary employees those certificated persons, other than substitute employees, who are employed to:

1. Serve from day to day during the first three months of any school term to teach temporary classes which shall not exist after that time, or perform any other duties which do not last

longer than the first three months of any school term (Education Code 44919)

2. Teach in special day and evening classes for adults or in schools of migratory population for not more than four months of any school term (Education Code 44919)
3. Serve in a limited assignment supervising student athletic activities provided such assignments have first been made available to teachers presently employed in the district (Education Code 44919)
4. Serve in a position for a period not to exceed 20 working days, in order to prevent the stoppage of district business during an emergency when persons are not immediately available for probationary classification (Education Code 44919)
5. Serve only for the first semester, because the district expects a reduction in student enrollment during the second semester due to mid-year graduations (Education Code 44921)

For purposes of classifying employees pursuant to Item #1 or #2 above, the school year shall not be divided into more than two school terms. (Education Code 44919)

Any employee hired to provide services in a categorically funded program or project may be employed for a period less than a full school year. An employee may be classified as a temporary employee if the period of employment will end at the expiration of that program or project. (Education Code 44909)

Salary and Benefits

The Board shall adopt and make public a salary schedule setting the daily or pay period rate(s) for substitute employees for all categories or classes of certificated employees of the district. (Education Code 44977, 45030)

OPTION 1: (Temporary employees participate in district benefits)

Temporary employees may participate in the health and welfare plans or other fringe benefits of the district.

Paid Sick Leave

OPTION 3: (Paid leave that credits employees with sick leave at the beginning of each year and does not allow unused sick leave to carry over to the next year)

Except for a retired annuitant who is not reinstated to the retirement system, any temporary or substitute employee who works for 30 or more days within a year of their employment shall be credited with 40 hours or five days of paid sick leave for that year. Unused sick leave shall not carry over to the following year of employment. (Labor Code 246)

Any temporary or substitute employee may begin to use accrued paid sick days on the 90th day of employment, after which the employee may use the sick days as they are accrued. (Labor Code 246)

A temporary or substitute employee may use accrued sick leave for absences due to: (Labor Code 246.5)

1. The employee's own need or the need of a family member, as defined in Labor Code 245.5, for the diagnosis, care, or treatment of an existing health condition or for preventive care
2. Need of the employee to obtain or seek any relief or medical attention specified in Labor Code 230(c) and 230.1(a) for the health, safety, or welfare of the employee, or the employee's child, when the employee has been a victim of domestic violence, sexual assault, or stalking

No employee shall be denied the right to use accrued sick days and the district shall not in any manner discriminate or retaliate against an employee for using or attempting to use sick leave, filing a complaint with the Labor Commissioner, or alleging district violation of Labor Code 245-249. The Superintendent or designee shall display a poster containing required information, provide notice to eligible employees of their sick leave rights, keep records of employees' use of sick leave for three years, and comply with other requirements specified in Labor Code 245-249 and in Administrative Regulation 4161.1/4361.1 - Personal Illness/Injury Leave.

Release from Employment/Dismissal

The Board may dismiss a substitute employee at any time at its discretion. (Education Code 44953)

The Board may release a temporary employee at its discretion if the employee has served less than 75 percent of the number of days the regular schools of the district are maintained during one school year. After serving 75 percent of the number of days that district schools are maintained during one school year, a temporary employee may be released as long as the employee is notified, before the last day of June, of the district's decision not to reelect the temporary employee for the following school year. (Education Code 37200, 44954)

Reemployment as a Probationary Employee

Reemployment provisions contained in Education Code 44918 do not apply to districts with average daily attendance of over 250,000; such districts should modify the following section accordingly.

Unless released from employment pursuant to Education Code 44954, any person employed for one complete school year as a temporary employee shall, if reemployed for the following school year in a vacant position requiring certification qualifications, be classified as a probationary employee. With the exception of on-call, day-to-day substitutes, if a temporary or substitute employee performs the duties normally required of certificated employees for at least 75 percent of the number of days the regular schools of the district were maintained in that school year and is then employed as a probationary employee for the following school year, the employee's previous employment as a temporary or substitute employee shall be credited as one year's employment as a probationary employee for purposes of acquiring permanent status. (Education Code 44917, 44918, 44920)

Vacant position means a position in which the employee is qualified to serve and which is not filled

by a permanent or probationary employee. It shall not include a position which would be filled by a permanent or probationary employee except for the fact that such employee is on leave. (Education Code 44920, 44921)

A temporary employee hired pursuant to Item #1 or #2 in the section "Classification" above shall be classified as a probationary employee if the duties continue beyond the time limits of the assignment. (Education Code 44919)

A person employed pursuant to Item #5 in the section "Classification" above who is then continued in employment beyond the first semester shall be classified as a probationary employee for the entire school year and shall be reemployed to fill any vacant position in the district for which the employee is certified. Preference for available positions shall be determined by the Board as prescribed by Education Code 44845 and 44846. (Education Code 44921)

With the exception of on-call, day-to-day substitutes, any temporary or substitute employee who was released pursuant to Education Code 44954 but who has nevertheless served in a certificated position in the district for at least 75 percent of each of two consecutive school years shall receive first priority if the district fills a vacant position for the subsequent school year at the grade level at which the employee served during either year. In the case of a departmentalized program, the employee shall have taught the subject matter in which the vacant position occurs. (Education Code 44918)

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

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Ed. Code 44919	<u>Classification of temporary employees; classifications</u>
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Ed. Code 44955	<u>Reduction in number of permanent employees</u>
Ed. Code 44956	<u>Rights of laid-off permanent employees to substitute positions</u>
Ed. Code 44957	<u>Rights of laid-off probationary employees to substitute positions</u>
Ed. Code 44977	<u>Salary schedule for substitute employees</u>
Ed. Code 45030	<u>Substitutes</u>
Ed. Code 45041	<u>Computation of salary</u>
Ed. Code 45042	<u>Alternative method of computation for less than one school year</u>
Ed. Code 45043	<u>Compensation for employment beginning in the second semester</u>
Ed. Code 56060-56063	<u>Substitute teachers in special education</u>
Gov. Code 3540.1	<u>Public employment; definitions</u>

Lab. Code 220	Sections inapplicable to public employees
Lab. Code 230	Accommodations and leave for victims of domestic violence
Lab. Code 230.1	Employers with 25 or more employees; domestic violence, sexual assault, and stalking victims; right to time off
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Lab. Code 234	Absence control policy
Lab. Code 245-249	Healthy Workplaces, Healthy Families Act of 2014
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Court Decision	California Teachers Association v. Vallejo City Unified School District (2007) 149 Cal.App.4th 135
Website	CSBA District and County Office of Education Legal Services
Website	Commission on Teacher Credentialing
Website	CSBA

Cross References

Code	Description
0500	Accountability
4111.2	Legal Status Requirement
4111.2	Legal Status Requirement
4112	Appointment And Conditions Of Employment

4112.1	Contracts
4112.2	Certification
4112.2	Certification
4112.3	Oath Or Affirmation
4112.3	Oath Or Affirmation
4112.4	Health Examinations
4112.5	Criminal Record Check
4112.5	Criminal Record Check
4112.9	Employee Notifications
4112.9	Employee Notifications
4113	Assignment
4113	Assignment
4116	Probationary/Permanent Status
4116	Probationary/Permanent Status
4117.14	Postretirement Employment
4117.3	Personnel Reduction
4127	Temporary Athletic Team Coaches
4127	Temporary Athletic Team Coaches
4140	Bargaining Units
4141.6	Concerted Action/Work Stoppage
4141.6	Concerted Action/Work Stoppage
4151	Employee Compensation
4154	Health And Welfare Benefits
4154	Health And Welfare Benefits
4161.1	Personal Illness/Injury Leave
4161.2	Personal Leaves
4211.2	Legal Status Requirement
4211.2	Legal Status Requirement
4212.3	Oath Or Affirmation
4212.3	Oath Or Affirmation

4212.4	Health Examinations
4212.5	Criminal Record Check
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4212.9	Employee Notifications
4212.9	Employee Notifications
4217.3	Layoff/Rehire
4227	Temporary Athletic Team Coaches
4227	Temporary Athletic Team Coaches
4240	Bargaining Units
4241.6	Concerted Action/Work Stoppage
4241.6	Concerted Action/Work Stoppage
4251	Employee Compensation
4254	Health And Welfare Benefits
4254	Health And Welfare Benefits
4261.2	Personal Leaves
4311.2	Legal Status Requirement
4311.2	Legal Status Requirement
4312.3	Oath Or Affirmation
4312.3	Oath Or Affirmation
4312.4	Health Examinations
4312.5	Criminal Record Check
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4317.14	Postretirement Employment
4327	Temporary Athletic Team Coaches
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4351	Employee Compensation
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4354	Health And Welfare Benefits
4361.1	Personal Illness/Injury Leave
4361.2	Personal Leaves
5141.52	Suicide Prevention
5141.52	Suicide Prevention
6175	Migrant Education Program
6175	Migrant Education Program
6200	Adult Education
6200	Adult Education

Policy 4127/4227/4327: Temporary Athletic Team Coaches

Status: ADOPTED

Original Adopted Date: 09/28/03/01/2010 | **Last Revised Date:** 11/14/2017/06/01/2024 | **Last Reviewed Date:** 11/14/2017/06/01/2024

The Governing Board acknowledges that well-trained coaches are vital to the success of the experience of students in sports and interscholastic athletic activities, and therefore desires to employ highly qualified coaches for the district's ~~sports and~~ interscholastic athletic ~~programs~~activities in order to enhance the knowledge, skills, motivation, and safety of ~~student athletes.~~

participating students.

The Superintendent or designee may hire a certificated or ~~non-certificated~~noncertificated employee, other than a substitute employee, to supervise or instruct interscholastic athletic activities as a temporary employee in a limited assignment capacity. Interscholastic athletic activities include any activities in which student teams participate in interscholastic competition. (5 CCR 5590)

When hiring a person to fill a position as a temporary athletic activity team coach, the position shall first be made available to qualified certificated teachers currently employed by the district. (Education Code 44919)

All coaches shall be subject to applicable law, Board policies, administrative regulations, and California Interscholastic Federation bylaws and codes of ethical conduct.

~~Non-certificated~~

Noncertificated coaches shall have no authority to assign grades to students. (5 CCR 5591)

Qualifications and Training

The Superintendent or designee shall establish qualification criteria for all athletic coaches in accordance with law and district standards. These criteria shall ensure that coaches possess an appropriate level of competence, knowledge, and skill.

Any ~~non-certificated~~noncertificated employee or volunteer who works with students in a district-sponsored interscholastic athletic ~~program~~activity shall, prior to beginning ~~his/her~~the individual's duties, submit to the Superintendent or designee either an Activity Supervisor Clearance Certificate issued by the Commission on Teacher Credentialing or a Department of Justice and Federal Bureau of Investigation criminal background clearance. (Education Code 49024)

Following the selection of a temporary athletic team coach, the Superintendent or designee shall certify to the Board, at the next regular Board meeting or within 30 days, whichever is sooner, that the coach meets the qualifications and competencies required by 5 CCR 5593. By April 1 of each year, the Board shall certify to the State Board of Education that the provisions of 5 CCR 5593 have been met. ~~(5 CCR 5594)~~ (5 CCR 5594)

In addition, the Superintendent or designee shall regularly report to the Board regarding the extent to which the district's coaches have completed the trainings required by law, including those required pursuant to Education Code 33479.6, 35179.1, and 49032, and by district policy.

Policy Reference Disclaimer:

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

State	Description
5 CCR 5531	Supervision of extracurricular activities of students
5 CCR 5590-5596	Duties of temporary athletic team coaches
Ed. Code 33479-33479.9	<u>The Eric Parades Sudden Cardiac Arrest Prevention Act</u>
Ed. Code 35179-35179.8	<u>Interscholastic athletics</u>
Ed. Code 44010	<u>Sex offense; definitions</u>
Ed. Code 44011	<u>Controlled substance offense</u>
Ed. Code 44332-44332.5	<u>Temporary certificates</u>
Ed. Code 44424	<u>Conviction of a crime</u>
Ed. Code 44808	<u>Liability when students are not on school property</u>
Ed. Code 44916	<u>Written statement of employment status</u>
Ed. Code 44919	<u>Classification of temporary employees: classifications</u>
Ed. Code 45125.01	<u>Interagency agreements for criminal record information</u>

Ed. Code 45347	Instructional aides subject to requirements for classified staff
Ed. Code 45349	Use of volunteers to supervise or instruct students
Ed. Code 49024	Activity Supervisor Clearance Certificate
Ed. Code 49030-49034	Performance enhancing substances
Ed. Code 49406	TB risk assessment
H&S Code 124238-124238.5	Nevaeh Youth Sports Safety Act
Management Resources	Description
California Interscholastic Federation Publication	Pursuing Victory with Honor, 1999
California Interscholastic Federation Publication	California Interscholastic Federation Constitution and Bylaws
Commission on Teacher Credentialing Publication	Information on Assembly Bill 346 Concerning the Activity Supervisor Clearance Certificate (ASCC), Coded Correspondence 10-11, July 20, 2010
Court Decision	CTA v. Rialto Unified School District (1997) 14 Cal. 4th 627
Court Decision	Kavanaugh v. West Sonoma Union High School District (2003) 29 Cal.4th 911
Court Decision	Neily v. Manhattan Beach Unified School District (2011) 192 Cal.App.4th 187
CSBA Publication	Concussions in Student Athletes and How To Reduce Risk, Fact Sheet, January 2016
CSBA Publication	Preventing Catastrophic Heat Illness, Governance Brief, July 2018
Website	Positive Coaching Alliance
Website	CSBA District and County Office of Education Legal Services
Website	National Athletic Trainers' Association
Website	California Interscholastic Federation
Website	California Athletic Trainers' Association
Website	Commission on Teacher Credentialing
Website	CSBA
Website	California Department of Education

Cross References

Code	Description
1230	<u>School-Connected Organizations</u> <u>School-Connected Organizations</u>
1230	<u>School-Connected Organizations</u> <u>School-Connected Organizations</u>
1240	<u>Volunteer Assistance</u> <u>Volunteer Assistance</u>
1240	<u>Volunteer Assistance</u> <u>Volunteer Assistance</u>
4112.4	<u>Health Examinations</u> <u>Health Examinations</u>
4112.5	<u>Criminal Record Check</u> <u>Criminal Record Check</u>
4112.5-E PDF(1)	<u>Criminal Record Check</u> <u>Criminal Record Check</u>
4118	<u>Dismissal/Suspension/Disciplinary Action</u> <u>Dismissal/Suspension/Disciplinary Action</u>
4118	<u>Dismissal/Suspension/Disciplinary Action</u> <u>Dismissal/Suspension/Disciplinary Action</u>
4121	<u>Temporary/Substitute Personnel</u> <u>Temporary/Substitute Personnel</u>
4121	<u>Temporary/Substitute Personnel</u> <u>Temporary/Substitute Personnel</u>
4212.4	<u>Health Examinations</u> <u>Health Examinations</u>
4212.5	<u>Criminal Record Check</u> <u>Criminal Record Check</u>
4212.5-E PDF(1)	<u>Criminal Record Check</u> <u>Criminal Record Check</u>
4218	<u>Dismissal/Suspension/Disciplinary Action</u> <u>Dismissal/Suspension/Disciplinary Action</u>
4218	<u>Dismissal/Suspension/Disciplinary Action</u> <u>Dismissal/Suspension/Disciplinary Action</u>
4312.4	<u>Health Examinations</u> <u>Health Examinations</u>
4312.5	<u>Criminal Record Check</u> <u>Criminal Record Check</u>
4312.5-E PDF(1)	<u>Criminal Record Check</u> <u>Criminal Record Check</u>
5121	<u>Grades/Evaluation Of Student Achievement</u> <u>Grades/Evaluation Of Student Achievement</u>

5121	<u>Grades/Evaluation Of Student Achievement</u> <u>Grades/Evaluation Of Student Achievement</u>
5131.1	<u>Bus Conduct</u> <u>Bus Conduct</u>
5131.1	<u>Bus Conduct</u> <u>Bus Conduct</u>
5131.63	<u>Steroids</u> <u>Steroids</u>
5131.63	<u>Steroids</u> <u>Steroids</u>
5131.63-E PDF(1)	<u>Steroids</u>
5141.4	<u>Child Abuse Prevention And Reporting</u> <u>Child Abuse Prevention And Reporting</u>
5141.4	<u>Child Abuse Prevention And Reporting</u> <u>Child Abuse Prevention And Reporting</u>
5141.52	<u>Suicide Prevention</u> <u>Suicide Prevention</u>
5141.52	<u>Suicide Prevention</u> <u>Suicide Prevention</u>
5141.52-E PDF(1)	<u>Suicide Prevention</u>
6142.7	<u>Physical Education And Activity</u> <u>Physical Education And Activity</u>
6142.7	<u>Physical Education And Activity</u> <u>Physical Education And Activity</u>
6145	<u>Extracurricular And Cocurricular Activities</u> <u>Extracurricular And Cocurricular Activities</u>
6145	<u>Extracurricular And Cocurricular Activities</u> <u>Extracurricular And Cocurricular Activities</u>
6145.2	<u>Athletic Competition</u> <u>Athletic Competition</u>
6145.2	<u>Athletic Competition</u> <u>Athletic Competition</u>

Policy 4127/4227/4327: Temporary Athletic Team Coaches

Status: ADOPTED

Original Adopted Date: 09/28/2010 | **Last Revised Date:** 11/14/2017 | **Last Reviewed Date:** 11/14/2017

The Governing Board acknowledges that well-trained coaches are vital to the success of the experience of students in sports and interscholastic athletic activities, and therefore desires to employ highly qualified coaches for the district's interscholastic athletic activities in order to enhance the knowledge, skills, motivation, and safety of participating students.

The Superintendent or designee may hire a certificated or noncertificated employee, other than a substitute employee, to supervise or instruct interscholastic athletic activities as a temporary employee in a limited assignment capacity. Interscholastic athletic activities include any activities in which student teams participate in interscholastic competition. (5 CCR 5590)

When hiring a person to fill a position as a temporary athletic activity team coach, the position shall first be made available to qualified certificated teachers currently employed by the district. (Education Code 44919)

All coaches shall be subject to applicable law, Board policies, administrative regulations, and California Interscholastic Federation bylaws and codes of ethical conduct.

Noncertificated coaches shall have no authority to assign grades to students. (5 CCR 5591)

Qualifications and Training

The Superintendent or designee shall establish qualification criteria for all athletic coaches in accordance with law and district standards. These criteria shall ensure that coaches possess an appropriate level of competence, knowledge, and skill.

Any noncertificated employee or volunteer who works with students in a district-sponsored interscholastic athletic activity shall, prior to beginning the individual's duties, submit to the Superintendent or designee either an Activity Supervisor Clearance Certificate issued by the Commission on Teacher Credentialing or a Department of Justice and Federal Bureau of Investigation criminal background clearance. (Education Code 49024)

Following the selection of a temporary athletic team coach, the Superintendent or designee shall certify to the Board, at the next regular Board meeting or within 30 days, whichever is sooner, that the coach meets the qualifications and competencies required by 5 CCR 5593. By April 1 of each year, the Board shall certify to the State Board of Education that the provisions of 5 CCR 5593 have been met. (5 CCR 5594)

In addition, the Superintendent or designee shall regularly report to the Board regarding the extent to which the district's coaches have completed the trainings required by law, including those required pursuant to Education Code 33479.6, 35179.1, and 49032, and by district policy.

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Website	<u>Positive Coaching Alliance</u>
Website	<u>CSBA District and County Office of Education Legal Services</u>
Website	<u>National Athletic Trainers' Association</u>
Website	<u>California Interscholastic Federation</u>
Website	<u>California Athletic Trainers' Association</u>
Website	<u>Commission on Teacher Credentialing</u>
Website	<u>CSBA</u>
Website	<u>California Department of Education</u>

Cross References

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1230	School-Connected Organizations
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1240	Volunteer Assistance
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5141.4	Child Abuse Prevention And Reporting
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5141.52	Suicide Prevention
6142.7	Physical Education And Activity
6142.7	Physical Education And Activity
6145	Extracurricular And Cocurricular Activities
6145	Extracurricular And Cocurricular Activities
6145.2	Athletic Competition
6145.2	Athletic Competition

Policy 4161/4261/4361: Leaves

Status: ADOPTED

Original Adopted Date: ~~02/11/2014~~12/01/1988 | **Last Revised Date:** ~~04/07/2022~~06/01/2024 |
Last Reviewed Date: ~~04/07/2022~~06/01/2024

The Governing Board of Education shall provide for paid and unpaid leaves of absence ~~and holidays for administrative and supervisory~~for employees ~~and confidential and licensed personnel~~ in accordance with law, Board policy ~~and~~ administrative regulation, ~~as applicable, and as set forth below.~~

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

~~For purposes of this Leaves policy, the following definitions shall apply:~~

~~1. Administrative and Supervisory Employee shall mean the following:~~

~~-~~

~~a. A certificated or classified employee in a position with responsibilities as defined in Government Code 3540.1(m) and who is not subject to the district's collective bargaining agreements~~

~~-~~

~~b. A certificated or classified employee in a management position with responsibilities pursuant to Government Code 3540.1(g), including positions defined below as Certificated Executive Management.~~

~~-~~

~~2. Confidential Employee shall mean an employee in a position with responsibilities as defined in Section 3540.1(c) of the California Government Code.~~

~~-~~

~~3. Licensed Personnel shall mean an employee in the positions of psychologist, behavioral therapist or occupational therapist and who is not subject to the district's, and merit system rules, as applicable.~~

Employees have the right to take leaves as authorized by law and/or collective bargaining agreements:

-, including, but not limited to:

~~4. Full Time Employee shall mean an employee who is regularly assigned to work five (5) days per week, seven (7) to eight (8) hours a day, 35 (thirty-five) to 40 (forty) hours per week, and who is employed for either the fiscal or academic year.~~

~~-~~

~~5. Certificated Executive Management Employee shall mean the Chief Business Officer and the Chief Human Resources Officer, if the individuals holding these position are certificated, the Assistant Superintendent of Education Services and any other certificated Assistant Superintendent approved by the Board subsequent to the effective date of this policy.~~

~~The Board recognizes the following justifiable reasons for employee absence:~~

1. Personal illness or injury
2. Industrial accident or illness
3. Family care and medical leave
4. Military service
5. Personal necessity and personal emergencies
-
6. Disability leave for certificated employees in accordance with Education Code 44986

~~7. Vacations and district holidays~~ for classified staff and certificated management staff, as applicable

-

~~8.7. Personal holidays~~

~~9.8. Sabbaticals~~ for purposes of study or training related to the employee's job duties

~~10.9. Attendance~~ at work-related meetings and staff development opportunities

-

~~11.10. Compulsory leave~~

-

~~11. Maternity, parental leave, and reproductive loss leave for both certificated and classified staff, as applicable under state law~~

-

~~12. Bereavement~~

Long-Term Leaves

With Board approval, an employee may receive a leave of absence, without pay and without accruing seniority or service credit, for a period of up to one school year. Applications for long-term leave shall be made in writing and shall state the purpose for which leave is requested. All long-term leave agreements shall be in writing and shall state the terms and conditions of the leave, including the conditions governing the employee's return.

At the end of a long-term leave, the employee shall be reinstated to a similar position as that employee held at the time leave was granted, unless otherwise agreed upon.

The Board shall consider any written request by an employee to return to work prior to the expiration date of the leave.

Administrative and Supervisory Personnel

Certificated administrative and supervisory employees who are not subject to the district's bargaining agreement for certificated employees shall generally be entitled to those leave provisions provided in the bargaining agreement for other certificated employees unless otherwise specified in individual contract, memorandums of understanding, Board policy, administrative regulation, or law.

Classified administrative and supervisory employees who are not subject to the district's bargaining agreement for classified employees shall generally be entitled to those leave provisions provided in the bargaining agreement for other classified employees unless otherwise specified in individual contract, memoranda of understanding, Board policy, administrative regulation, or law.

District Holidays

The district observes the following holidays:

~~Independence Day
Labor Day
Admission Day
Veterans Day
Thanksgiving Day and the Friday after Thanksgiving Day
Day before Christmas Eve (noon; -Ω day)*
Christmas Eve
Christmas Day
New Year's Eve
New Year's Day
Martin Luther King Day
Lincoln Day
President's Day
Friday of Spring Recess* (or Friday before Spring Recess)
Memorial Day
Juneteenth~~

~~Classified Administrative and Supervisory Employees, Certificated Executive Management, Confidential, and classified Licensed Personnel are entitled to payment for district holidays as part of their regular monthly compensation provided the holiday occurs during the employee's scheduled work year and provided they are in paid status during any portion of the workday immediately preceding or succeeding the holiday.~~

~~In general, certificated Administrative and Supervisory Employees and certificated Licensed Personnel are expected to designate district holidays as non-work days in accordance with Board Policy 4351 - Employee Compensation. In the event a certificated employee believes it is necessary to schedule a district holiday as a workday, the employee shall obtain approval from his/her immediate supervisor in advance.~~

Personal Holidays

~~In addition to the above district holidays, Administrative and Supervisory Employees, Confidential Employees and Licensed Personnel are entitled to personal holidays each fiscal year in accordance with the schedule set forth below. Personal Holidays do not accrue from year to year and may only be observed during the Thanksgiving, winter and spring school recesses.~~

~~Classified Administrative and Supervisory Employees, Certificated Executive Management, Confidential Employees and classified Licensed Personnel may designate up to 4 days each fiscal year as Personal Holidays.~~

~~Certificated Administrative and Supervisory Employees and certificated Licensed Personnel are entitled to Personal Holidays according to the number of work days in their annual contract as follows:~~

~~**Work Days Number of Personal Holidays**~~

~~190 to 194 = 1~~

~~195 to 203 = 2~~

~~204 to 212 = 3~~

~~213 to 224 = 4~~

~~225 = 4~~

~~Personal Holidays are subject to all of the following criteria:~~

- ~~1. The personal holiday must occur during the employee's scheduled work year~~
~~-~~
- ~~2. The employee must obtain prior approval from his/her immediate supervisor; and~~
~~-~~
- ~~3. The employee is in paid status during any portion of the workday immediately preceding or succeeding the personal holiday~~
~~-~~
- ~~4. The personal holiday occurs during the Thanksgiving, winter or spring school recess~~

~~Vacation for Classified Administrative and Supervisory Employees, Confidential Employees, Classified Licensed Personnel and Certificated Executive Management Employees~~

~~Consistent with the requirements of Education Code 45190 et. seq., the district provides vacation for the following employees: classified Administrative and Supervisory Employees, Confidential Employees, classified Licensed Personnel and Certificated Executive Management Employees ("eligible employees"). Although vacation is provided for rest, a supervisor may grant an eligible employee's request to use vacation for illness, disability, and or personal reasons.~~

~~**A. Earning and Accrual of Vacation Leave**~~

~~Eligible employees shall accrue annual vacation at the regular rate of pay earned at the time the vacation is commenced.~~

~~Full time eligible employees shall earn 1.7 days of vacation per month or the equivalent of 20.5 days per year. Regular eligible employees who are assigned to work less than full time shall receive a prorated vacation benefit based on the fraction of full-time work.~~

~~Earned vacation shall not become a vested right until completion of the initial six months of employment.~~

~~If an employee is unable or not permitted to take his/her full annual vacation, the Board shall pay the balance of the unused vacation in cash within 30 days of the conclusion of the fiscal year. At the employee's option, up to 5 days of unused vacation may accumulate for use in the next year.~~

~~Upon separation from service, the employee shall be entitled to lump-sum compensation for all earned and unused vacation, except that employees who have not completed six months of employment in regular status shall not be entitled to such compensation.~~

~~B. Scheduling Vacation~~

~~Vacation leave is normally scheduled in advance and shall be approved by the employee's immediate supervisor. The district retains absolute discretion to approve vacation leave, except that requests shall not be unreasonably denied. Vacation shall not be scheduled after the last day of work, except that an employee may schedule vacation between the last day at work and the effective date of retirement. To use accrued vacation for illness or disability an employee may be required to submit medical certification of inability to work or illness in the family.~~

~~With the exception of the initial six months of employment, employees may take vacation before it is earned. If an employee is terminated and had been granted vacation which was not yet earned at the time of termination of his/her services, the district shall deduct from the employee's final pay check the full amount of salary which was paid for such unearned days of vacation taken.~~

~~C. Curtailment Period~~

~~Consistent with the district's management rights, including its right to determine the orderly, effective and efficient operation of the district, the district may elect at one or more of its locations to curtail or shut down some or all of its activities, on a location-by-location basis, for periods of specific duration. By way of example and not limitation, such periods may represent opportunities for energy/cost savings and/or adjustments to reduce levels of work activity due to transition periods in the academic calendar and/or "seasonal" or "holiday" influences on scheduled work activities and/or the occurrence of emergency or "forces of nature" situations adversely affecting normal district operations.~~

~~In the event of such total or partial closure or curtailment of operations, whether or not the district is able to anticipate such event, employees affected shall have the option of either using vacation leave or taking a leave without pay during the closure. Newly employed personnel are permitted to use accrued vacation during a curtailment period even if the required six initial months of employment has not been completed.~~

Policy Reference Disclaimer:

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State	Description
Ed. Code 22850-22856	<u>Pension benefits; STRS members on military leave</u>
Ed. Code 44018	<u>Compensation for employees on active military duty</u>
Ed. Code 44036-44037	<u>Leaves of absence for judicial and official appearances</u>
Ed. Code 44043.5	<u>Catastrophic leave</u>
Ed. Code 44800	<u>Effect of active military service on status of employees</u>
Ed. Code 44842	<u>Reemployment notices; certificated employees</u>

Ed. Code 44940	Compulsory leave of absence for certificated persons
Ed. Code 44962-44988	Leave of absence; certificated
Ed. Code 45059	Employee ordered to active military/naval duty; computation of salary
Ed. Code 45190-45210	Leaves of absence; classified
Fam. Code 297-297.5	Rights, protections, benefits under the law; registered domestic partners
Gov. Code 12945.1-12945.21	California Family Rights Act
Gov. Code 12945.7	Bereavement leave
Gov. Code 20990-21013	Pension benefits; PERS members on military leave
Gov. Code 3543.1	Rights of employee organizations
Gov. Code 3543.2	Scope of representation
Lab. Code 230-230.2	Leaves for victims of domestic violence, sexual assault or specified felonies
Lab. Code 230.3	Leave for emergency personnel
Lab. Code 230.4	Leave for volunteer firefighters
Lab. Code 230.8	Time off to visit child's school
Lab. Code 233	Leave to attend to family illness
M&V Code 395-395.9	Military leave
M&V Code 395.10	Leave when spouse on leave from military deployment

Federal

29 USC 2601-2654

38 USC 4301-4334

Description

Family Care and Medical Leave Act

Uniformed Services Employment and Reemployment Rights Act of 1994

Management Resources

Website

Description

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

Cross References

Code

2121

4112.1

Description

[Superintendent's Contract](#)

[Contracts](#)

4112. 442	<u>ContractsDrug And Alcohol Testing For School Bus Drivers</u>
4112.42	<u>Drug And Alcohol Testing For School Bus DriversDrug And Alcohol Testing For School Bus Drivers</u>
4118	<u>Dismissal/Suspension/Disciplinary ActionDismissal/Suspension/Disciplinary Action</u>
4118	<u>Dismissal/Suspension/Disciplinary ActionDismissal/Suspension/Disciplinary Action</u>
4131	<u>Staff DevelopmentStaff Development</u>
4131	<u>Staff Development</u>
4141	<u>Collective Bargaining AgreementCollective Bargaining Agreement</u>
4154	<u>Health And Welfare BenefitsHealth And Welfare Benefits</u>
4154	<u>Health And Welfare BenefitsHealth And Welfare Benefits</u>
4159	<u>Employee Assistance ProgramsEmployee Assistance Programs</u>
4161.1	<u>Personal Illness/Injury LeavePersonal Illness/Injury Leave</u>
4161.11	<u>Industrial Accident/Illness LeaveIndustrial Accident/Illness Leave</u>
4161.2	<u>Personal LeavesPersonal Leaves</u>
4161.3	<u>Professional Leaves</u>
4161.5	<u>Military LeaveMilitary Leave</u>
4161.8	<u>Family Care And Medical LeaveFamily Care And Medical Leave</u>
4161.9	<u>Catastrophic Leave ProgramCatastrophic Leave Program</u>
4161.9	<u>Catastrophic Leave ProgramCatastrophic Leave Program</u>
4212.42	<u>Drug And Alcohol Testing For School Bus DriversDrug And Alcohol Testing For School Bus Drivers</u>
4212.42	<u>Drug And Alcohol Testing For School Bus Drivers</u>
4218	<u>Dismissal/Suspension/Disciplinary ActionDismissal/Suspension/Disciplinary Action</u>

4218	<u>Dismissal/Suspension/Disciplinary Action</u> <u>Dismissal/Suspension/Disciplinary Action</u>
4231	<u>Staff Development</u> <u>Staff Development</u>
4231	<u>Staff Development</u>
4241	<u>Collective Bargaining Agreement</u> <u>Collective Bargaining Agreement</u>
4254	<u>Health And Welfare Benefits</u> <u>Health And Welfare Benefits</u>
4254	<u>Health And Welfare Benefits</u> <u>Health And Welfare Benefits</u>
4259	<u>Employee Assistance Programs</u> <u>Employee Assistance Programs</u>
4261.1	<u>Personal Illness/Injury Leave</u> <u>Personal Illness/Injury Leave</u>
4261.11	<u>Industrial Accident/Illness Leave</u> <u>Industrial Accident/Illness Leave</u>
4261.2	<u>Personal Leaves</u> <u>Personal Leaves</u>
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4300	<u>Administrative And Supervisory Personnel</u> <u>Administrative And Supervisory Personnel</u>
4300	<u>Administrative And Supervisory Personnel</u> <u>Administrative And Supervisory Personnel</u>
4312.1	<u>Contracts</u> <u>Contracts</u>
4312.42	<u>Drug And Alcohol Testing For School Bus Drivers</u> <u>Drug And Alcohol Testing For School Bus Drivers</u>
4331 <u>4312.42</u>	<u>Staff Development</u> <u>Drug And Alcohol Testing For School Bus Drivers</u>
4331	<u>Staff Development</u> <u>Staff Development</u>

4354	Health And Welfare Benefits Health And Welfare Benefits
4354	Health And Welfare Benefits Health And Welfare Benefits
4359	Employee Assistance Programs Employee Assistance Programs
4361.1	Personal Illness/Injury Leave Personal Illness/Injury Leave
4361.11	Industrial Accident/Illness Leave Industrial Accident/Illness Leave
4361.2	Personal Leaves Personal Leaves
4361.5	Military Leave Military Leave
4361.8	Family Care And Medical Leave Family Care And Medical Leave
4361.9	Catastrophic Leave Program Catastrophic Leave Program
4361.9	Catastrophic Leave Program Catastrophic Leave Program

Policy 4161/4261/4361: Leaves

Status: ADOPTED

Original Adopted Date: 02/11/2014 | **Last Revised Date:** 04/07/2022 | **Last Reviewed Date:** 04/07/2022

The Governing Board of Education shall provide for paid and unpaid leaves of absence and holidays for administrative and supervisory employees and confidential and licensed personnel in accordance with law, Board policy and administrative regulation, as applicable, and as set forth below.

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

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

1. Administrative and Supervisory Employee shall mean the following:
 - a. A certificated or classified employee in a position with responsibilities as defined in Government Code 3540.1(m) and who is not subject to the district's collective bargaining agreements
 - b. A certificated or classified employee in a management position with responsibilities pursuant to Government Code 3540.1(g), including positions defined below as Certificated Executive Management.
2. Confidential Employee shall mean an employee in a position with responsibilities as defined in Section 3540.1(c) of the California Government Code.
3. Licensed Personnel shall mean an employee in the positions of psychologist, behavioral therapist or occupational therapist and who is not subject to the district's collective bargaining agreements.
4. Full Time Employee shall mean an employee who is regularly assigned to work five (5) days per week, seven (7) to eight (8) hours a day, 35 (thirty-five) to 40 (forty) hours per week, and who is employed for either the fiscal or academic year.
5. Certificated Executive Management Employee shall mean the Chief Business Officer and the Chief Human Resources Officer, if the individuals holding these position are certificated, the Assistant Superintendent of Education Services and any other certificated Assistant Superintendent approved by the Board subsequent to the effective date of this policy.

The Board recognizes the following justifiable reasons for employee absence:

1. Personal illness or injury
2. Industrial accident or illness
3. Family care and medical leave

4. Military service
5. Personal necessity and personal emergencies
6. Disability leave for certificated employees in accordance with Education Code 44986
7. Vacations and district holidays for classified staff and certificated management staff, as applicable
8. Personal holidays
9. Sabbaticals for purposes of study or training related to the employee's job duties
10. Attendance at work-related meetings and staff development opportunities
11. Compulsory leave
12. Maternity, parental leave, and reproductive loss leave for both certificated and classified staff, as applicable under state law
13. Bereavement

Long-Term Leaves

With Board approval, an employee may receive a leave of absence, without pay and without accruing seniority or service credit, for a period of up to one school year. Applications for long-term leave shall be made in writing and shall state the purpose for which leave is requested. All long-term leave agreements shall be in writing and shall state the terms and conditions of the leave, including the conditions governing the employee's return.

At the end of a long-term leave, the employee shall be reinstated to a similar position as that held at the time leave was granted, unless otherwise agreed upon.

The Board shall consider any written request by an employee to return to work prior to the expiration date of the leave.

Administrative and Supervisory Personnel

Certificated administrative and supervisory employees who are not subject to the district's bargaining agreement for certificated employees shall generally be entitled to those leave provisions provided in the bargaining agreement for other certificated employees unless otherwise specified in individual contract, memorandums of understanding, Board policy, administrative regulation, or law.

Classified administrative and supervisory employees who are not subject to the district's bargaining agreement for classified employees shall generally be entitled to those leave provisions provided in the bargaining agreement for other classified employees unless otherwise specified in individual contract, memoranda of understanding, Board policy, administrative regulation, or law.

District Holidays

The district observes the following holidays:

Independence Day
Labor Day
Admission Day
Veterans Day
Thanksgiving Day and the Friday after Thanksgiving Day
Day before Christmas Eve (noon; -Ω day)*
Christmas Eve
Christmas Day
New Year's Eve
New Year's Day
Martin Luther King Day
Lincoln Day
President's Day
Friday of Spring Recess* (or Friday before Spring Recess)
Memorial Day
Juneteenth

Classified Administrative and Supervisory Employees, Certificated Executive Management, Confidential, and classified Licensed Personnel are entitled to payment for district holidays as part of their regular monthly compensation provided the holiday occurs during the employee's scheduled work year and provided they are in paid status during any portion of the workday immediately preceding or succeeding the holiday.

In general, certificated Administrative and Supervisory Employees and certificated Licensed Personnel are expected to designate district holidays as non-work days in accordance with Board Policy 4351 - Employee Compensation. In the event a certificated employee believes it is necessary to schedule a district holiday as a workday, the employee shall obtain approval from his/her immediate supervisor in advance.

Personal Holidays

In addition to the above district holidays, Administrative and Supervisory Employees, Confidential Employees and Licensed Personnel are entitled to personal holidays each fiscal year in accordance with the schedule set forth below. Personal Holidays do not accrue from year to year and may only be observed during the Thanksgiving, winter and spring school recesses.

Classified Administrative and Supervisory Employees, Certificated Executive Management, Confidential Employees and classified Licensed Personnel may designate up to 4 days each fiscal year as Personal Holidays.

Certificated Administrative and Supervisory Employees and certificated Licensed Personnel are entitled to Personal Holidays according to the number of work days in their annual contract as follows:

Work Days Number of Personal Holidays

190 to 194 = 1

195 to 203 = 2

204 to 212 = 3

213 to 224 = 4

225 = 4

Personal Holidays are subject to all of the following criteria:

1. The personal holiday must occur during the employee's scheduled work year
2. The employee must obtain prior approval from his/her immediate supervisor; and
3. The employee is in paid status during any portion of the workday immediately preceding or succeeding the personal holiday
4. The personal holiday occurs during the Thanksgiving, winter or spring school recess

Vacation for Classified Administrative and Supervisory Employees, Confidential Employees, Classified Licensed Personnel and Certificated Executive Management Employees

Consistent with the requirements of Education Code 45190 et. seq., the district provides vacation for the following employees: classified Administrative and Supervisory Employees, Confidential Employees, classified Licensed Personnel and Certificated Executive Management Employees ("eligible employees"). Although vacation is provided for rest, a supervisor may grant an eligible employee's request to use vacation for illness, disability, and or personal reasons.

A. Earning and Accrual of Vacation Leave

Eligible employees shall accrue annual vacation at the regular rate of pay earned at the time the vacation is commenced.

Full time eligible employees shall earn 1.7 days of vacation per month or the equivalent of 20.5 days per year. Regular eligible employees who are assigned to work less than full time shall receive a prorated vacation benefit based on the fraction of full-time work.

Earned vacation shall not become a vested right until completion of the initial six months of employment.

If an employee is unable or not permitted to take his/her full annual vacation, the Board shall pay the balance of the unused vacation in cash within 30 days of the conclusion of the fiscal year. At the employee's option, up to 5 days of unused vacation may accumulate for use in the next year.

Upon separation from service, the employee shall be entitled to lump-sum compensation for all earned and unused vacation, except that employees who have not completed six months of employment in regular status shall not be entitled to such compensation.

B. Scheduling Vacation

Vacation leave is normally scheduled in advance and shall be approved by the employee's immediate supervisor. The district retains absolute discretion to approve vacation leave, except that requests shall not be unreasonably denied. Vacation shall not be scheduled after the last day of work, except that an employee may schedule vacation between the last day at work and the effective date of retirement. To use accrued vacation for illness or disability an employee may be required to submit medical certification of inability to work or illness in the family.

With the exception of the initial six months of employment, employees may take vacation before it is earned. If an employee is terminated and had been granted vacation which was not yet earned at the time of termination of his/her services, the district shall deduct from the employee's final pay check the full amount of salary which was paid for such unearned days of vacation taken.

C. Curtailment Period

Consistent with the district's management rights, including its right to determine the orderly, effective and efficient operation of the district, the district may elect at one or more of its locations to curtail or shut down some or all of its activities, on a location-by-location basis, for periods of specific duration. By way of example and not limitation, such periods may represent opportunities for energy/cost savings and/or adjustments to reduce levels of work activity due to transition periods in the academic calendar and/or "seasonal" or "holiday" influences on scheduled work activities and/or the occurrence of emergency or "forces of nature" situations adversely affecting normal district operations.

In the event of such total or partial closure or curtailment of operations, whether or not the district is able to anticipate such event, employees affected shall have the option of either using vacation leave or taking a leave without pay during the closure. Newly employed personnel are permitted to use accrued vacation during a curtailment period even if the required six initial months of employment has not been completed.

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 22850-22856	<u>Pension benefits; STRS members on military leave</u>
Ed. Code 44018	<u>Compensation for employees on active military duty</u>
Ed. Code 44036-44037	<u>Leaves of absence for judicial and official appearances</u>
Ed. Code 44043.5	<u>Catastrophic leave</u>
Ed. Code 44800	<u>Effect of active military service on status of employees</u>
Ed. Code 44842	<u>Reemployment notices; certificated employees</u>
Ed. Code 44940	<u>Compulsory leave of absence for certificated persons</u>
Ed. Code 44962-44988	<u>Leave of absence; certificated</u>
Ed. Code 45059	<u>Employee ordered to active military/naval duty; computation of salary</u>
Ed. Code 45190-45210	<u>Leaves of absence; classified</u>
Fam. Code 297-297.5	<u>Rights, protections, benefits under the law; registered domestic partners</u>
Gov. Code 12945.1-12945.21	<u>California Family Rights Act</u>
Gov. Code 12945.7	Bereavement leave
Gov. Code 20990-21013	<u>Pension benefits; PERS members on military leave</u>
Gov. Code 3543.1	<u>Rights of employee organizations</u>
Gov. Code 3543.2	<u>Scope of representation</u>

Lab. Code 230-230.2	Leaves for victims of domestic violence, sexual assault or specified felonies
Lab. Code 230.3	Leave for emergency personnel
Lab. Code 230.4	Leave for volunteer firefighters
Lab. Code 230.8	Time off to visit child's school
Lab. Code 233	Leave to attend to family illness
M&V Code 395-395.9	Military leave
M&V Code 395.10	Leave when spouse on leave from military deployment

Federal

29 USC 2601-2654	Description Family Care and Medical Leave Act
38 USC 4301-4334	Uniformed Services Employment and Reemployment Rights Act of 1994

Management Resources

Website	Description CSBA District and County Office of Education Legal Services
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Cross References

Code	Description
2121	Superintendent's Contract Superintendent's Contract
4112.1	Contracts Contracts
4112. 142	Contracts Drug And Alcohol Testing For School Bus Drivers
4112.42	Drug And Alcohol Testing For School Bus Drivers Drug And Alcohol Testing For School Bus Drivers
4118	Dismissal/Suspension/Disciplinary Action Dismissal/Suspension/Disciplinary Action
4118	Dismissal/Suspension/Disciplinary Action Dismissal/Suspension/Disciplinary Action
4131	Staff Development Staff Development
4131	Staff Development
4141	Collective Bargaining Agreement Collective Bargaining Agreement
4154	Health And Welfare Benefits Health And Welfare Benefits

4154	Health And Welfare Benefits Health And Welfare Benefits
4159	Employee Assistance Programs Employee Assistance Programs
4161.1	Personal Illness/Injury Leave Personal Illness/Injury Leave
4161.11	Industrial Accident/Illness Leave Industrial Accident/Illness Leave
4161.2	Personal Leaves Personal Leaves
4161.3	Professional Leaves
4161.5	Military Leave Military Leave
4161.8	Family Care And Medical Leave Family Care And Medical Leave
4161.9	Catastrophic Leave Program Catastrophic Leave Program
4161.9	Catastrophic Leave Program Catastrophic Leave Program
4212.42	Drug And Alcohol Testing For School Bus Drivers Drug And Alcohol Testing For School Bus Drivers
4212.42	Drug And Alcohol Testing For School Bus Drivers
4218	Dismissal/Suspension/Disciplinary Action Dismissal/Suspension/Disciplinary Action
4218	Dismissal/Suspension/Disciplinary Action Dismissal/Suspension/Disciplinary Action
4231	Staff Development Staff Development
4231	Staff Development
4241	Collective Bargaining Agreement Collective Bargaining Agreement
4254	Health And Welfare Benefits Health And Welfare Benefits
4254	Health And Welfare Benefits Health And Welfare Benefits
4259	Employee Assistance Programs Employee Assistance Programs
4261.1	Personal Illness/Injury Leave Personal Illness/Injury Leave

4261.11	Industrial Accident/Illness Leave <u>Industrial Accident/Illness Leave</u>
4261.2	Personal Leaves <u>Personal Leaves</u>
4261.3	Professional Leaves <u>Professional Leaves</u>
4261.5	Military Leave <u>Military Leave</u>
4261.8	Family Care And Medical Leave <u>Family Care And Medical Leave</u>
4261.9	Catastrophic Leave Program <u>Catastrophic Leave Program</u>
4261.9	Catastrophic Leave Program <u>Catastrophic Leave Program</u>
4300	Administrative And Supervisory Personnel <u>Administrative And Supervisory Personnel</u>
4300	Administrative And Supervisory Personnel <u>Administrative And Supervisory Personnel</u>
4312.1	Contracts <u>Contracts</u>
4312.42	Drug And Alcohol Testing For School Bus Drivers <u>Drug And Alcohol Testing For School Bus Drivers</u>
4331 4312.42	Staff Development <u>Staff Development</u> Drug And Alcohol Testing For School Bus Drivers <u>Drug And Alcohol Testing For School Bus Drivers</u>
4331	Staff Development <u>Staff Development</u>
4354	Health And Welfare Benefits <u>Health And Welfare Benefits</u>
4354	Health And Welfare Benefits <u>Health And Welfare Benefits</u>
4359	Employee Assistance Programs <u>Employee Assistance Programs</u>
4361.1	Personal Illness/Injury Leave <u>Personal Illness/Injury Leave</u>
4361.11	Industrial Accident/Illness Leave <u>Industrial Accident/Illness Leave</u>
4361.2	Personal Leaves <u>Personal Leaves</u>
4361.5	Military Leave <u>Military Leave</u>
4361.8	Family Care And Medical Leave <u>Family Care And Medical Leave</u>

4361.9

Catastrophic Leave ProgramCatastrophic Leave Program

4361.9

Catastrophic Leave ProgramCatastrophic Leave Program

Policy 5113: Absences And Excuses

Status: ADOPTED

Original Adopted Date: ~~06/26/2012~~11/01/1999 | **Last Revised Date:** 06/01/2024 | **Last Reviewed Date:** 06/26/201201/2024

The Governing Board of Education believes that regular attendance plays an important role in student achievement. The Board shall work with parents/guardians and students to ensure their compliance with all state attendance laws, and may use appropriate legal means to correct problems of chronic absence or truancy.

Excused Absences

Absence

In accordance with law, Board policy, and administrative regulation, absence from school shall be excused only for health reasons, family emergencies, and justifiable personal reasons, as permitted by law, Board policy, and administrative regulations. (Education Code 48205)

~~Inasmuch as class participation is an integral part of students' learning experiences, parents/guardians and students shall be encouraged to schedule medical appointments during nonschool hours.~~

~~At the beginning of each school year, the Superintendent or designee shall send a notification to the parents/guardians of all students, and to all students in grades 7-12, informing them that school authorities may excuse any student from school to obtain confidential medical services without the consent of the student's parent/guardian. (Education Code 46010.1)~~

~~Students shall not be absent from school without their parents/guardians' knowledge or consent except in cases of medical emergency or confidential medical appointment.~~

as specified in Education Code 48205, and work in the entertainment or allied industry as permitted pursuant to Education Code 48225.5.

When a student's absence from school is excused, the student's teacher shall determine identical or reasonably equivalent assignments and tests to those missed during the absence which the student shall be permitted to complete for full credit within a reasonable amount of time as determined by the teacher. (Education Code 48205, 48225.5)

Student absence for religious instruction or participation in religious exercises away from school property may be considered excused subject to law and administrative ~~regulations. (Education Code 46014)~~regulation. (Education Code 46014)

Inasmuch as school attendance and class participation are integral to students' learning experiences, parents/guardians and students shall be encouraged to schedule medical and other appointments during non-school hours.

Students shall not be absent from school without their parents/guardians' knowledge or consent, except in cases of medical emergency or, as authorized pursuant to Education Code 46010.1, for a confidential medical appointment.

The Board shall, by resolution entered into its minutes, approve reasonable methods that may be used to verify student absences due to illness or quarantine. (5 CCR 421)

Effect of Absence on Grades/Credits

~~If a student's absence is excused under Education Code 48205, he/she shall be allowed to complete any missed assignment or test that can be reasonably given, as determined by the teacher of that class. The student shall be given full credit for the assignment or test if he/she satisfactorily completes the assignment or test within a reasonable period of time. (Education Code 48205)~~

~~A student's grades may be affected by excessive unexcused absences in accordance with Board policy.~~

Policy Reference Disclaimer:

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

State	Description
5 CCR 306	Explanation of absence
5 CCR 420-424	Record of verification of absence due to illness and other causes
Ed. Code 1740	<u>Employment of personnel to supervise attendance</u>
Ed. Code 37201	<u>School month</u>
Ed. Code 37223	<u>Weekend classes</u>
Ed. Code 41601	<u>Reports of average daily attendance</u>
Ed. Code 42238-42250.1	<u>Apportionments</u>
Ed. Code 46000	<u>Attendance records</u>
Ed. Code 46010-46015	<u>Absences</u>
Ed. Code 46110-46120	<u>Attendance in kindergarten and elementary schools</u>
Ed. Code 46140-46148	<u>Attendance in junior high and high schools</u>
Ed. Code 48200-48208	<u>Children ages 6-18; compulsory full-time attendance</u>
Ed. Code 48210-48216	<u>Exclusions from attendance</u>

Ed. Code 48225.5	Work permit; excused absence; entertainment or allied industries; participation in not-for-profit performing arts organization
Ed. Code 48240-48246	Supervisors of attendance
Ed. Code 48260-48273	Truants
Ed. Code 48292	Filing complaint against parent
Ed. Code 48320-48324	School attendance review boards
Ed. Code 48340-48341	Improvement of student attendance
Ed. Code 48980	Parent/Guardian notifications
Ed. Code 49067	Unexcused absences as cause of failing grade
Ed. Code 49701	Provisions of the Interstate Compact on Educational Opportunities for Military Children
Elec. Code 12302	Student participation on precinct boards
Fam. Code 6920-6930	Consent by minor for medical treatment
W&I Code 11253.5	Compulsory school attendance; eligibility for aid
W&I Code 601-601.5	Habitually truant minors
Management Resources	Description
Attorney General Opinion	66 Ops.Cal.Atty.Gen. 244 (1983)
Attorney General Opinion	87 Ops.Cal.Atty.Gen. 168 (2004)
Court Decision	American Academy of Pediatrics et al v. Lungren et al (1997) 16 Cal.4th 307
CSBA Publication	Seize the Data: Using Chronic Absence Data to Drive Student Engagement, March 2024
Website	CSBA District and County Office of Education Legal Services
Website	CSBA

Cross References

Code	Description
0450	Comprehensive Safety Plan Comprehensive Safety Plan
0450	Comprehensive Safety Plan Comprehensive Safety Plan
3516	Emergencies And Disaster Preparedness Plan Emergencies And Disaster Preparedness Plan

3516	<u>Emergencies And Disaster Preparedness Plan</u> <u>Emergencies And Disaster Preparedness Plan</u>
4119.41	<u>Employees With Infectious Disease</u> <u>Employees With Infectious Disease</u>
4219.41	<u>Employees With Infectious Disease</u> <u>Employees With Infectious Disease</u>
4319.41	<u>Employees With Infectious Disease</u> <u>Employees With Infectious Disease</u>
5000	<u>Concepts And Roles</u> <u>Concepts And Roles</u>
5020	<u>Parent Rights And Responsibilities</u> <u>Parent Rights And Responsibilities</u>
5020	<u>Parent Rights And Responsibilities</u> <u>Parent Rights And Responsibilities</u>
5112.1	<u>Exemptions From Attendance</u> <u>Exemptions From Attendance</u>
5112.1	<u>Exemptions From Attendance</u> <u>Exemptions From Attendance</u>
5112.2	<u>Exclusions From Attendance</u> <u>Exclusions From Attendance</u>
5112.5	<u>Open/Closed Campus</u> <u>Open/Closed Campus</u>
5113.1	<u>Chronic Absence And Truancy</u> <u>Chronic Absence And Truancy</u>
5113.1	<u>Chronic Absence And Truancy</u> <u>Chronic Absence And Truancy</u>
5113.11	<u>Attendance Supervision</u> <u>Attendance Supervision</u>
<u>5113.12</u>	<u>District School Attendance Review Board</u>
<u>5113.12</u>	<u>District School Attendance Review Board</u>
5121	<u>Grades/Evaluation Of Student Achievement</u> <u>Grades/Evaluation Of Student Achievement</u>
5121	<u>Grades/Evaluation Of Student Achievement</u> <u>Grades/Evaluation Of Student Achievement</u>
5131	<u>Conduct</u> <u>Conduct</u>
5131.4	<u>Student Disturbances</u> <u>Student Disturbances</u>

5131.4	<u>Student Disturbances</u> Student Disturbances
5141.21	<u>Administering Medication And Monitoring Health Conditions</u> Administering Medication And Monitoring Health Conditions
5141.21	<u>Administering Medication And Monitoring Health Conditions</u> Administering Medication And Monitoring Health Conditions
5141.22	<u>Infectious Diseases</u> Infectious Diseases
5141.22	<u>Infectious Diseases</u> Infectious Diseases
5141.33	<u>Head Lice</u> Head Lice
5144.1	<u>Suspension And Expulsion/Due Process</u> Suspension And Expulsion/Due Process
5144.1	<u>Suspension And Expulsion/Due Process</u> Suspension And Expulsion/Due Process
5145.6	<u>Parent/Guardian Notifications</u> Parent/Guardian Notifications
5145.6-E PDF(1)	<u>Parent/Guardian Notifications</u> Parent/Guardian Notifications
5146	<u>Married/Pregnant/Parenting Students</u> Married/Pregnant/Parenting Students
5146	<u>Married/Pregnant/Parenting Students</u>
5147	<u>Dropout Prevention</u> Dropout Prevention
6020	<u>Parent Involvement</u> Parent Involvement
6020	<u>Parent Involvement</u> Parent Involvement
6111	<u>School Calendar</u> School Calendar
6112	<u>School Day</u> School Day
6112	<u>School Day</u> School Day
6141.2	<u>Recognition Of Religious Beliefs And Customs</u> Recognition Of Religious Beliefs And Customs
6141.2	<u>Recognition Of Religious Beliefs And Customs</u> Recognition Of Religious Beliefs And Customs
6145	<u>Extracurricular And Cocurricular Activities</u> Extracurricular And Cocurricular Activities

6145	<u>Extracurricular And Cocurricular Activities</u> <u>Extracurricular And Cocurricular Activities</u>
6154	<u>Homework/Makeup Work</u> <u>Homework/Makeup Work</u>
6154	<u>Homework/Makeup Work</u>
6154-E PDF(1)	<u>Homework/Makeup Work</u>
6158	<u>Independent Study</u> <u>Independent Study</u>
6158	<u>Independent Study</u> <u>Independent Study</u>
6164.2	<u>Guidance/Counseling Services</u> <u>Guidance/Counseling Services</u>
6164 <u>6173.2</u>	<u>Guidance/Counseling Services</u> <u>Education Of Children Of Military Families</u>
6173.2	<u>Education Of Children Of Military Families</u> <u>Education Of Children Of Military Families</u>
6176	<u>Weekend/Saturday Classes</u> <u>Weekend/Saturday Classes</u>
6176	<u>Weekend/Saturday Classes</u>
6177	<u>Summer Learning Programs</u> <u>Summer Learning Programs</u>
6183	<u>Home And Hospital Instruction</u> <u>Home And Hospital Instruction</u>
6184	<u>Continuation Education</u> <u>Continuation Education</u>
6184	<u>Continuation Education</u> <u>Continuation Education</u>
6185	<u>Community Day School</u> <u>Community Day School</u>
6185	<u>Community Day School</u> <u>Community Day School</u>

Policy 5113: Absences And Excuses

Status: ADOPTED

Original Adopted Date: 06/26/2012 | **Last Reviewed Date:** 06/26/2012

The Governing Board believes that regular attendance plays an important role in student achievement. The Board shall work with parents/guardians and students to ensure their compliance with all state attendance laws and may use appropriate legal means to correct problems of chronic absence or truancy.

In accordance with law, Board policy, and administrative regulation, absence from school shall be excused only for health reasons, family emergencies, and justifiable personal reasons as specified in Education Code 48205, and work in the entertainment or allied industry as permitted pursuant to Education Code 48225.5.

When a student's absence from school is excused, the student's teacher shall determine identical or reasonably equivalent assignments and tests to those missed during the absence which the student shall be permitted to complete for full credit within a reasonable amount of time as determined by the teacher. (Education Code 48205, 48225.5)

Student absence for religious instruction or participation in religious exercises away from school property may be considered excused subject to law and administrative regulation. (Education Code 46014)

Inasmuch as school attendance and class participation are integral to students' learning experiences, parents/guardians and students shall be encouraged to schedule medical and other appointments during non-school hours.

Students shall not be absent from school without their parents/guardians' knowledge or consent, except in cases of medical emergency or, as authorized pursuant to Education Code 46010.1, for a confidential medical appointment.

The Board shall, by resolution entered into its minutes, approve reasonable methods that may be used to verify student absences due to illness or quarantine. (5 CCR 421)

Policy Reference Disclaimer:

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

State

5 CCR 306

Description

Explanation of absence

5 CCR 420-424	Record of verification of absence due to illness and other causes
Ed. Code 1740	Employment of personnel to supervise attendance
Ed. Code 37201	School month
Ed. Code 37223	Weekend classes
Ed. Code 41601	Reports of average daily attendance
Ed. Code 42238-42250.1	Apportionments
Ed. Code 46000	Attendance records
Ed. Code 46010-46015	Absences
Ed. Code 46110-46120	Attendance in kindergarten and elementary schools
Ed. Code 46140-46148	Attendance in junior high and high schools
Ed. Code 48200-48208	Children ages 6-18; compulsory full-time attendance
Ed. Code 48210-48216	Exclusions from attendance
Ed. Code 48225.5	Work permit; excused absence; entertainment or allied industries; participation in not-for-profit performing arts organization
Ed. Code 48240-48246	Supervisors of attendance
Ed. Code 48260-48273	Truants
Ed. Code 48292	Filing complaint against parent
Ed. Code 48320-48324	School attendance review boards
Ed. Code 48340-48341	Improvement of student attendance
Ed. Code 48980	Parent/Guardian notifications
Ed. Code 49067	Unexcused absences as cause of failing grade
Ed. Code 49701	Provisions of the Interstate Compact on Educational Opportunities for Military Children
Elec. Code 12302	Student participation on precinct boards
Fam. Code 6920-6930	Consent by minor for medical treatment
W&I Code 11253.5	Compulsory school attendance; eligibility for aid
W&I Code 601-601.5	Habitually truant minors

Management Resources
Attorney General Opinion

Description
66 Ops.Cal.Atty.Gen. 244 (1983)

Attorney General Opinion	87 Ops.Cal.Atty.Gen. 168 (2004)
Court Decision	American Academy of Pediatrics et al v. Lungren et al (1997) 16 Cal.4th 307
CSBA Publication	Seize the Data: Using Chronic Absence Data to Drive Student Engagement, March 2024
Website	CSBA District and County Office of Education Legal Services
Website	CSBA

Cross References

Code	Description
0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan
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4119.41	Employees With Infectious Disease
4219.41	Employees With Infectious Disease
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5112.5	Open/Closed Campus
5113.1	Chronic Absence And Truancy
5113.1	Chronic Absence And Truancy
5113.11	Attendance Supervision
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5113.12	District School Attendance Review Board
5121	Grades/Evaluation Of Student Achievement

5121	Grades/Evaluation Of Student Achievement
5131	Conduct
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5131.4	Student Disturbances
5141.21	Administering Medication And Monitoring Health Conditions
5141.21	Administering Medication And Monitoring Health Conditions
5141.22	Infectious Diseases
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5141.33	Head Lice
5144.1	Suspension And Expulsion/Due Process
5144.1	Suspension And Expulsion/Due Process
5145.6	Parent/Guardian Notifications
5145.6	Parent/Guardian Notifications
5146	Married/Pregnant/Parenting Students
5147	Dropout Prevention
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6112	School Day
6141.2	Recognition Of Religious Beliefs And Customs
6141.2	Recognition Of Religious Beliefs And Customs
6145	Extracurricular And Cocurricular Activities
6145	Extracurricular And Cocurricular Activities
6154	Homework/Makeup Work
6158	Independent Study
6158	Independent Study
6164.2	Guidance/Counseling Services

6173.2	Education Of Children Of Military Families
6173.2	Education Of Children Of Military Families
6176	Weekend/Saturday Classes
6177	Summer Learning Programs
6183	Home And Hospital Instruction
6184	Continuation Education
6184	Continuation Education
6185	Community Day School
6185	Community Day School

Policy 5145.3: Nondiscrimination/Harassment

Status: ADOPTED

Original Adopted Date: 11/15/2016 | Last Revised Date: 01/09/2024 | Last Reviewed Date: 01/09/2024

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

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

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

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

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

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

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

required information on the district's web site in a manner that is easily accessible to parents/guardians and students, in accordance with law and the accompanying administrative regulation. ([Education code 234.1, 234.6; 34 CFR 106.8](#))

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

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

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

When a student has been suspended, or other means of correction have been implemented against the student for an incident of racist bullying, harassment, or intimidation, the principal or designee shall engage both the victim and perpetrator in a restorative justice practice suitable to the needs of the students. The principal or designee shall also require the perpetrator to engage in a culturally sensitive program that promotes racial justice and equity and combats racism and ignorance and shall regularly check on the victim to ensure that the victim is not in danger of suffering from any long-lasting mental health issues. (Education Code 48900.5)

When appropriate based on the severity or pervasiveness of the bullying, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators and may contact law enforcement.

All allegations Allegations of unlawful discrimination in district programs and activities shall be brought, investigated, and resolved in accordance with Board Policy 1312.3 - Uniform Complaint Procedures, when required by law. However, complaints alleging sex discrimination, including sex-based harassment, under Title IX shall be investigated and resolved in accordance with the procedures specified in 34 CFR 106.44 and 106.45 and Administrative Regulation 5145.71 – Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures.

Record-Keeping

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

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 432	Student records
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5 CCR 4900-4965	Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance
Civ. Code 1714.1	<u>Liability of parent or guardian for act of willful misconduct by a minor</u>
Ed. Code 17585	School modernization project; all-gender restroom
Ed. Code 200-262.4	<u>Prohibition of discrimination</u>
Ed. Code 33353	California Interscholastic Federation; standardized incident form
Ed. Code 35292.5	School restrooms; all-gender restrooms
Ed. Code 48900.3	<u>Suspension or expulsion for act of hate violence</u>
Ed. Code 48900.4	<u>Suspension or expulsion for harassment, threats, or intimidation</u>
Ed. Code 48900.5	Suspension; other means of correction
Ed. Code 48904	<u>Liability of parent/guardian for willful student misconduct</u>
Ed. Code 48907	<u>Exercise of free expression; time, place, and manner rules and regulations</u>
Ed. Code 48950	<u>Speech and other communication</u>
Ed. Code 48985	<u>Notices to parents in language other than English</u>
Ed. Code 49020-49023	<u>Athletic programs</u>
Ed. Code 49060-49079	<u>Student records</u>
Ed. Code 51204.5	<u>Social sciences instruction; contributions of specified groups</u>
Ed. Code 51500	<u>Prohibited instruction or activity</u>
Ed. Code 51501	<u>Nondiscriminatory subject matter</u>
Ed. Code 60010	<u>Instructional materials; definition</u>
Ed. Code 60040-60052	<u>Requirements for instructional materials</u>
Gov. Code 11135	<u>Prohibition of discrimination</u>

Pen. Code 422.55

[Definition of hate crime](#)

Pen. Code 422.6

[Crimes; harassment](#)

Federal

Description

20 USC 1681-1688

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

28 CFR 35.107

Nondiscrimination on basis of disability; complaints

29 USC 794

Rehabilitation Act of 1973; Section 504

34 CFR 100.3

Prohibition of discrimination on basis of race, color or national origin

34 CFR 104.7

Section 504; Designation of responsible employee and adoption of grievances procedures

34 CFR 104.8

Notice of Nondiscrimination on the Basis of Handicap

34 CFR 106.1-106.82

Discrimination on the basis of sex; effectuating Title IX

34 CFR 110.25

Prohibition of discrimination based on age

34 CFR 99.31

Disclosure of personally identifiable information

42 USC 12101-12213

Americans with Disabilities Act

42 USC 2000d-2000e-17

Title VI and Title VII Civil Rights Act of 1964, as amended

42 USC 2000h-2-2000h-6

Title IX of the Civil Rights Act of 1964

42 USC 6101-6107

Age Discrimination Act of 1975

Management Resources

Description

34 CFR 106.30

Discrimination on the basis of sex; definitions

CA Office of the Attorney General
Publication

[Guidance to School Officials re: Legal Requirements for Providing Inclusive Curricula and Books, January 2024](#)

CA Office of the Attorney General
Publication

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

California Department of Education
Publication

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

Court Decision

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

Court Decision	Flores v. Morgan Hill Unified School District (2003, 9th Cir.) 324 F.3d 1130
CSBA Publication	Reference: State Roles, Responsibilities, and Process for Instructional Materials Adoption, February 2024
CSBA Publication	Fact Sheet: Instructional Materials Adoption: Local governing board responsibilities, February 2024
CSBA Publication	Instructional Materials Adoptions: State and local governing board processes, roles, and responsibilities, February 2024
CSBA Publication	Legal Guidance on Rights of Transgender and Gender Nonconforming Students in Schools, October 2022
Federal Register	Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, April 29, 2024, Vol. 89, No. 83, pages 33474-33896
U.S DOE, Office for Civil Rights Publication	Resolution Agreement Between the Arcadia USD, US Dept of Ed, OCR, & the US DOJ, CRD (2013) OCR 09-12-1020, DOJ 169-12C-70
U.S. Department of Education Publication	Guidance on Constitutionally Protected Prayer and Religious Expression in Public Elementary and Secondary Schools, May 2023
U.S. Dept. of Health & Human Services Publication	Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, August 2013
U.S. DOE & U.S. DOJ Civil Rights Divisions Pub	Dear Colleague Letter: Resource on Confronting Racial Discrimination in Student Discipline, May 2023
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Protecting Students from Discrimination, such as Harassment, Based on Race, Color, or National Origin, Including Shared Ancestry or Ethnic Characteristics, May 2024
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Discrimination, Including Harassment, Based on Shared Ancestry or Ethnic Characteristics, November 2023
U.S. DOE, Office for Civil Rights Publication	Enforcement of Title IX of the Education Amendments of 1972 With Respect to Discrimination Based on Sexual Orientation and Gender Identity in Light of Bostock v. Clayton County, June 2021

U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Addressing Discrimination Against Jewish Students, May 2023
U.S. DOE, Office for Civil Rights Publication	U.S. Department of Education Toolkit: Creating Inclusive and Nondiscriminatory School Environments for LGBTQI+ Students, June 2023
U.S. DOE, Office for Civil Rights Publication	Questions and Answers on the Title IX Regulations on Sexual Harassment, June 2022
U.S. DOE, Office for Civil Rights Publication	Supporting Students with Disabilities and Avoiding the Discriminatory Use of Student Discipline under Section 504 of the Rehabilitation Act of 1973
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Race and School Programming, August 2023
Website	CSBA District and County Office of Education Legal Services
Website	First Amendment Center
Website	California Interscholastic Federation
Website	California Office of the Attorney General
Website	California Safe Schools Coalition
Website	CSBA
Website	California Department of Education
Website	U.S. Department of Education, Office for Civil Rights

Cross References

Code	Description
0410	Nondiscrimination In District Programs And Activities
0415	Equity
0415	Equity
0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan
1114	District-Sponsored Social Media
1240	Volunteer Assistance
1240	Volunteer Assistance
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 PDF(1)	<u>Complaints Concerning Instructional Materials</u>
1312.3	<u>Uniform Complaint Procedures</u>
1312.3	<u>Uniform Complaint Procedures</u>
1312.3-E PDF(1)	<u>Uniform Complaint Procedures</u>
1312.4	<u>Williams Uniform Complaint Procedures</u>
1312.4-E PDF(1)	<u>Williams Uniform Complaint Procedures</u>
1340	<u>Access To District Records</u>
1340	<u>Access To District Records</u>
3515.4	<u>Recovery For Property Loss Or Damage</u>
3515.4	<u>Recovery For Property Loss Or Damage</u>
3530	<u>Risk Management/Insurance</u>
3530	<u>Risk Management/Insurance</u>
3553	<u>Free And Reduced Price Meals</u>
3553	<u>Free And Reduced Price Meals</u>
3580	<u>District Records</u>
3580	<u>District Records</u>
4112.6	<u>Personnel Files</u>
4112.9	<u>Employee Notifications</u>
4112.9	<u>Employee Notifications</u>
4112.9-E PDF(1)	<u>Employee Notifications</u>
4118	<u>Dismissal/Suspension/Disciplinary Action</u>
4118	<u>Dismissal/Suspension/Disciplinary Action</u>
4119.11	<u>Sex Discrimination and Sex-Based Harassment</u>
4119.11	<u>Sex Discrimination and Sex-Based Harassment</u>
4119.21	<u>Professional Standards</u>
4119.21-E PDF(1)	<u>Professional Standards</u>

4119.23	<u>Unauthorized Release Of Confidential/Privileged Information</u>
4131	<u>Staff Development</u>
4131	<u>Staff Development</u>
4212.6	<u>Personnel Files</u>
4212.9	<u>Employee Notifications</u>
4212.9	<u>Employee Notifications</u>
4212.9-E PDF(1)	<u>Employee Notifications</u>
4218	<u>Dismissal/Suspension/Disciplinary Action</u>
4218	<u>Dismissal/Suspension/Disciplinary Action</u>
4219.11	<u>Sex Discrimination and Sex-Based Harassment</u>
4219.11	<u>Sex Discrimination and Sex-Based Harassment</u>
4219.21	<u>Professional Standards</u>
4219.21-E PDF(1)	<u>Professional Standards - Code Of Ethics Classified Employees</u>
4219.23	<u>Unauthorized Release Of Confidential/Privileged Information</u>
4231	<u>Staff Development</u>
4231	<u>Staff Development</u>
4312.6	<u>Personnel Files</u>
4312.9	<u>Employee Notifications</u>
4312.9	<u>Employee Notifications</u>
4312.9-E PDF(1)	<u>Employee Notifications</u>
4319.11	<u>Sex Discrimination and Sex-Based Harassment</u>
4319.11	<u>Sex Discrimination and Sex-Based Harassment</u>
4319.21	<u>Professional Standards</u>
4319.21-E PDF(1)	<u>Professional Standards</u>
4319.23	<u>Unauthorized Release Of Confidential/Privileged Information</u>
4331	<u>Staff Development</u>
4331	<u>Staff Development</u>

5000	<u>Concepts And Roles</u>
5030	<u>Student Wellness</u>
5111	<u>Admission</u>
5111	<u>Admission</u>
5113.1	<u>Chronic Absence And Truancy</u>
5113.1	<u>Chronic Absence And Truancy</u>
5116.2	<u>Involuntary Student Transfers</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 PDF(1)	<u>Release Of Directory Information</u>
5125.3	<u>Challenging Student Records</u>
5131	<u>Conduct</u>
5131.2	<u>Bullying</u>
5131.2	<u>Bullying</u>
5131.5	<u>Vandalism And Graffiti</u>
5132	<u>Dress And Grooming</u>
5132	<u>Dress And Grooming</u>
5137	<u>Positive School Climate</u>
5138	<u>Conflict Resolution/Peer Mediation</u>
5141.22	<u>Infectious Diseases</u>
5141.22	<u>Infectious Diseases</u>
5141.27	<u>Food Allergies/Special Dietary Needs</u>
5141.27	<u>Food Allergies/Special Dietary Needs</u>
5141.4	<u>Child Abuse Prevention And Reporting</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 PDF(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>
5144.2	<u>Suspension And Expulsion/Due Process (Students With Disabilities)</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>
5145.6	<u>Parent/Guardian Notifications</u>
5145.6-E PDF(1)	<u>Parent/Guardian Notifications</u>
5145.7	<u>Sex Discrimination and Sex-Based Harassment</u>
5145.7	<u>Sex Discrimination and Sex-Based Harassment</u>
5145.71	<u>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</u>
5145.71-E PDF(1)	<u>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</u>
5145.9	<u>Hate-Motivated Behavior</u>
5146	<u>Married/Pregnant/Parenting Students</u>
5146	<u>Married/Pregnant/Parenting Students</u>
6142.1	<u>Sexual Health And HIV/AIDS Prevention Instruction</u>
6142.1	<u>Sexual Health And HIV/AIDS Prevention Instruction</u>
6142.8	<u>Comprehensive Health Education</u>
6142.8	<u>Comprehensive Health Education</u>
6143	<u>Courses Of Study</u>
6143	<u>Courses Of Study</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>
6145.2	<u>Athletic Competition</u>
6145.2	<u>Athletic Competition</u>
6153	<u>School-Sponsored Trips</u>
6153	<u>School-Sponsored Trips</u>
6159.4	<u>Behavioral Interventions For Special Education Students</u>
6161.1	<u>Selection And Evaluation Of Instructional Materials</u>
6161.1	<u>Selection And Evaluation Of Instructional Materials</u>
6161.1-E PDF(1)	<u>Selection And Evaluation Of Instructional Materials</u>
6161.11	<u>Supplementary Instructional 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>
6173.1	<u>Education For Foster Youth</u>
6173.1	<u>Education For Foster Youth</u>
7110	<u>Facilities Master Plan</u>

Policy 5145.3: Nondiscrimination/Harassment

Status: ADOPTED

Original Adopted Date: 11/15/2016 | **Last Revised Date:** 01/09/2024 | **Last Reviewed Date:** 01/09/2024

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

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

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

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

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

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

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

required information on the district's web site in a manner that is easily accessible to parents/guardians and students, in accordance with law and the accompanying administrative regulation. (Education code 234.1, 234.6; 34 CFR 106.8)

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

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

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

When a student has been suspended, or other means of correction have been implemented against the student for an incident of racist bullying, harassment, or intimidation, the principal or designee shall engage both the victim and perpetrator in a restorative justice practice suitable to the needs of the students. The principal or designee shall also require the perpetrator to engage in a culturally sensitive program that promotes racial justice and equity and combats racism and ignorance and shall regularly check on the victim to ensure that the victim is not in danger of suffering from any long-lasting mental health issues. (Education Code 48900.5)

When appropriate based on the severity or pervasiveness of the bullying, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators and may contact law enforcement.

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

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Ed. Code 35292.5	School restrooms; all-gender restrooms
Ed. Code 48900.3	<u>Suspension or expulsion for act of hate violence</u>
Ed. Code 48900.4	<u>Suspension or expulsion for harassment, threats, or intimidation</u>
Ed. Code 48900.5	Suspension; other means of correction
Ed. Code 48904	<u>Liability of parent/guardian for willful student misconduct</u>
Ed. Code 48907	<u>Exercise of free expression; time, place, and manner rules and regulations</u>
Ed. Code 48950	<u>Speech and other communication</u>
Ed. Code 48985	<u>Notices to parents in language other than English</u>
Ed. Code 49020-49023	<u>Athletic programs</u>
Ed. Code 49060-49079	<u>Student records</u>
Ed. Code 51204.5	<u>Social sciences instruction; contributions of specified groups</u>
Ed. Code 51500	<u>Prohibited instruction or activity</u>
Ed. Code 51501	<u>Nondiscriminatory subject matter</u>
Ed. Code 60010	<u>Instructional materials; definition</u>
Ed. Code 60040-60052	<u>Requirements for instructional materials</u>
Gov. Code 11135	<u>Prohibition of discrimination</u>

Pen. Code 422.55

[Definition of hate crime](#)

Pen. Code 422.6

[Crimes; harassment](#)

Federal

Description

20 USC 1681-1688

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

28 CFR 35.107

Nondiscrimination on basis of disability; complaints

29 USC 794

Rehabilitation Act of 1973; Section 504

34 CFR 100.3

Prohibition of discrimination on basis of race, color or national origin

34 CFR 104.7

Section 504; Designation of responsible employee and adoption of grievances procedures

34 CFR 104.8

Notice of Nondiscrimination on the Basis of Handicap

34 CFR 106.1-106.82

Discrimination on the basis of sex; effectuating Title IX

34 CFR 110.25

Prohibition of discrimination based on age

34 CFR 99.31

Disclosure of personally identifiable information

42 USC 12101-12213

Americans with Disabilities Act

42 USC 2000d-2000e-17

Title VI and Title VII Civil Rights Act of 1964, as amended

42 USC 2000h-2-2000h-6

Title IX of the Civil Rights Act of 1964

42 USC 6101-6107

Age Discrimination Act of 1975

Management Resources

Description

34 CFR 106.30

Discrimination on the basis of sex; definitions

CA Office of the Attorney General
Publication

[Guidance to School Officials re: Legal Requirements for Providing Inclusive Curricula and Books, January 2024](#)

CA Office of the Attorney General
Publication

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

California Department of Education
Publication

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

Court Decision

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

Court Decision	Flores v. Morgan Hill Unified School District (2003, 9th Cir.) 324 F.3d 1130
CSBA Publication	Reference: State Roles, Responsibilities, and Process for Instructional Materials Adoption, February 2024
CSBA Publication	Fact Sheet: Instructional Materials Adoption: Local governing board responsibilities, February 2024
CSBA Publication	Instructional Materials Adoptions: State and local governing board processes, roles, and responsibilities, February 2024
CSBA Publication	Legal Guidance on Rights of Transgender and Gender Nonconforming Students in Schools, October 2022
Federal Register	Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, April 29, 2024, Vol. 89, No. 83, pages 33474-33896
U.S DOE, Office for Civil Rights Publication	Resolution Agreement Between the Arcadia USD, US Dept of Ed, OCR, & the US DOJ, CRD (2013) OCR 09-12-1020, DOJ 169-12C-70
U.S. Department of Education Publication	Guidance on Constitutionally Protected Prayer and Religious Expression in Public Elementary and Secondary Schools, May 2023
U.S. Dept. of Health & Human Services Publication	Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, August 2013
U.S. DOE & U.S. DOJ Civil Rights Divisions Pub	Dear Colleague Letter: Resource on Confronting Racial Discrimination in Student Discipline, May 2023
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Protecting Students from Discrimination, such as Harassment, Based on Race, Color, or National Origin, Including Shared Ancestry or Ethnic Characteristics, May 2024
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Discrimination, Including Harassment, Based on Shared Ancestry or Ethnic Characteristics, November 2023
U.S. DOE, Office for Civil Rights Publication	Enforcement of Title IX of the Education Amendments of 1972 With Respect to Discrimination Based on Sexual Orientation and Gender Identity in Light of Bostock v. Clayton County, June 2021

U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Addressing Discrimination Against Jewish Students, May 2023
U.S. DOE, Office for Civil Rights Publication	U.S. Department of Education Toolkit: Creating Inclusive and Nondiscriminatory School Environments for LGBTQI+ Students, June 2023
U.S. DOE, Office for Civil Rights Publication	Questions and Answers on the Title IX Regulations on Sexual Harassment, June 2022
U.S. DOE, Office for Civil Rights Publication	Supporting Students with Disabilities and Avoiding the Discriminatory Use of Student Discipline under Section 504 of the Rehabilitation Act of 1973
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Race and School Programming, August 2023
Website	CSBA District and County Office of Education Legal Services
Website	First Amendment Center
Website	California Interscholastic Federation
Website	California Office of the Attorney General
Website	California Safe Schools Coalition
Website	CSBA
Website	California Department of Education
Website	U.S. Department of Education, Office for Civil Rights

Cross References

Code	Description
0410	Nondiscrimination In District Programs And Activities
0415	Equity
0415	Equity
0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan
1114	District-Sponsored Social Media
1240	Volunteer Assistance
1240	Volunteer Assistance
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 PDF(1)	<u>Complaints Concerning Instructional Materials</u>
1312.3	<u>Uniform Complaint Procedures</u>
1312.3	<u>Uniform Complaint Procedures</u>
1312.3-E PDF(1)	<u>Uniform Complaint Procedures</u>
1312.4	<u>Williams Uniform Complaint Procedures</u>
1312.4-E PDF(1)	<u>Williams Uniform Complaint Procedures</u>
1340	<u>Access To District Records</u>
1340	<u>Access To District Records</u>
3515.4	<u>Recovery For Property Loss Or Damage</u>
3515.4	<u>Recovery For Property Loss Or Damage</u>
3530	<u>Risk Management/Insurance</u>
3530	<u>Risk Management/Insurance</u>
3553	<u>Free And Reduced Price Meals</u>
3553	<u>Free And Reduced Price Meals</u>
3580	<u>District Records</u>
3580	<u>District Records</u>
4112.6	<u>Personnel Files</u>
4112.9	<u>Employee Notifications</u>
4112.9	<u>Employee Notifications</u>
4112.9-E PDF(1)	<u>Employee Notifications</u>
4118	<u>Dismissal/Suspension/Disciplinary Action</u>
4118	<u>Dismissal/Suspension/Disciplinary Action</u>
4119.11	<u>Sex Discrimination and Sex-Based Harassment</u>
4119.11	<u>Sex Discrimination and Sex-Based Harassment</u>
4119.21	<u>Professional Standards</u>
4119.21-E PDF(1)	<u>Professional Standards</u>

4119.23	<u>Unauthorized Release Of Confidential/Privileged Information</u>
4131	<u>Staff Development</u>
4131	<u>Staff Development</u>
4212.6	<u>Personnel Files</u>
4212.9	<u>Employee Notifications</u>
4212.9	<u>Employee Notifications</u>
4212.9-E PDF(1)	<u>Employee Notifications</u>
4218	<u>Dismissal/Suspension/Disciplinary Action</u>
4218	<u>Dismissal/Suspension/Disciplinary Action</u>
4219.11	<u>Sex Discrimination and Sex-Based Harassment</u>
4219.11	<u>Sex Discrimination and Sex-Based Harassment</u>
4219.21	<u>Professional Standards</u>
4219.21-E PDF(1)	<u>Professional Standards - Code Of Ethics Classified Employees</u>
4219.23	<u>Unauthorized Release Of Confidential/Privileged Information</u>
4231	<u>Staff Development</u>
4231	<u>Staff Development</u>
4312.6	<u>Personnel Files</u>
4312.9	<u>Employee Notifications</u>
4312.9	<u>Employee Notifications</u>
4312.9-E PDF(1)	<u>Employee Notifications</u>
4319.11	<u>Sex Discrimination and Sex-Based Harassment</u>
4319.11	<u>Sex Discrimination and Sex-Based Harassment</u>
4319.21	<u>Professional Standards</u>
4319.21-E PDF(1)	<u>Professional Standards</u>
4319.23	<u>Unauthorized Release Of Confidential/Privileged Information</u>
4331	<u>Staff Development</u>
4331	<u>Staff Development</u>

5000	<u>Concepts And Roles</u>
5030	<u>Student Wellness</u>
5111	<u>Admission</u>
5111	<u>Admission</u>
5113.1	<u>Chronic Absence And Truancy</u>
5113.1	<u>Chronic Absence And Truancy</u>
5116.2	<u>Involuntary Student Transfers</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 PDF(1)	<u>Release Of Directory Information</u>
5125.3	<u>Challenging Student Records</u>
5131	<u>Conduct</u>
5131.2	<u>Bullying</u>
5131.2	<u>Bullying</u>
5131.5	<u>Vandalism And Graffiti</u>
5132	<u>Dress And Grooming</u>
5132	<u>Dress And Grooming</u>
5137	<u>Positive School Climate</u>
5138	<u>Conflict Resolution/Peer Mediation</u>
5141.22	<u>Infectious Diseases</u>
5141.22	<u>Infectious Diseases</u>
5141.27	<u>Food Allergies/Special Dietary Needs</u>
5141.27	<u>Food Allergies/Special Dietary Needs</u>
5141.4	<u>Child Abuse Prevention And Reporting</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 PDF(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>
5144.2	<u>Suspension And Expulsion/Due Process (Students With Disabilities)</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>
5145.6	<u>Parent/Guardian Notifications</u>
5145.6-E PDF(1)	<u>Parent/Guardian Notifications</u>
5145.7	<u>Sex Discrimination and Sex-Based Harassment</u>
5145.7	<u>Sex Discrimination and Sex-Based Harassment</u>
5145.71	<u>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</u>
5145.71-E PDF(1)	<u>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</u>
5145.9	<u>Hate-Motivated Behavior</u>
5146	<u>Married/Pregnant/Parenting Students</u>
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6142.1	<u>Sexual Health And HIV/AIDS Prevention Instruction</u>
6142.1	<u>Sexual Health And HIV/AIDS Prevention Instruction</u>
6142.8	<u>Comprehensive Health Education</u>
6142.8	<u>Comprehensive Health Education</u>
6143	<u>Courses Of Study</u>
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6145	<u>Extracurricular And Cocurricular Activities</u>

6145	<u>Extracurricular And Cocurricular Activities</u>
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6145.2	<u>Athletic Competition</u>
6153	<u>School-Sponsored Trips</u>
6153	<u>School-Sponsored Trips</u>
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6161.1	<u>Selection And Evaluation Of Instructional Materials</u>
6161.1	<u>Selection And Evaluation Of Instructional Materials</u>
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6161.11	<u>Supplementary Instructional 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>
6173.1	<u>Education For Foster Youth</u>
6173.1	<u>Education For Foster Youth</u>
7110	<u>Facilities Master Plan</u>

Policy 5145.6: Parent/Guardian Notifications

Status: ADOPTED

Original Adopted Date: ~~08/25/2009~~03/01/2007 | Last Revised Date: ~~10/24/2023~~06/01/2024 |
Last Reviewed Date: ~~10/24/2023~~06/01/2024

The Governing Board desires to promote effective communication ~~between~~from the ~~district and/or school~~ and the home and to families to keep ~~parents/guardians~~families informed regarding educational programs, school operations, and the legal rights of students and ~~their~~ parents/guardians. The Superintendent or designee shall send parents/guardians all notifications required by law and any other notifications the Superintendent or designee believes will promote ~~parental~~familial understanding and involvement.

Notice of the rights and responsibilities of parents/guardians as specified in Education Code 48980 shall be sent at the beginning of each academic year and may be provided by regular mail, in electronic form when so requested by the parent/guardian, or by any other method normally used by the district for written communication with parents/guardians. ~~—~~— (Education Code 48981)

No activity specified in Education Code 48980 shall be undertaken with respect to any particular student unless the student's parent/guardian has been informed of such action through the annual notification or other separate special notification. Such notice shall state the activity that will be undertaken and the approximate date on which the activity will occur. ~~—~~— (Education Code 48983-48984)

The annual notification shall include a request that the parent/guardian sign the notice and return it to the school or, if the notice is provided in electronic format, that the parent/guardian submit a signed acknowledgment of receipt of the notice to the school. The parent/guardian's signature is not required. Any signature is an acknowledgment of receipt of the information but does not indicate that consent to participate in any particular program has been given or withheld. ~~—~~— (Education Code 48982)

Whenever a student enrolls in a district school during the school year, the student's parents/guardians shall be given all required parental notifications at that time.

Notifications shall be presented in an understandable and uniform format ~~and, to the extent practicable, in a language that parents/guardians can understand.~~
~~Whenever,~~

When necessary, the district shall provide ~~notification~~notifications to qualified individuals with disabilities in alternative formats, such as braille, large ~~font~~font, or audio recordings, to enable such individuals to effectively participate in any program, service, or activity, as required by law.

Whenever 15 percent or more of the students enrolled in a district school speak a single primary language other than English, as determined from the California Department of Education census

data collected pursuant to Education Code 52164, all notices sent to the parent/guardian of any such student shall, in addition to being written in English, be written in the primary language, and may be responded to either in English or the primary language.—(Education Code 48981, 48985)

Whenever an employee learns that a student's parent/guardian is unable to understand the district's printed notifications for any reason, the employee shall inform the principal or designee, who shall work with the parent/guardian to establish other appropriate means of communication.

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
17 CCR 2950-2951	Hearing tests
17 CCR 6000-6075	School attendance immunization requirements
22 CCR 101218.1	Child care licensing; parent/guardian rights
5 CCR 11303	Reclassification of English learners
5 CCR 11511.5	English language proficiency assessment; test results
5 CCR 11523	Notice of proficiency examinations
5 CCR 17782	Notice of Action; application for services
5 CCR 17783	Notice of Action; recipient of services
5 CCR 18066	Child care policies regarding excused and unexcused absences
5 CCR 18094-18095	Notice of Action; child care services
5 CCR 18114	Notice of delinquent fees; child care services
5 CCR 18118-18119	Notice of Action; child care services
5 CCR 3052	Behavioral intervention
5 CCR 4622	Uniform complaint procedures
5 CCR 4631	Uniform complaint procedures; notification of decision and right to appeal
5 CCR 4917	Notification of sexual harassment policy
5 CCR 852	Exemptions from state assessments
5 CCR 863	Reports of state assessment results
Civ. Code 1798.29	District records; breach of security

Ed. Code 17288	<u>Building standards for university campuses</u>
Ed. Code 17612	<u>Notification of pesticide use</u>
Ed. Code 221.5	<u>Equal opportunity</u>
Ed. Code 231.5	<u>Sexual harassment policy</u>
Ed. Code 234.1	<u>Student protections relating to discrimination, harassment, intimidation, and bullying</u>
Ed. Code 234.7	<u>Student protections relating to immigration and citizenship status</u>
Ed. Code 262.3	<u>Appeals for discrimination complaints; information regarding availability of civil remedies</u>
Ed. Code 310	<u>Language acquisition programs</u>
Ed. Code 313	<u>Reclassification of English learners; parental consultation</u>
Ed. Code 313.2	<u>Long-term English learner; notification</u>
Ed. Code 32221.5	<u>Insurance for athletic team members</u>
Ed. Code 32255-32255.6	<u>Student's right to refrain from harmful or destructive use of animals</u>
Ed. Code 32390	<u>Voluntary program for fingerprinting students</u>
Ed. Code 33479-33479.9	<u>The Eric Parades Sudden Cardiac Arrest Prevention Act</u>
Ed. Code 35160.5	<u>Extracurricular and cocurricular activities</u>
Ed. Code 35178.4	<u>Notice of accreditation status</u>
Ed. Code 35182.5	<u>Advertising in the classroom</u>
Ed. Code 35183	<u>School dress code; uniforms</u>
Ed. Code 35186	<u>Complaints concerning deficiencies in instructional materials and facilities</u>
Ed. Code 35211	<u>Driver training; district insurance, parent/guardian liability</u>
Ed. Code 35256	<u>School Accountability Report Card</u>
Ed. Code 35258	<u>School Accountability Report Card</u>
Ed. Code 35291	<u>Rules for student discipline</u>
Ed. Code 35292.6	School maintenance
Ed. Code 37616	<u>Consultation regarding year-round schedule</u>

Ed. Code 39831.5	<u>School bus rider rules and information</u>
Ed. Code 41329	School closures and consolidation
Ed. Code 440	<u>English language proficiency assessment; instruction in English language development</u>
Ed. Code 44050	<u>Employee code of conduct; interaction with students</u>
Ed. Code 44808.5	<u>Permission to leave school grounds</u>
Ed. Code 46010.1	<u>Notice regarding excuse to obtain confidential medical services</u>
Ed. Code 46014	<u>Regulations regarding absences for religious purposes</u>
Ed. Code 46015	Accommodations for pregnant and parenting pupils
Ed. Code 46162	<u>Alternative schedule for junior high and high school; public hearing with notice</u>
Ed. Code 46600-46611	Interdistrict attendance agreements
Ed. Code 48000	<u>Minimum age of admission</u>
Ed. Code 48070.5	<u>Promotion and retention of students</u>
Ed. Code 48204	<u>Residency requirements</u>
Ed. Code 48205	<u>Absence for personal reasons</u>
Ed. Code 48206.3	<u>Students with temporary disabilities; individual instruction; definitions</u>
Ed. Code 48207-48208	<u>Students with temporary disabilities in hospitals</u>
Ed. Code 48213	<u>Prior notice of exclusion from attendance</u>
Ed. Code 48216	<u>Immunization and exclusion from attendance</u>
Ed. Code 48260.5	<u>Notice regarding truancy</u>
Ed. Code 48262	<u>Need for parent conference regarding truancy</u>
Ed. Code 48263	<u>Referral to school attendance review board or probation department</u>
Ed. Code 48301	<u>Interdistrict transfers</u>
Ed. Code 48412	<u>Certificate of proficiency</u>
Ed. Code 48432.3	<u>Voluntary enrollment in continuation education</u>
Ed. Code 48432.5	<u>Involuntary transfers of students</u>
Ed. Code 48850-48859	<u>Education of foster youth and homeless students</u>

Ed. Code 48900.1	<u>Parental attendance required after suspension</u>
Ed. Code 48904	<u>Liability of parent/guardian for willful student misconduct</u>
Ed. Code 48904-48904.3	<u>Withholding grades, diplomas, or transcripts</u>
Ed. Code 48906	<u>Notification of release of student to peace officer</u>
Ed. Code 48911	<u>Notification in case of suspension</u>
Ed. Code 48911.1	<u>Assignment to supervised suspension classroom</u>
Ed. Code 48912	<u>Closed sessions; consideration of suspension</u>
Ed. Code 48915.1	<u>Expelled students; enrollment in another district</u>
Ed. Code 48916	<u>Readmission procedures</u>
Ed. Code 48918	<u>Rules governing expulsion procedures</u>
Ed. Code 48929	<u>Transfer of student convicted of violent felony or misdemeanor</u>
Ed. Code 48980	<u>Parent/Guardian notifications</u>
Ed. Code 48980.3	<u>Notification of pesticide use</u>
Ed. Code 48980.4	Notice regarding full human papillomavirus (HPV) immunization
Ed. Code 48981	<u>Time and means of notification</u>
Ed. Code 48982	<u>Parent signature acknowledging receipt of notice</u>
Ed. Code 48983	<u>Contents of notice</u>
Ed. Code 48984	<u>Activities prohibited unless notice given</u>
Ed. Code 48985	<u>Notices to parents in language other than English</u>
Ed. Code 48985.5	Synthetic drug use
Ed. Code 48986	Safe storage of firearms
Ed. Code 48987	<u>Child abuse information</u>
Ed. Code 49013	<u>Use of uniform complaint procedures for complaints regarding student fees</u>
Ed. Code 49063	<u>Notification of parental rights</u>
Ed. Code 49067	<u>Student evaluation; student in danger of failing course</u>
Ed. Code 49068	<u>Transfer of permanent enrollment and scholarship record</u>

Ed. Code 49069.7	<u>Absolute right to access</u>
Ed. Code 49070	<u>Challenging content of student record</u>
Ed. Code 49073	<u>Release of directory information</u>
Ed. Code 49073.6	<u>Student records; social media</u>
Ed. Code 49076	<u>Access to student records</u>
Ed. Code 49077	<u>Access to information concerning a student in compliance with court order</u>
Ed. Code 49392	Threats of homicide at school
Ed. Code 49403	<u>Cooperation in control of communicable disease and immunizations</u>
Ed. Code 49423	<u>Administration of prescribed medication for student</u>
Ed. Code 49451	<u>Physical examinations: parent's refusal to consent</u>
Ed. Code 49452.5	<u>Screening for scoliosis</u>
Ed. Code 49452.6	Type 1 diabetes informational materials
Ed. Code 49452.7	<u>Information on type 2 diabetes</u>
Ed. Code 49452.8	<u>Oral health assessment</u>
Ed. Code 49455.5	Eye examination for purpose of eyeglasses
Ed. Code 49456	<u>Results of vision or hearing test</u>
Ed. Code 49471-49472	<u>Insurance</u>
Ed. Code 49475	<u>Student athletes: concussions and head injuries</u>
Ed. Code 49476	<u>Student athletes: opioid fact sheet</u>
Ed. Code 49480	<u>Continuing medication regimen for nonepisodic conditions</u>
Ed. Code 49510-49520	<u>Duffy-Moscone Family Nutrition Education and Services Act of 1970</u>
Ed. Code 51225.1	<u>Exemption from district graduation requirements</u>
Ed. Code 51225.2	<u>Course credits</u>
Ed. Code 51225.3	<u>High school graduation requirements</u>
Ed. Code 51225.31	Graduation from high school; exemption for eligible students with special needs
Ed. Code 51225.8	<u>Completion and submission of FAFSA and CADAA</u>

Ed. Code 51229	<u>Course of study for grades 7-12</u>
Ed. Code 51513	<u>Personal beliefs; privacy</u>
Ed. Code 51749.5	Independent study
Ed. Code 51938	<u>HIV/AIDS and sexual health instruction</u>
Ed. Code 52062	Local control and accountability plans and the statewide system of support
Ed. Code 52164	<u>Language census</u>
Ed. Code 52164.1	<u>Census-taking methods; determination of primary language; assessment of language skills</u>
Ed. Code 52164.3	<u>Reassessment of English learners; notification of results</u>
Ed. Code 52242	Advanced placement examination fees
Ed. Code 54444.2	<u>Migrant education programs; parent involvement</u>
Ed. Code 56301	<u>Child-find system; policies regarding written notification rights</u>
Ed. Code 56321	<u>Special education: proposed assessment plan</u>
Ed. Code 56321.5-56321.6	<u>Notice of parent rights pertaining to special education</u>
Ed. Code 56329	<u>Written notice of right to findings; independent assessment</u>
Ed. Code 56341.1	<u>Development of individualized education program; right to audio record meeting</u>
Ed. Code 56341.5	<u>Individualized education program team meetings</u>
Ed. Code 56343.5	<u>Individualized education program meetings</u>
Ed. Code 56366.45	Change in status of a nonpublic, nonsectarian school or agency
Ed. Code 56521.1	<u>Behavioral intervention</u>
Ed. Code 58501	<u>Alternative schools; notice required prior to establishment</u>
Ed. Code 60615	<u>Exemption from state assessment</u>
Ed. Code 60641	<u>California Assessment of Student Performance and Progress</u>
Ed. Code 60900.5	Use of CalPADS data
Ed. Code 69432.9	<u>Submission of grade point average to Cal Grant program</u>

Ed. Code 8212	Complaints related to preschool health and safety issues
Ed. Code 8483	Before/after school program; enrollment priorities
Ed. Code 8489	Expulsion and suspension procedures in childcare and development services programs
Ed. Code 8489.1	Expulsion and suspension procedures in childcare and development services programs
H&S Code 104420	Tobacco use prevention
H&S Code 104855	Availability of topical fluoride treatment
H&S Code 116277	Lead testing of potable water at schools and requirements to remedy
H&S Code 120365-120375	Immunizations
H&S Code 120440	Sharing immunization information
H&S Code 124100-124105	Health screening and immunizations
H&S Code 1596.8555	Administration of child day care licensing; posting license
H&S Code 1596.857	Right to enter child care facility
H&S Code 1597.16	Licensed child care centers; lead testing
Pen. Code 626.81	Notice of permission granted to sex offender to volunteer on campus
Pen. Code 627.5	Hearing request following denial or revocation of registration
W&I Code 10228	Child care providers; posting of rates, discounts, and scholarships
Federal	Description
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
20 USC 1232h	Privacy rights
20 USC 1415	Procedural safeguards
20 USC 6311	State plan
20 USC 6312	Local educational agency plan
20 USC 6318	Parent and family engagement
20 USC 7704	Impact Aid; policies and procedures related to children residing on Indian lands

20 USC 7908	Armed forces recruiter access to students
34 CFR 104.32	District responsibility to provide free appropriate public education
34 CFR 104.36	Procedural safeguards
34 CFR 104.8	Nondiscrimination
34 CFR 106.9	Severability
34 CFR 200.48	Teacher qualifications
34 CFR 222.94	Impact Aid; district responsibilities
34 CFR 300.300	Parent consent for special education evaluation
34 CFR 300.322	Parent participation in IEP team meetings
34 CFR 300.502	Independent educational evaluation of student with disability
34 CFR 300.503	Prior written notice regarding identification, evaluation, or placement of student with disability
34 CFR 300.504	Procedural safeguards notice for students with disabilities
34 CFR 300.508	Due process complaint
34 CFR 300.530	Discipline procedures
34 CFR 99.30	Disclosure of personally identifiable information
34 CFR 99.34	Student records; disclosure to other educational agencies
34 CFR 99.37	Disclosure of directory information
34 CFR 99.7	Student records; annual notification
40 CFR 763.84	Asbestos inspections, response actions and post-response actions
40 CFR 763.93	Asbestos management plans
42 USC 11431-11435	McKinney-Vento Homeless Assistance Act
42 USC 1758	Child nutrition programs
7 CFR 245.5	Eligibility criteria for free and reduced-price meals
7 CFR 245.6a	Verification of eligibility for free and reduced-price meals
Management Resources	Description

U.S. Department of Agriculture Publication	Civil Rights Compliance and Enforcement -- Nutrition Programs and Services, FNS Instruction 113-1, 2005
Website	CSBA District and County Office of Education Legal Services
Website	U.S. Department of Agriculture, Food and Nutrition Service

Cross References

Code	Description
0410	Nondiscrimination In District Programs And Activities Nondiscrimination In District Programs And Activities
0450	Comprehensive Safety Plan Comprehensive Safety Plan
0450	Comprehensive Safety Plan Comprehensive Safety Plan
0460	Local Control And Accountability Plan Local Control And Accountability Plan
0460	Local Control And Accountability Plan Local Control And Accountability Plan
0510	School Accountability Report Card School Accountability Report Card
1240	Volunteer Assistance Volunteer Assistance
1240	Volunteer Assistance Volunteer Assistance
1312.3	Uniform Complaint Procedures Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures Uniform Complaint Procedures
1312.3-E PDF(1)	Uniform Complaint Procedures Uniform Complaint Procedures
1312.3 3231	Impact Aid Uniform Complaint Procedures
3231 3260	Fees And Charges Impact Aid
3260	Fees And Charges Fees And Charges
3260 3312	Contracts Fees And Charges
3312 3513.3	Tobacco-Free Schools Contracts
3513.3	Tobacco-Free Schools Tobacco-Free Schools
3513.3 3514	Environmental Safety Tobacco-Free Schools
3514	Environmental Safety Environmental Safety
3514.2	Integrated Pest Management Environmental Safety

3514.2 3515.5	Sex Offender Notification Integrated Pest Management
3515.5	Sex Offender Notification Sex Offender Notification
3515.5 3517	Facilities Inspection Sex Offender Notification
3517	Facilities Inspection Facilities Inspection
3517-E PDF(1)	Facilities Inspection Facilities Inspection
3543	Transportation Safety And Emergencies Transportation Safety And Emergencies
3550	Food Service/Child Nutrition Program Food Service/Child Nutrition Program
3550	Food Service/Child Nutrition Program Food Service/Child Nutrition Program
3551	Food Service Operations/Cafeteria Fund Food Service Operations/Cafeteria Fund
3551	Food Service Operations/Cafeteria Fund Food Service Operations/Cafeteria Fund
3553	Free And Reduced Price Meals Free And Reduced Price Meals
3553	Free And Reduced Price Meals Free And Reduced Price Meals
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3555-E PDF(1)	Nutrition Program Compliance Nutrition Program Compliance
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3580	District Records District Records
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4219.21	Professional Standards Professional Standards
4219.21-E PDF(1)	Professional Standards - Code Of Ethics Classified Employees Professional Standards
4222	Teacher Aides/Paraprofessionals Teacher Aides/Paraprofessionals
4222	Teacher Aides/Paraprofessionals Teacher Aides/Paraprofessionals
4319.21	Professional Standards Professional Standards
4319.21-E PDF(1)	Professional Standards Professional Standards
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5020	<u>Parent Rights And Responsibilities</u> Parent Rights And Responsibilities
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5022	<u>Student And Family Privacy Rights</u> Student And Family Privacy Rights
5030	<u>Student Wellness</u> Student Wellness
5111	<u>Admission</u> Admission
5111	<u>Admission</u> Admission
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5111.1	<u>District Residency</u> District Residency
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5113	<u>Absences And Excuses</u> Absences And Excuses
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5119	<u>Students Expelled From Other Districts</u> Students Expelled From Other Districts
5123	<u>Promotion/Acceleration/Retention</u> Promotion/Acceleration/Retention
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5125	<u>Student Records</u> Student Records
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5132 5141.21	<u>Administering Medication And Monitoring Health Conditions</u> <u>Dress And Grooming</u>
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5144.1	<u>Suspension And Expulsion/Due Process</u> <u>Suspension And</u> <u>Expulsion/Due Process</u>
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6159.1	<u>Individualized Education Program</u> Procedural Safeguards And Complaints For Special Education
6159.1	<u>Procedural Safeguards And Complaints For Special Education</u> Procedural Safeguards And Complaints For Special Education
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6159.2	Nonpublic, Nonsectarian School And Agency Services For Special Education <u>Nonpublic, Nonsectarian School And Agency Services For Special Education</u>
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6175 Migrant Education ProgramMigrant Education Program

6178 Career Technical EducationCareer Technical Education

6178 Career Technical EducationCareer Technical Education

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Schools/Programs Of Choice

6181 Alternative Schools/Programs Of ChoiceAlternative
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6183 Home And Hospital InstructionHome And Hospital Instruction

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Instructional Program

9310 Board PoliciesBoard Policies

Policy 5145.6: Parent/Guardian Notifications

Status: ADOPTED

Original Adopted Date: 08/25/2009 | **Last Revised Date:** 10/24/2023 | **Last Reviewed Date:** 10/24/2023

The Governing Board desires to promote effective communication from the district and/or school to families to keep families informed regarding educational programs, school operations, and the legal rights of students and parents/guardians. The Superintendent or designee shall send parents/guardians all notifications required by law and any other notifications the Superintendent or designee believes will promote familial understanding and involvement.

Notice of the rights and responsibilities of parents/guardians as specified in Education Code 48980 shall be sent at the beginning of each academic year and may be provided by regular mail, in electronic form when so requested by the parent/guardian, or by any other method normally used by the district for written communication with parents/guardians. (Education Code 48981)

No activity specified in Education Code 48980 shall be undertaken with respect to any particular student unless the student's parent/guardian has been informed of such action through the annual notification or other separate special notification. Such notice shall state the activity that will be undertaken and the approximate date on which the activity will occur. (Education Code 48983-48984)

The annual notification shall include a request that the parent/guardian sign the notice and return it to the school or, if the notice is provided in electronic format, that the parent/guardian submit a signed acknowledgment of receipt of the notice to the school. The parent/guardian's signature is not required. Any signature is an acknowledgment of receipt of the information but does not indicate that consent to participate in any particular program has been given or withheld. (Education Code 48982)

Whenever a student enrolls in a district school during the school year, the student's parents/guardians shall be given all required parental notifications at that time.

Notifications shall be presented in an understandable and uniform format.

When necessary, the district shall provide notifications to qualified individuals with disabilities in alternative formats, such as braille, large font, or audio recordings, to enable such individuals to effectively participate in any program, service, or activity, as required by law.

Whenever 15 percent or more of the students enrolled in a district school speak a single primary language other than English, as determined from the California Department of Education census data collected pursuant to Education Code 52164, all notices sent to the parent/guardian of any such student shall, in addition to being written in English, be written in the primary language, and may be responded to either in English or the primary language. (Education Code 48981, 48985)

Whenever an employee learns that a student's parent/guardian is unable to understand the

district's printed notifications for any reason, the employee shall inform the principal or designee, who shall work with the parent/guardian to establish other appropriate means of communication.

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
17 CCR 2950-2951	Hearing tests
17 CCR 6000-6075	School attendance immunization requirements
22 CCR 101218.1	Child care licensing; parent/guardian rights
5 CCR 11303	Reclassification of English learners
5 CCR 11511.5	English language proficiency assessment; test results
5 CCR 11523	Notice of proficiency examinations
5 CCR 17782	Notice of Action; application for services
5 CCR 17783	Notice of Action; recipient of services
5 CCR 18066	Child care policies regarding excused and unexcused absences
5 CCR 18094-18095	Notice of Action; child care services
5 CCR 18114	Notice of delinquent fees; child care services
5 CCR 18118-18119	Notice of Action; child care services
5 CCR 3052	Behavioral intervention
5 CCR 4622	Uniform complaint procedures
5 CCR 4631	Uniform complaint procedures; notification of decision and right to appeal
5 CCR 4917	Notification of sexual harassment policy
5 CCR 852	Exemptions from state assessments
5 CCR 863	Reports of state assessment results
Civ. Code 1798.29	<u>District records; breach of security</u>
Ed. Code 17288	<u>Building standards for university campuses</u>
Ed. Code 17612	<u>Notification of pesticide use</u>
Ed. Code 221.5	<u>Equal opportunity</u>

Ed. Code 231.5	<u>Sexual harassment policy</u>
Ed. Code 234.1	<u>Student protections relating to discrimination, harassment, intimidation, and bullying</u>
Ed. Code 234.7	<u>Student protections relating to immigration and citizenship status</u>
Ed. Code 262.3	<u>Appeals for discrimination complaints; information regarding availability of civil remedies</u>
Ed. Code 310	<u>Language acquisition programs</u>
Ed. Code 313	<u>Reclassification of English learners; parental consultation</u>
Ed. Code 313.2	<u>Long-term English learner; notification</u>
Ed. Code 32221.5	<u>Insurance for athletic team members</u>
Ed. Code 32255-32255.6	<u>Student's right to refrain from harmful or destructive use of animals</u>
Ed. Code 32390	<u>Voluntary program for fingerprinting students</u>
Ed. Code 33479-33479.9	<u>The Eric Parades Sudden Cardiac Arrest Prevention Act</u>
Ed. Code 35160.5	<u>Extracurricular and cocurricular activities</u>
Ed. Code 35178.4	<u>Notice of accreditation status</u>
Ed. Code 35182.5	<u>Advertising in the classroom</u>
Ed. Code 35183	<u>School dress code; uniforms</u>
Ed. Code 35186	<u>Complaints concerning deficiencies in instructional materials and facilities</u>
Ed. Code 35211	<u>Driver training; district insurance, parent/guardian liability</u>
Ed. Code 35256	<u>School Accountability Report Card</u>
Ed. Code 35258	<u>School Accountability Report Card</u>
Ed. Code 35291	<u>Rules for student discipline</u>
Ed. Code 35292.6	School maintenance
Ed. Code 37616	<u>Consultation regarding year-round schedule</u>
Ed. Code 39831.5	<u>School bus rider rules and information</u>
Ed. Code 41329	School closures and consolidation
Ed. Code 440	<u>English language proficiency assessment; instruction in English language development</u>

Ed. Code 44050	<u>Employee code of conduct; interaction with students</u>
Ed. Code 44808.5	<u>Permission to leave school grounds</u>
Ed. Code 46010.1	<u>Notice regarding excuse to obtain confidential medical services</u>
Ed. Code 46014	<u>Regulations regarding absences for religious purposes</u>
Ed. Code 46015	Accommodations for pregnant and parenting pupils
Ed. Code 46162	<u>Alternative schedule for junior high and high school; public hearing with notice</u>
Ed. Code 46600-46611	Interdistrict attendance agreements
Ed. Code 48000	<u>Minimum age of admission</u>
Ed. Code 48070.5	<u>Promotion and retention of students</u>
Ed. Code 48204	<u>Residency requirements</u>
Ed. Code 48205	<u>Absence for personal reasons</u>
Ed. Code 48206.3	<u>Students with temporary disabilities; individual instruction; definitions</u>
Ed. Code 48207-48208	<u>Students with temporary disabilities in hospitals</u>
Ed. Code 48213	<u>Prior notice of exclusion from attendance</u>
Ed. Code 48216	<u>Immunization and exclusion from attendance</u>
Ed. Code 48260.5	<u>Notice regarding truancy</u>
Ed. Code 48262	<u>Need for parent conference regarding truancy</u>
Ed. Code 48263	<u>Referral to school attendance review board or probation department</u>
Ed. Code 48301	<u>Interdistrict transfers</u>
Ed. Code 48412	<u>Certificate of proficiency</u>
Ed. Code 48432.3	<u>Voluntary enrollment in continuation education</u>
Ed. Code 48432.5	<u>Involuntary transfers of students</u>
Ed. Code 48850-48859	<u>Education of foster youth and homeless students</u>
Ed. Code 48900.1	<u>Parental attendance required after suspension</u>
Ed. Code 48904	<u>Liability of parent/guardian for willful student misconduct</u>
Ed. Code 48904-48904.3	<u>Withholding grades, diplomas, or transcripts</u>

Ed. Code 48906	<u>Notification of release of student to peace officer</u>
Ed. Code 48911	<u>Notification in case of suspension</u>
Ed. Code 48911.1	<u>Assignment to supervised suspension classroom</u>
Ed. Code 48912	<u>Closed sessions; consideration of suspension</u>
Ed. Code 48915.1	<u>Expelled students; enrollment in another district</u>
Ed. Code 48916	<u>Readmission procedures</u>
Ed. Code 48918	<u>Rules governing expulsion procedures</u>
Ed. Code 48929	<u>Transfer of student convicted of violent felony or misdemeanor</u>
Ed. Code 48980	<u>Parent/Guardian notifications</u>
Ed. Code 48980.3	<u>Notification of pesticide use</u>
Ed. Code 48980.4	Notice regarding full human papillomavirus (HPV) immunization
Ed. Code 48981	<u>Time and means of notification</u>
Ed. Code 48982	<u>Parent signature acknowledging receipt of notice</u>
Ed. Code 48983	<u>Contents of notice</u>
Ed. Code 48984	<u>Activities prohibited unless notice given</u>
Ed. Code 48985	<u>Notices to parents in language other than English</u>
Ed. Code 48985.5	Synthetic drug use
Ed. Code 48986	Safe storage of firearms
Ed. Code 48987	<u>Child abuse information</u>
Ed. Code 49013	<u>Use of uniform complaint procedures for complaints regarding student fees</u>
Ed. Code 49063	<u>Notification of parental rights</u>
Ed. Code 49067	<u>Student evaluation; student in danger of failing course</u>
Ed. Code 49068	<u>Transfer of permanent enrollment and scholarship record</u>
Ed. Code 49069.7	<u>Absolute right to access</u>
Ed. Code 49070	<u>Challenging content of student record</u>
Ed. Code 49073	<u>Release of directory information</u>
Ed. Code 49073.6	<u>Student records; social media</u>

Ed. Code 49076	<u>Access to student records</u>
Ed. Code 49077	<u>Access to information concerning a student in compliance with court order</u>
Ed. Code 49392	Threats of homicide at school
Ed. Code 49403	<u>Cooperation in control of communicable disease and immunizations</u>
Ed. Code 49423	<u>Administration of prescribed medication for student</u>
Ed. Code 49451	<u>Physical examinations: parent's refusal to consent</u>
Ed. Code 49452.5	<u>Screening for scoliosis</u>
Ed. Code 49452.6	Type 1 diabetes informational materials
Ed. Code 49452.7	<u>Information on type 2 diabetes</u>
Ed. Code 49452.8	<u>Oral health assessment</u>
Ed. Code 49455.5	Eye examination for purpose of eyeglasses
Ed. Code 49456	<u>Results of vision or hearing test</u>
Ed. Code 49471-49472	<u>Insurance</u>
Ed. Code 49475	<u>Student athletes; concussions and head injuries</u>
Ed. Code 49476	<u>Student athletes; opioid fact sheet</u>
Ed. Code 49480	<u>Continuing medication regimen for nonepisodic conditions</u>
Ed. Code 49510-49520	<u>Duffy-Moscone Family Nutrition Education and Services Act of 1970</u>
Ed. Code 51225.1	<u>Exemption from district graduation requirements</u>
Ed. Code 51225.2	<u>Course credits</u>
Ed. Code 51225.3	<u>High school graduation requirements</u>
Ed. Code 51225.31	Graduation from high school; exemption for eligible students with special needs
Ed. Code 51225.8	<u>Completion and submission of FAFSA and CADAA</u>
Ed. Code 51229	<u>Course of study for grades 7-12</u>
Ed. Code 51513	<u>Personal beliefs; privacy</u>
Ed. Code 51749.5	Independent study
Ed. Code 51938	<u>HIV/AIDS and sexual health instruction</u>

Ed. Code 52062	Local control and accountability plans and the statewide system of support
Ed. Code 52164	<u>Language census</u>
Ed. Code 52164.1	<u>Census-taking methods; determination of primary language; assessment of language skills</u>
Ed. Code 52164.3	<u>Reassessment of English learners; notification of results</u>
Ed. Code 52242	Advanced placement examination fees
Ed. Code 54444.2	<u>Migrant education programs; parent involvement</u>
Ed. Code 56301	<u>Child-find system; policies regarding written notification rights</u>
Ed. Code 56321	<u>Special education: proposed assessment plan</u>
Ed. Code 56321.5-56321.6	<u>Notice of parent rights pertaining to special education</u>
Ed. Code 56329	<u>Written notice of right to findings; independent assessment</u>
Ed. Code 56341.1	<u>Development of individualized education program; right to audio record meeting</u>
Ed. Code 56341.5	<u>Individualized education program team meetings</u>
Ed. Code 56343.5	<u>Individualized education program meetings</u>
Ed. Code 56366.45	Change in status of a nonpublic, nonsectarian school or agency
Ed. Code 56521.1	<u>Behavioral intervention</u>
Ed. Code 58501	<u>Alternative schools; notice required prior to establishment</u>
Ed. Code 60615	<u>Exemption from state assessment</u>
Ed. Code 60641	<u>California Assessment of Student Performance and Progress</u>
Ed. Code 60900.5	Use of CalPADS data
Ed. Code 69432.9	<u>Submission of grade point average to Cal Grant program</u>
Ed. Code 8212	<u>Complaints related to preschool health and safety issues</u>
Ed. Code 8483	<u>Before/after school program; enrollment priorities</u>
Ed. Code 8489	Expulsion and suspension procedures in childcare and development services programs

Ed. Code 8489.1	Expulsion and suspension procedures in childcare and development services programs
H&S Code 104420	Tobacco use prevention
H&S Code 104855	Availability of topical fluoride treatment
H&S Code 116277	Lead testing of potable water at schools and requirements to remedy
H&S Code 120365-120375	Immunizations
H&S Code 120440	Sharing immunization information
H&S Code 124100-124105	Health screening and immunizations
H&S Code 1596.8555	Administration of child day care licensing; posting license
H&S Code 1596.857	Right to enter child care facility
H&S Code 1597.16	Licensed child care centers; lead testing
Pen. Code 626.81	Notice of permission granted to sex offender to volunteer on campus
Pen. Code 627.5	Hearing request following denial or revocation of registration
W&I Code 10228	Child care providers; posting of rates, discounts, and scholarships
Federal	Description
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
20 USC 1232h	Privacy rights
20 USC 1415	Procedural safeguards
20 USC 6311	State plan
20 USC 6312	Local educational agency plan
20 USC 6318	Parent and family engagement
20 USC 7704	Impact Aid; policies and procedures related to children residing on Indian lands
20 USC 7908	Armed forces recruiter access to students
34 CFR 104.32	District responsibility to provide free appropriate public education
34 CFR 104.36	Procedural safeguards

34 CFR 104.8	Nondiscrimination
34 CFR 106.9	Severability
34 CFR 200.48	Teacher qualifications
34 CFR 222.94	Impact Aid; district responsibilities
34 CFR 300.300	Parent consent for special education evaluation
34 CFR 300.322	Parent participation in IEP team meetings
34 CFR 300.502	Independent educational evaluation of student with disability
34 CFR 300.503	Prior written notice regarding identification, evaluation, or placement of student with disability
34 CFR 300.504	Procedural safeguards notice for students with disabilities
34 CFR 300.508	Due process complaint
34 CFR 300.530	Discipline procedures
34 CFR 99.30	Disclosure of personally identifiable information
34 CFR 99.34	Student records; disclosure to other educational agencies
34 CFR 99.37	Disclosure of directory information
34 CFR 99.7	Student records; annual notification
40 CFR 763.84	Asbestos inspections, response actions and post-response actions
40 CFR 763.93	Asbestos management plans
42 USC 11431-11435	McKinney-Vento Homeless Assistance Act
42 USC 1758	Child nutrition programs
7 CFR 245.5	Eligibility criteria for free and reduced-price meals
7 CFR 245.6a	Verification of eligibility for free and reduced-price meals

Management Resources

U.S. Department of Agriculture
Publication

Website

Description

Civil Rights Compliance and Enforcement -- Nutrition Programs and Services, FNS Instruction 113-1, 2005

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

Cross References

Code	Description
0410	Nondiscrimination In District Programs And Activities
0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
0510	School Accountability Report Card
1240	Volunteer Assistance
1240	Volunteer Assistance
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
3231	Impact Aid
3260	Fees And Charges
3260	Fees And Charges
3312	Contracts
3513.3	Tobacco-Free Schools
3513.3	Tobacco-Free Schools
3514	Environmental Safety
3514	Environmental Safety
3514.2	Integrated Pest Management
3515.5	Sex Offender Notification
3515.5	Sex Offender Notification
3517	Facilities Inspection
3517	Facilities Inspection

3543	Transportation Safety And Emergencies
3550	Food Service/Child Nutrition Program
3550	Food Service/Child Nutrition Program
3551	Food Service Operations/Cafeteria Fund
3551	Food Service Operations/Cafeteria Fund
3553	Free And Reduced Price Meals
3553	Free And Reduced Price Meals
3555	Nutrition Program Compliance
3555	Nutrition Program Compliance
3580	District Records
3580	District Records
4112.2	Certification
4112.2	Certification
4219.21	Professional Standards
4219.21	Professional Standards
4222	Teacher Aides/Paraprofessionals
4222	Teacher Aides/Paraprofessionals
4319.21	Professional Standards
4319.21	Professional Standards
5000	Concepts And Roles
5020	Parent Rights And Responsibilities
5020	Parent Rights And Responsibilities
5022	Student And Family Privacy Rights
5022	Student And Family Privacy Rights
5030	Student Wellness
5111	Admission
5111	Admission
5111.1	District Residency
5111.1	District Residency
5112.2	Exclusions From Attendance

5112.5	Open/Closed Campus
5113	Absences And Excuses
5113	Absences And Excuses
5113.1	Chronic Absence And Truancy
5113.1	Chronic Absence And Truancy
5116.1	Intradistrict Open Enrollment
5116.1	Intradistrict Open Enrollment
5116.2	Involuntary Student Transfers
5117	Interdistrict Attendance
5117	Interdistrict Attendance
5119	Students Expelled From Other Districts
5123	Promotion/Acceleration/Retention
5123	Promotion/Acceleration/Retention
5125	Student Records
5125	Student Records
5125.1	Release Of Directory Information
5125.1	Release Of Directory Information
5125.1	Release Of Directory Information
5125.2	Withholding Grades, Diploma Or Transcripts
5125.3	Challenging Student Records
5131.61	Drug Testing
5132	Dress And Grooming
5132	Dress And Grooming
5141.21	Administering Medication And Monitoring Health Conditions
5141.21	Administering Medication And Monitoring Health Conditions
5141.3	Health Examinations
5141.3	Health Examinations
5141.31	Immunizations

5141.31	Immunizations
5141.32	Health Screening For School Entry
5141.6	School Health Services
5141.6	School Health Services
5142.1	Identification And Reporting Of Missing Children
5143	Insurance
5143	Insurance
5144	Discipline
5144	Discipline
5144.1	Suspension And Expulsion/Due Process
5144.1	Suspension And Expulsion/Due Process
5144.2	Suspension And Expulsion/Due Process (Students With Disabilities)
5144.4	Required Parental Attendance
5144.4	Required Parental Attendance
5145.12	Search And Seizure
5145.12	Search And Seizure
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
5145.7	Sexual Harassment
5145.7	Sexual Harassment
5145.8	Refusal To Harm Or Destroy Animals
5146	Married/Pregnant/Parenting Students
5148	Child Care And Development
5148	Child Care And Development
5148.2	Before/After School Programs
5148.2	Before/After School Programs
5148.3	Preschool/Early Childhood Education
5148.3	Preschool/Early Childhood Education
6020	Parent Involvement

6020	Parent Involvement
6111	School Calendar
6112	School Day
6112	School Day
6117	Year-Round Schedules
6142.1	Sexual Health And HIV/AIDS Prevention Instruction
6142.1	Sexual Health And HIV/AIDS Prevention Instruction
6142.2	World Language Instruction
6142.2	World Language Instruction
6142.8	Comprehensive Health Education
6142.8	Comprehensive Health Education
6143	Courses Of Study
6143	Courses Of Study
6145.2	Athletic Competition
6145.2	Athletic Competition
6146.1	High School Graduation Requirements
6146.11	Alternative Credits Toward Graduation
6146.11	Alternative Credits Toward Graduation
6146.2	Certificate Of Proficiency/High School Equivalency
6146.2	Certificate Of Proficiency/High School Equivalency
6146.2	Certificate Of Proficiency/High School Equivalency
6154	Homework/Makeup Work
6158	Independent Study
6158	Independent Study
6159	Individualized Education Program
6159	Individualized Education Program
6159.1	Procedural Safeguards And Complaints For Special Education
6159.1	Procedural Safeguards And Complaints For Special Education

6159.2	Nonpublic, Nonsectarian School And Agency Services For Special Education
6159.2	Nonpublic, Nonsectarian School And Agency Services For Special Education
6159.4	Behavioral Interventions For Special Education Students
6162.51	State Academic Achievement Tests
6162.51	State Academic Achievement Tests
6162.8	Research
6162.8	Research
6164.2	Guidance/Counseling Services
6164.4	Identification And Evaluation Of Individuals For Special Education
6164.4	Identification And Evaluation Of Individuals For Special Education
6164.6	Identification And Education Under Section 504
6164.6	Identification And Education Under Section 504
6170.1	Transitional Kindergarten
6173	Education For Homeless Children
6173	Education For Homeless Children
6173	Education For Homeless Children
6173	Education For Homeless Children
6173.1	Education For Foster Youth
6173.1	Education For Foster Youth
6173.3	Education For Juvenile Court School Students
6173.4	Education For American Indian Students
6175	Migrant Education Program
6175	Migrant Education Program
6178	Career Technical Education
6178	Career Technical Education
6181	Alternative Schools/Programs Of Choice
6181	Alternative Schools/Programs Of Choice

6183	Home And Hospital Instruction
6184	Continuation Education
6184	Continuation Education
6190	Evaluation Of The Instructional Program
9310	Board Policies

Policy 5145.7: Sex Discrimination and Sex-Based Harassment

Status: ADOPTED

Original Adopted Date: ~~11/15/2016~~03/01/2012 | Last Revised Date: 05/11/202407/01/2024 |
Last Reviewed Date: 05/11/202407/01/2024

The Governing Board is committed to maintaining a welcoming, safe, and supportive school environment that is free from ~~harassment and~~ discrimination, and harassment. The Board prohibits, at school or at school-sponsored or school-related activities, sexual-sex discrimination and sex-based harassment, as defined in the accompanying administrative regulation, targeted at any student ~~by anyone. The Board also~~, based on the student's actual or perceived sex; sex stereotypes; sex characteristics; sexual orientation; gender; gender identity; gender expression; pregnancy, childbirth, termination of pregnancy or lactation, including related medical conditions or recovery; and, parental, marital, and family status.

Additionally, the Board prohibits retaliatory behavior or action against any person who ~~reports, files a complaint, complains~~ or testifies about conduct that reasonably may constitute sex discrimination, including sex-based harassment, reports such conduct, or otherwise ~~supports a complainant in alleging sexual harassment, participates or refuses to participate in the complaint process~~ established for the purpose of this policy. (Education Code 220.1; 34 CFR 106.71)

The district strongly encourages students who feel that they are being or have ~~been sexually harassed~~ experienced sex discrimination, including sex-based harassment, on school grounds or at a school-sponsored or school-related activity ~~by another student or an adult, or who have experienced, or~~ off-campus ~~sexual harassment that~~ when the conduct has a continuing effect on campus, to immediately contact their teacher, the principal, the district's Title IX Coordinator, or any other available school employee.

Any employee who receives a report or observes an incident of ~~sexual-sex discrimination, including sex-based~~ harassment ~~shall notify the, by or against a student in a district education program or activity shall report the incident to the~~ Title IX Coordinator within one workday.

Once notified, the Title IX Coordinator shall ensure the complaint or allegation is addressed through AR Administrative Regulation 5145.71 - Title IX SexualSex Discrimination and Sex-Based Harassment Complaint Procedures ~~or BP/AR 1312.3~~, Uniform Complaint Procedures, as applicable. ~~Because a complaint or allegation that is dismissed or denied under the Title IX complaint procedure may still be subject to consideration under state law, the Title IX Coordinator shall ensure that any implementation of AR 5145.71 concurrently meets the requirements of BP/AR 1312.3.~~

The Title IX Coordinator shall offer and coordinate supportive measures to be provided to the complainant and, if the district has begun grievance procedures or offered an informal resolution process to the respondent, offer and coordinate supportive measures to be provided to the respondent as deemed appropriate under the circumstances.

The Superintendent or designee shall ~~inform students and parents/guardians of the district's sexual harassment policy by disseminating it through parent/guardian notifications, publishing it on the district's web site, and including it in student and~~ ensure that all district staff handbooks. ~~All district staff shall be~~ are trained regarding the ~~policy.~~ district's sex discrimination and sex-based harassment policy, and that all employees receive training related to their duties under Title IX as specified in Administrative Regulation 4119.11/4219.11/4319.11 - Sex Discrimination and Sex-Based Harassment. (34 CFR 106.8)

Instruction/Information

The Superintendent or designee shall ensure that all district students receive age-appropriate information on ~~sexual~~ sex discrimination and sex-based harassment. Such instruction and information shall include:

1. What acts and behavior constitute ~~sexual~~ sex discrimination and sex-based harassment, including the fact that ~~sexual~~ sex discrimination and sex-based harassment could occur between people of the same sex and could involve sexual violence
2. A clear message that students do not have to endure ~~sexual~~ sex discrimination or sex-based harassment under any circumstance
3. Encouragement to report observed incidents of ~~sexual~~ sex discrimination and sex-based harassment even when the alleged victim of the discrimination or harassment has not complained-
4. A clear message that student safety is the district's primary concern, and that any separate rule violation involving an alleged victim or any other person reporting a ~~sexual~~ sex discrimination or sex-based harassment incident will be addressed separately and will not affect the manner in which the ~~sexual~~ sex discrimination or sex-based harassment complaint will be received, investigated, or resolved
5. A clear message that, regardless of a complainant's noncompliance with the writing, timeline, or other formal filing requirements, every ~~sexual~~ sex discrimination and sex-based harassment allegation that involves a student, whether as the complainant, respondent, or victim of the discrimination or harassment, shall be investigated and action shall be taken to respond to harassment, prevent recurrence, and address any continuing effect on students. ~~All reports of sexual harassment shall be reported to the Title IX Coordinator no later than 24 hours after a report is received by District personnel.~~
6. Information about the district's procedures for investigating complaints and the person(s) to whom a report of ~~sexual~~ sex discrimination and/or sex-based harassment should be made
7. Information about the rights of students and parents/guardians to file a civil or criminal complaint, as applicable, including the right to file a civil or criminal complaint while the district investigation of a ~~sexual~~ sex discrimination or sex-based harassment complaint continues
8. A clear message that, when needed, the district will implement supportive measures to ensure a safe school environment for a student who is the complainant or victim of ~~sexual~~ sex discrimination or sex-based harassment and/or other students during an investigation

Disciplinary Actions

Upon completion of an investigation of ~~a sexual~~ [sexual discrimination and/or sex-based harassment complaint](#), any student found to have engaged in ~~sexual~~ [sexual discrimination, and/or sex-based harassment](#) or sexual violence, in violation of this policy, shall be subject to disciplinary action. For students in grades 4-12, disciplinary action may include suspension and/or expulsion, provided that, in imposing such discipline, the entire circumstances of the incident(s) shall be taken into account.

Upon investigation of ~~a sexual~~ [sexual discrimination and/or sex-based harassment complaint](#), any employee found to have engaged in ~~sexual~~ [sexual discrimination against, and/or sex-based harassment](#) or sexual violence toward, any student, shall be subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

Record-Keeping

~~In~~

[The Superintendent or designee shall maintain records in accordance with law, including in accordance with 34 CFR 106.8 as specified in Administrative Regulation 5145.71 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures](#), and district policies and regulations, ~~the Superintendent or designee shall maintain a record~~ of all reported cases of ~~sexual~~ [sex-based](#) harassment to enable the district to monitor, address, and prevent repetitive harassing behavior in district schools.

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 432	Student records
5 CCR 4600-4670	Uniform complaint procedures
5 CCR 4900-4965	Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance
Civ. Code 1714.1	Liability of parent or guardian for act of willful misconduct by a minor
Civ. Code 51.9	Liability for sexual harassment; business, service and professional relationships
Ed. Code 200-262.4	Prohibition of discrimination
Ed. Code 220.1	Prohibition of retaliation related to educational equity
Ed. Code 220.3	Prohibition of disclosure of information related to student's sexual orientation, gender identity, or gender expression

Ed. Code 220.5	Prohibition of policies requiring disclosure of information related to student's sexual orientation, gender identity, or gender expression
Ed. Code 35292.5	School restrooms; all-gender restrooms
Ed. Code 48900	Grounds for suspension or expulsion
Ed. Code 48900.2	Additional grounds for suspension or expulsion; sexual harassment
Ed. Code 48904	Liability of parent/guardian for willful student misconduct
Ed. Code 48980	Parent/Guardian notifications
Ed. Code 48985	Notices to parents in language other than English
Ed. Code 49060-49079	Student records
Gov. Code 12950.1	Sexual harassment training
Federal	Description
20 USC 1092	Definition of sexual assault
20 USC 1221	Application of laws
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
20 USC 1681-1688	Title IX of the Education Amendments of 1972; discrimination based on sex
34 CFR 106.1-106.82	Nondiscrimination on the basis of sex in education programs
34 CFR 99.1-99.67	Family Educational Rights and Privacy
34 USC 12291	Definition of dating violence, domestic violence, and stalking
42 USC 1983	Civil action for deprivation of rights
42 USC 2000d-2000d-7	Title VI, Civil Rights Act of 1964
42 USC 2000e-2000e-17	Title VII, Civil Rights Act of 1964, as amended
Management Resources	Description
California Department of Education Publication	California Longitudinal Pupil Achievement Data System (CALPADS) Update FLASH #158: Guidance for Changing a Student's Gender in CALPADS, July 2019
Court Decision	Gebser v. Lago Vista Independent School District (1998) 524 U.S. 274

Court Decision	Oona by Kate S. v. McCaffrey (1998, 9th Cir.) 143 F.3d 473
Court Decision	Reese v. Jefferson School District (2000, 9th Cir.) 208 F.3d 736
Court Decision	Davis v. Monroe County Board of Education (1999) 526 U.S. 629
Court Decision	Doe v. Petaluma City School District (1995, 9th Cir.) 54 F.3d 1447
Court Decision	Donovan v. Poway Unified School District (2008) 167 Cal.App.4th 567
Court Decision	Flores v. Morgan Hill Unified School District (2003, 9th Cir.) 324 F.3d 1130
CSBA Publication	Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011
CSBA Publication	Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014
CSBA Publication	Legal Guidance on Rights of Transgender and Gender Nonconforming Students in Schools, October 2022
Federal Register	Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, April 29, 2024, Vol. 89, No. 83, pages 33474-33896
U.S. DOE, Office for Civil Rights Publication	Sexual Harassment: It's Not Academic, September 2008
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. DOE, Office for Civil Rights Publication	Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016
Website	CSBA District and County Office of Education Legal Services
Website	California Department of Education
Website	CSBA
Website	U.S. Department of Education, Office for Civil Rights

Cross References

Code	Description
0410	<u>Nondiscrimination In District Programs And Activities</u> <u>Nondiscrimination In District Programs And Activities</u>
0450	<u>Comprehensive Safety Plan</u> <u>Comprehensive Safety Plan</u>
0450	<u>Comprehensive Safety Plan</u> <u>Comprehensive Safety Plan</u>
1114	<u>District-Sponsored Social Media</u> <u>District-Sponsored Social Media</u>
<u>1114</u>	<u>District-Sponsored Social Media</u>
1312.1	<u>Complaints Concerning District Employees</u> <u>Complaints Concerning District Employees</u>
1312.1	<u>Complaints Concerning District Employees</u> <u>Complaints Concerning District Employees</u>
1312.3	<u>Uniform Complaint Procedures</u> <u>Uniform Complaint Procedures</u>
1312.3	<u>Uniform Complaint Procedures</u> <u>Uniform Complaint Procedures</u>
1312.3 E-PDF(1)	<u>Uniform Complaint Procedures</u> <u>Uniform Complaint Procedures</u>
<u>1312.3</u>	<u>Uniform Complaint Procedures</u>
<u>1313</u>	<u>Civility</u>
3515.4	<u>Recovery For Property Loss Or Damage</u> <u>Recovery For Property Loss Or Damage</u>
3515.4	<u>Recovery For Property Loss Or Damage</u> <u>Recovery For Property Loss Or Damage</u>
3530	<u>Risk Management/Insurance</u> <u>Risk Management/Insurance</u>
3530	<u>Risk Management/Insurance</u> <u>Risk Management/Insurance</u>
3580	<u>District Records</u> <u>District Records</u>
3580	<u>District Records</u> <u>District Records</u>
4117.7	<u>Employment Status Reports</u> <u>Employment Status Reports</u>
4118	<u>Dismissal/Suspension/Disciplinary Action</u> <u>Dismissal/Suspension/Disciplinary Action</u>
4118	<u>Dismissal/Suspension/Disciplinary Action</u> <u>Dismissal/Suspension/Disciplinary Action</u>
4119.11	<u>Sex Discrimination and Sex-Based Harassment</u> <u>Sex Discrimination and Sex-Based Harassment</u>

4119.11	Sex Discrimination and Sex-Based Harassment Sex Discrimination and Sex-Based Harassment
4119.12	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures
4119.12-E PDF(1)	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures
4131	Staff Development Staff Development
4131	Staff Development
4218	Dismissal/Suspension/Disciplinary Action Dismissal/Suspension/Disciplinary Action
4218	Dismissal/Suspension/Disciplinary Action Dismissal/Suspension/Disciplinary Action
4219.11	Sex Discrimination and Sex-Based Harassment Sex Discrimination and Sex-Based Harassment
4219.11	Sex Discrimination and Sex-Based Harassment Sex Discrimination and Sex-Based Harassment
4219.12	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures
4219.12-E PDF(1)	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures
4219.21	Professional Standards Professional Standards
4219.21-E PDF(1)	Professional Standards - Code Of Ethics Classified Employees Professional Standards
4231	Staff Development Staff Development
4231	Staff Development
4317.7	Employment Status Reports Employment Status Reports
4319.11	Sex Discrimination and Sex-Based Harassment Sex Discrimination and Sex-Based Harassment
4319.11	Sex Discrimination and Sex-Based Harassment Sex Discrimination and Sex-Based Harassment

4319.12	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures <u>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</u>
4319.12-E PDF(1)	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures <u>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</u>
4319.21	Professional Standards <u>Professional Standards</u>
4319.21-E PDF(1)	Professional Standards <u>Professional Standards</u>
5125	Student Records <u>Student Records</u>
5125	Student Records <u>Student Records</u>
5131	Conduct <u>Conduct</u>
5131.2	Bullying <u>Bullying</u>
5131.2	Bullying <u>Bullying</u>
5131.5	Vandalism And Graffiti <u>Vandalism And Graffiti</u>
5132	Dress And Grooming <u>Dress And Grooming</u>
5132	Dress And Grooming <u>Dress And Grooming</u>
5137	Positive School Climate <u>Positive School Climate</u>
5138	Conflict Resolution/Peer Mediation <u>Conflict Resolution/Peer Mediation</u>
5141.4	Child Abuse Prevention And Reporting <u>Child Abuse Prevention And Reporting</u>
5141.4	Child Abuse Prevention And Reporting <u>Child Abuse Prevention And Reporting</u>
5141.52	Suicide Prevention <u>Suicide Prevention</u>
5141.52	Suicide Prevention <u>Suicide Prevention</u>
5141.52-E PDF(1)	Suicide Prevention <u>Suicide Prevention</u>
5144	Discipline <u>Discipline</u>
5144	Discipline <u>Discipline</u>
5144.1	Suspension And Expulsion/Due Process <u>Suspension And Expulsion/Due Process</u>
5144.1	Suspension And Expulsion/Due Process <u>Suspension And Expulsion/Due Process</u>

5144.2	<u>Suspension And Expulsion/Due Process (Students With Disabilities)</u> <u>Suspension And Expulsion/Due Process (Students With Disabilities)</u>
5145.2	<u>Freedom Of Speech/Expression</u> <u>Freedom Of Speech/Expression</u>
5145.2	<u>Freedom Of Speech/Expression</u> <u>Freedom Of Speech/Expression</u>
5145.3	<u>Nondiscrimination/Harassment</u> <u>Nondiscrimination/Harassment</u>
5145.3	<u>Nondiscrimination/Harassment</u> <u>Nondiscrimination/Harassment</u>
5145.6	<u>Parent/Guardian Notifications</u> <u>Parent/Guardian Notifications</u>
5145.6-E PDF(1)	<u>Parent/Guardian Notifications</u> <u>Parent/Guardian Notifications</u>
5145.71	<u>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</u> <u>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</u>
5145.71-E PDF(1)	<u>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</u> <u>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</u>
5145.9	<u>Hate-Motivated Behavior</u> <u>Hate-Motivated Behavior</u>
5146	<u>Married/Pregnant/Parenting Students</u> <u>Married/Pregnant/Parenting Students</u>
5146	<u>Married/Pregnant/Parenting Students</u> <u>Married/Pregnant/Parenting Students</u>
6142.1	<u>Sexual Health And HIV/AIDS Prevention Instruction</u> <u>Sexual Health And HIV/AIDS Prevention Instruction</u>
6142.1	<u>Sexual Health And HIV/AIDS Prevention Instruction</u> <u>Sexual Health And HIV/AIDS Prevention Instruction</u>
6142.8	<u>Comprehensive Health Education</u> <u>Comprehensive Health Education</u>
6142.8	<u>Comprehensive Health Education</u> <u>Comprehensive Health Education</u>
6145	<u>Extracurricular And Cocurricular Activities</u> <u>Extracurricular And Cocurricular Activities</u>
6145	<u>Extracurricular And Cocurricular Activities</u> <u>Extracurricular And Cocurricular Activities</u>
6145.2	<u>Athletic Competition</u> <u>Athletic Competition</u>

6145.2

~~Athletic Competition~~ Athletic Competition

6163.4

~~Student Use Of Technology~~ Student Use Of Technology

6163.4

~~Student Use Of Technology~~ Student Use Of Technology

Policy 5145.7: Sex Discrimination and Sex-Based Harassment

Status: ADOPTED

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

The Governing Board is committed to maintaining a welcoming, safe, and supportive school environment that is free from discrimination and harassment. The Board prohibits at school or at school-sponsored or school-related activities, sex discrimination and sex-based harassment, as defined in the accompanying administrative regulation, targeted at any student, based on the student's actual or perceived sex; sex stereotypes; sex characteristics; sexual orientation; gender; gender identity; gender expression; pregnancy, childbirth, termination of pregnancy or lactation, including related medical conditions or recovery; and, parental, marital, and family status.

Additionally, the Board prohibits retaliatory behavior or action against any person who complains or testifies about conduct that reasonably may constitute sex discrimination, including sex-based harassment, reports such conduct, or otherwise participates or refuses to participate in the complaint process established for the purpose of this policy. (Education Code 220.1; 34 CFR 106.71)

The district strongly encourages students who feel that they are being or have experienced sex discrimination, including sex-based harassment, on school grounds or at a school-sponsored or school-related activity, or off-campus when the conduct has a continuing effect on campus, to immediately contact their teacher, the principal, the district's Title IX Coordinator, or any other available school employee.

Any employee who receives a report or observes an incident of sex discrimination, including sex-based harassment, by or against a student in a district education program or activity shall report the incident to the Title IX Coordinator within one workday.

Once notified, the Title IX Coordinator shall ensure the complaint or allegation is addressed through Administrative Regulation 5145.71 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures.

The Title IX Coordinator shall offer and coordinate supportive measures to be provided to the complainant and, if the district has begun grievance procedures or offered an informal resolution process to the respondent, offer and coordinate supportive measures to be provided to the respondent as deemed appropriate under the circumstances.

The Superintendent or designee shall ensure that all district staff are trained regarding the district's sex discrimination and sex-based harassment policy, and that all employees receive training related to their duties under Title IX as specified in Administrative Regulation 4119.11/4219.11/4319.11 - Sex Discrimination and Sex-Based Harassment. (34 CFR 106.8)

Instruction/Information

The Superintendent or designee shall ensure that all district students receive age-appropriate information on sex discrimination and sex-based harassment. Such instruction and information shall include:

1. What acts and behavior constitute sex discrimination and sex-based harassment, including the fact that sex discrimination and sex-based harassment could occur between people of the same sex and could involve sexual violence
2. A clear message that students do not have to endure sex discrimination or sex-based harassment under any circumstance
3. Encouragement to report observed incidents of sex discrimination and sex-based harassment even when the alleged victim of the discrimination or harassment has not complained
4. A clear message that student safety is the district's primary concern, and that any separate rule violation involving an alleged victim or any other person reporting a sex discrimination or sex-based harassment incident will be addressed separately and will not affect the manner in which the sex discrimination or sex-based harassment complaint will be received, investigated, or resolved
5. A clear message that, regardless of a complainant's noncompliance with the writing, timeline, or other formal filing requirements, every sex discrimination and sex-based harassment allegation that involves a student, whether as the complainant, respondent, or victim of the discrimination or harassment, shall be investigated and action shall be taken to respond to harassment, prevent recurrence, and address any continuing effect on students
6. Information about the district's procedures for investigating complaints and the person(s) to whom a report of sex discrimination and/or sex-based harassment should be made
7. Information about the rights of students and parents/guardians to file a civil or criminal complaint, as applicable, including the right to file a civil or criminal complaint while the district investigation of a sex discrimination or sex-based harassment complaint continues
8. A clear message that, when needed, the district will implement supportive measures to ensure a safe school environment for a student who is the complainant or victim of sex discrimination or sex-based harassment and/or other students during an investigation

Disciplinary Actions

Upon completion of an investigation of sex discrimination and/or sex-based harassment, any student found to have engaged in sex discrimination, and/or sex-based harassment or sexual violence, in violation of this policy, shall be subject to disciplinary action. For students in grades 4-12, disciplinary action may include suspension and/or expulsion, provided that, in imposing such discipline, the entire circumstances of the incident(s) shall be taken into account.

Upon investigation of sex discrimination and/or sex-based harassment, any employee found to have engaged in sex discrimination against, and/or sex-based harassment or sexual violence toward, any student, shall be subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

Record-Keeping

The Superintendent or designee shall maintain records in accordance with law, including in accordance with 34 CFR 106.8 as specified in Administrative Regulation 5145.71 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures, and district policies and regulations, of all reported cases of sex-based harassment to enable the district to monitor, address, and prevent repetitive harassing behavior in district schools.

Policy Reference Disclaimer:

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State	Description
5 CCR 432	Student records
5 CCR 4600-4670	Uniform complaint procedures
5 CCR 4900-4965	Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance
Civ. Code 1714.1	<u>Liability of parent or guardian for act of willful misconduct by a minor</u>
Civ. Code 51.9	<u>Liability for sexual harassment; business, service and professional relationships</u>
Ed. Code 200-262.4	<u>Prohibition of discrimination</u>
Ed. Code 220.1	Prohibition of retaliation related to educational equity
Ed. Code 220.3	Prohibition of disclosure of information related to student's sexual orientation, gender identity, or gender expression
Ed. Code 220.5	Prohibition of policies requiring disclosure of information related to student's sexual orientation, gender identity, or gender expression
Ed. Code 35292.5	School restrooms; all-gender restrooms
Ed. Code 48900	<u>Grounds for suspension or expulsion</u>
Ed. Code 48900.2	<u>Additional grounds for suspension or expulsion; sexual harassment</u>
Ed. Code 48904	<u>Liability of parent/guardian for willful student misconduct</u>
Ed. Code 48980	<u>Parent/Guardian notifications</u>

Ed. Code 48985

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

Ed. Code 49060-49079

[Student records](#)

Gov. Code 12950.1

[Sexual harassment training](#)

Federal

Description

20 USC 1092

Definition of sexual assault

20 USC 1221

Application of laws

20 USC 1232g

Family Educational Rights and Privacy Act (FERPA) of 1974

20 USC 1681-1688

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

34 CFR 106.1-106.82

Nondiscrimination on the basis of sex in education programs

34 CFR 99.1-99.67

Family Educational Rights and Privacy

34 USC 12291

Definition of dating violence, domestic violence, and stalking

42 USC 1983

Civil action for deprivation of rights

42 USC 2000d-2000d-7

Title VI, Civil Rights Act of 1964

42 USC 2000e-2000e-17

Title VII, Civil Rights Act of 1964, as amended

Management Resources

Description

California Department of Education
Publication

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

Court Decision

Gebser v. Lago Vista Independent School District (1998) 524 U.S. 274

Court Decision

Oona by Kate S. v. McCaffrey (1998, 9th Cir.) 143 F.3d 473

Court Decision

Reese v. Jefferson School District (2000, 9th Cir.) 208 F.3d 736

Court Decision

Davis v. Monroe County Board of Education (1999) 526 U.S. 629

Court Decision

Doe v. Petaluma City School District (1995, 9th Cir.) 54 F.3d 1447

Court Decision

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

Court Decision	Flores v. Morgan Hill Unified School District (2003, 9th Cir.) 324 F.3d 1130
CSBA Publication	Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011
CSBA Publication	Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014
CSBA Publication	Legal Guidance on Rights of Transgender and Gender Nonconforming Students in Schools, October 2022
Federal Register	Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, April 29, 2024, Vol. 89, No. 83, pages 33474-33896
U.S. DOE, Office for Civil Rights Publication	Sexual Harassment: It's Not Academic, September 2008
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. DOE, Office for Civil Rights Publication	Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016
Website	CSBA District and County Office of Education Legal Services
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
0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan
1114	District-Sponsored Social Media
1114	District-Sponsored Social Media
1312.1	Complaints Concerning District Employees
1312.1	Complaints Concerning District Employees

1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1313	Civility
3515.4	Recovery For Property Loss Or Damage
3515.4	Recovery For Property Loss Or Damage
3530	Risk Management/Insurance
3530	Risk Management/Insurance
3580	District Records
3580	District Records
4117.7	Employment Status Reports
4118	Dismissal/Suspension/Disciplinary Action
4118	Dismissal/Suspension/Disciplinary Action
4119.11	Sex Discrimination and Sex-Based Harassment
4119.11	Sex Discrimination and Sex-Based Harassment
4119.12	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures
4119.12	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures
4131	Staff Development
4218	Dismissal/Suspension/Disciplinary Action
4218	Dismissal/Suspension/Disciplinary Action
4219.11	Sex Discrimination and Sex-Based Harassment
4219.11	Sex Discrimination and Sex-Based Harassment
4219.12	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures
4219.12	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures
4219.21	Professional Standards
4219.21	Professional Standards

4231	Staff Development
4317.7	Employment Status Reports
4319.11	Sex Discrimination and Sex-Based Harassment
4319.11	Sex Discrimination and Sex-Based Harassment
4319.12	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures
4319.12	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures
4319.21	Professional Standards
4319.21	Professional Standards
5125	Student Records
5125	Student Records
5131	Conduct
5131.2	Bullying
5131.2	Bullying
5131.5	Vandalism And Graffiti
5132	Dress And Grooming
5132	Dress And Grooming
5137	Positive School Climate
5138	Conflict Resolution/Peer Mediation
5141.4	Child Abuse Prevention And Reporting
5141.4	Child Abuse Prevention And Reporting
5141.52	Suicide Prevention
5141.52	Suicide Prevention
5144	Discipline
5144	Discipline
5144.1	Suspension And Expulsion/Due Process
5144.1	Suspension And Expulsion/Due Process
5144.2	Suspension And Expulsion/Due Process (Students With Disabilities)

5145.2	Freedom Of Speech/Expression
5145.2	Freedom Of Speech/Expression
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
5145.6	Parent/Guardian Notifications
5145.6	Parent/Guardian Notifications
5145.71	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures
5145.71	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures
5145.9	Hate-Motivated Behavior
5146	Married/Pregnant/Parenting Students
6142.1	Sexual Health And HIV/AIDS Prevention Instruction
6142.1	Sexual Health And HIV/AIDS Prevention Instruction
6142.8	Comprehensive Health Education
6142.8	Comprehensive Health Education
6145	Extracurricular And Cocurricular Activities
6145	Extracurricular And Cocurricular Activities
6145.2	Athletic Competition
6145.2	Athletic Competition
6163.4	Student Use Of Technology
6163.4	Student Use Of Technology

Policy 6000: Concepts And Roles

Status: ADOPTED

Original Adopted Date: ~~08/25/2009~~09/01/1992 | **Last Revised Date:** 06/01/2024 | **Last Reviewed Date:** ~~08/25/2009~~06/01/2024

The Governing Board of Education desires to provide a comprehensive, research-based curriculum in a supportive, positive, and engaging manner that motivates every student to succeed. The district's educational program shall provide students with rigorous opportunities to attain the academic, social and emotional skills, knowledge, and abilities they need to be successful in school, postsecondary education and/or employment, and develop to their full potential.

Strategies for improving the educational program shall take into consideration the needs of individual students and subpopulations of students, including, but not limited to, social, emotional, and behavioral needs. Students who are failing or at risk of failing to meet academic standards shall be provided with alternative programs and/or supplemental assistance designed to raise achievement.

~~Inasmuch as parents~~

Parents/guardians are critical partners in their children's education, ~~parents/guardians and~~ shall be provided with opportunities to be meaningfully involved both in support of their children's education program at school and with learning at home.

The district's goal of student success may be achieved through regional coordination, collaboration, and alignment between the school, parents/guardians, and the community, including district support for innovative programs and practices that promote student engagement, growth, understanding, achievement, and career exploration.

To support the district's educational program, the Board shall:

~~The Board shall:~~

1. Establish standards of student achievement for core subjects at each grade level that are aligned with the district's vision for student learning, the specific needs and strengths of the students, the expectations of parents/guardians and the community, and available resources
2. Establish graduation requirements
3. Ensure that a process is in place, involving teachers, administrators, students, and parents/guardians, for the development and review of the district's curriculum
4. Adopt the district curriculum and courses of study to be offered
5. Adopt textbooks and other instructional materials

6. Support the professional staff's implementation of the curriculum by providing consistent policy direction, allocating resources based on educational program priorities, ensuring that collective bargaining agreements do not constrain the district's ability to achieve curricular goals, recognizing staff accomplishments, and including reasonable annual goals related to student learning in the Superintendent evaluation process
7. Provide a continuing program of professional development to keep instructional staff, administrators, and Board members updated about current issues and research pertaining to curriculum, instructional strategies, and student assessment
8. Review and evaluate the educational program on the basis of state and federal accountability measures, disaggregated student achievement data, and other indicators and ensure that evaluation results are used to improve programs, curriculum, and/or instructional practices as necessary to enhance student achievement
9. Communicate clear information about district instructional goals, programs, and progress in student achievement to the community and media

The Superintendent or designee shall:

1. Review research related to curriculum issues
2. Select and/or develop curricula for recommendation to the Board in accordance with the district's curriculum development and review process
3. Ensure the articulation of the curriculum between grade levels and with postsecondary education and the workplace
4. Determine the general methods of instruction to be used
5. Assign instructors and schedule classes for all curricular offerings
6. Recommend instructional materials to the Board and direct the purchase of approved materials and equipment
7. Evaluate and report to the Board on student achievement as demonstrated through testing and other types of appraisal, and recommend necessary changes in curriculum, programs, and instruction as indicated by student performance data

Comparability in Instruction

The district shall provide comparable educational opportunities for all students. Instruction in the core curriculum shall be in no way diminished when students receive supplementary services funded by special governmental programs. Services funded by any categorical program shall supplement, not supplant, the district-provided core curriculum and any services which may be provided by other categorical programs.

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State

Description

5 CCR 3940	Maintenance of effort
5 CCR 4424	Comparability of services
Ed. Code 51000-51009	Legislative intent; educational program
Federal	Description
20 USC 6321	Fiscal requirements/comparability of services
Management Resources	Description
California Department of Education Publication	California State Plan for Career Technical Education: A Vision for Equity and Excellence in CTE, March 2023
Website	CSBA District and County Office of Education Legal Services
Website	California Department of Education
Website	CSBA

Cross References

Code	Description
0410	Nondiscrimination In District Programs And Activities Nondiscrimination In District Programs And Activities
0500	Accountability Accountability
0510	School Accountability Report Card School Accountability Report Card
1100	Communication With The Public Communication With The Public
1100	Communication With The Public
1112	Media Relations Media Relations
1312.2	Complaints Concerning Instructional Materials Complaints Concerning Instructional Materials
1312.2	Complaints Concerning Instructional Materials Complaints Concerning Instructional Materials
1312.2-E PDF(1)	Complaints Concerning Instructional Materials Complaints Concerning Instructional Materials
1700	Relations Between Private Industry And The Schools Relations Between Private Industry And The Schools
2140	Evaluation Of The Superintendent Evaluation Of The Superintendent
3100	Budget Budget
3100	Budget Budget

3512	<u>EquipmentEquipment</u>
3512-E PDF(1)	<u>EquipmentEquipment</u>
4113	<u>AssignmentAssignment</u>
4113	<u>AssignmentAssignment</u>
4131	<u>Staff DevelopmentStaff Development</u>
4131	<u>Staff Development</u>
4143	<u>Negotiations/ConsultationNegotiations/Consultation</u>
4222	<u>Teacher Aides/ParaprofessionalsTeacher Aides/Paraprofessionals</u>
4222	<u>Teacher Aides/ParaprofessionalsTeacher Aides/Paraprofessionals</u>
4243	<u>Negotiations/ConsultationNegotiations/Consultation</u>
4331	<u>Staff DevelopmentStaff Development</u>
4331	<u>Staff Development</u>
5020	<u>Parent Rights And ResponsibilitiesParent Rights And Responsibilities</u>
5020	<u>Parent Rights And ResponsibilitiesParent Rights And Responsibilities</u>
5123	<u>Promotion/Acceleration/RetentionPromotion/Acceleration/Retention</u>
5123	<u>Promotion/Acceleration/RetentionPromotion/Acceleration/Retention</u>
5131.9	<u>Academic HonestyAcademic Honesty</u>
6011	<u>Academic StandardsAcademic Standards</u>
6020	<u>Parent InvolvementParent Involvement</u>
6020	<u>Parent InvolvementParent Involvement</u>
6112	<u>School DaySchool Day</u>
6112	<u>School DaySchool Day</u>
6117	<u>Year-Round Schedules</u>
6120	<u>Response To Instruction And InterventionResponse To Instruction And Intervention</u>
6141	<u>Curriculum Development And EvaluationCurriculum Development And Evaluation</u>
6141	<u>Curriculum Development And EvaluationCurriculum Development And Evaluation</u>
6142.3	<u>Civic EducationCivic Education</u>

6142.4	<u>Service Learning/Community Service Classes</u> <u>Service Learning/Community Service Classes</u>
6142.5	<u>Environmental Education</u> <u>Environmental Education</u>
6143	<u>Courses Of Study</u> <u>Courses Of Study</u>
6143	<u>Courses Of Study</u> <u>Courses Of Study</u>
6145.8	<u>Assemblies And Special Events</u> <u>Assemblies And Special Events</u>
6146.1	<u>High School Graduation Requirements</u> <u>High School Graduation Requirements</u>
6146.5	<u>Elementary/Middle School Graduation Requirements</u> <u>Elementary/Middle School Graduation Requirements</u>
6158	<u>Independent Study</u> <u>Independent Study</u>
6158	<u>Independent Study</u> <u>Independent Study</u>
6159	<u>Individualized Education Program</u> <u>Individualized Education Program</u>
6159	<u>Individualized Education Program</u> <u>Individualized Education Program</u>
6161.1	<u>Selection And Evaluation Of Instructional Materials</u> <u>Selection And Evaluation Of Instructional Materials</u>
6161.1	<u>Selection And Evaluation Of Instructional Materials</u> <u>Selection And Evaluation Of Instructional Materials</u>
6161.1-E PDF(1)	<u>Selection And Evaluation Of Instructional Materials</u> <u>Selection And Evaluation Of Instructional Materials</u>
6161.11	<u>Supplementary Instructional Materials</u> <u>Supplementary Instructional Materials</u>
6162.5	<u>Student Assessment</u> <u>Student Assessment</u>
6162.51	<u>State Academic Achievement Tests</u> <u>State Academic Achievement Tests</u>
6162.51	<u>State Academic Achievement Tests</u> <u>State Academic Achievement Tests</u>
6164.5	<u>Student Success Teams</u> <u>Student Success Teams</u>
6164.5	<u>Student Success Teams</u> <u>Student Success Teams</u>
6164.6	<u>Identification And Education Under Section 504</u> <u>Identification And Education Under Section 504</u>
6164.6	<u>Identification And Education Under Section 504</u> <u>Identification And Education Under Section 504</u>
6171	<u>Title I Programs</u> <u>Title I Programs</u>

6171	<u>Title I Programs</u>
6172	<u>Gifted And Talented Student Program</u>
6172	<u>Gifted And Talented Student Program</u>
6173.1	<u>Education For Foster Youth</u>
6173.1	<u>Education For Foster Youth</u>
6174	<u>Education For English Learners</u>
6174	<u>Education For English Learners</u>
6174 E PDF(1)	<u>Education For English Learners</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>
6178.1	<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>
6190	<u>Evaluation Of The Instructional Program</u>
9000	<u>Role Of The Board</u>
9240	<u>Board Training</u>
9310	<u>Board Policies</u>

Policy 6000: Concepts And Roles

Status: ADOPTED

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

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State

5 CCR 3940

Description

Maintenance of effort

5 CCR 4424

Comparability of services

Ed. Code 51000-51009

[Legislative intent; educational program](#)

Federal 20 USC 6321	Description Fiscal requirements/comparability of services
Management Resources California Department of Education Publication	Description California State Plan for Career Technical Education: A Vision for Equity and Excellence in CTE, March 2023
Website	CSBA District and County Office of Education Legal Services
Website	California Department of Education
Website	CSBA

Cross References

Code	Description
0410	Nondiscrimination In District Programs And Activities
0500	Accountability
0510	School Accountability Report Card
1100	Communication With The Public
1112	Media Relations
1312.2	Complaints Concerning Instructional Materials
1312.2	Complaints Concerning Instructional Materials
1312.2	Complaints Concerning Instructional Materials
1700	Relations Between Private Industry And The Schools
2140	Evaluation Of The Superintendent
3100	Budget
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3512	Equipment
3512	Equipment
4113	Assignment
4113	Assignment
4131	Staff Development
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4222	Teacher Aides/Paraprofessionals
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4331	Staff Development
5020	Parent Rights And Responsibilities
5020	Parent Rights And Responsibilities
5123	Promotion/Acceleration/Retention
5123	Promotion/Acceleration/Retention
5131.9	Academic Honesty
6011	Academic Standards
6020	Parent Involvement
6020	Parent Involvement
6112	School Day
6112	School Day
6117	Year-Round Schedules
6120	Response To Instruction And Intervention
6141	Curriculum Development And Evaluation
6141	Curriculum Development And Evaluation
6142.3	Civic Education
6142.4	Service Learning/Community Service Classes
6142.5	Environmental Education
6143	Courses Of Study
6143	Courses Of Study
6145.8	Assemblies And Special Events
6146.1	High School Graduation Requirements
6146.5	Elementary/Middle School Graduation Requirements
6158	Independent Study
6158	Independent Study
6159	Individualized Education Program
6159	Individualized Education Program
6161.1	Selection And Evaluation Of Instructional Materials

6161.1	Selection And Evaluation Of Instructional Materials
6161.1	Selection And Evaluation Of Instructional Materials
6161.11	Supplementary Instructional Materials
6162.5	Student Assessment
6162.51	State Academic Achievement Tests
6162.51	State Academic Achievement Tests
6164.5	Student Success Teams
6164.5	Student Success Teams
6164.6	Identification And Education Under Section 504
6164.6	Identification And Education Under Section 504
6171	Title I Programs
6171	Title I Programs
6172	Gifted And Talented Student Program
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6175	Migrant Education Program
6175	Migrant Education Program
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6178.1	Work-Based Learning
6178.1	Work-Based Learning
6179	Supplemental Instruction
6181	Alternative Schools/Programs Of Choice
6181	Alternative Schools/Programs Of Choice
6183	Home And Hospital Instruction
6184	Continuation Education
6184	Continuation Education

6190	Evaluation Of The Instructional Program
9000	Role Of The Board
9240	Board Training
9310	Board Policies

Policy 6164.2: Guidance/Counseling Services

Status: ADOPTED

Original Adopted Date: 11/~~15/2016~~01/2007 | Last Revised Date: ~~02/14/2023~~06/01/2024 |
Last Reviewed Date: ~~02/14/2023~~06/01/2024

The Governing Board recognizes that a structured, coherent, and comprehensive counseling program promotes academic achievement and growth, and serves the diverse needs of district students. The district shall provide an educational counseling program that offers students services and supports within a Multi-Tiered Systems of Support (MTSS) framework, in accordance with law. Counseling staff shall be available to provide students with individualized reviews of their educational progress toward academic and/or career and vocational goals and, as appropriate, may discuss social, personal, or other issues that may impact student learning and well-being.

The Superintendent or designee shall ensure that all persons employed to provide direct school counseling, school psychology, school social work services ~~to students, child welfare and attendance services,~~ and/or to implement equitable school programs and services that support students' academic and social and emotional development and college and career readiness ~~shall~~ possess the appropriate credential from the Commission on Teacher Credentialing authorizing their employment in such positions. ~~Responsibilities of such positions shall be clearly defined in a job description.~~

Responsibilities of school counselors include, but are not limited to:

1. Engaging with, advocating for, and providing all students with direct services, such as individual counseling, group counseling, risk assessment, crisis response, and instructional services, including mental health and behavioral, academic, and postsecondary educational services, and indirect services, including but not limited to, positive school climate strategies, teacher and parent/guardian consultations, and referrals to public and private community services
2. Planning, implementing, and evaluating school counseling programs
3. Working within a MTSS that uses multiple data sources to monitor and improve student behavior, attendance, engagement, and achievement
4. Developing, coordinating, and supervising comprehensive student support systems in collaboration with teachers, administrators, other pupil personnel services professionals, families, community partners, and community agencies, including county mental health agencies
5. Promoting and maintaining a safe learning environment for all students by providing restorative practices, positive behavior interventions, and support services; and by developing and responding with a variety of intervention strategies, ~~and using those strategies,~~ to meet individual, group, and school community needs before, during, and after a crisis

6. Intervening to ameliorate school-related problems, including problems related to chronic absences and retention
7. Using research-based strategies to promote mental wellness, reduce mental health stigma, and to identify characteristics, risk factors, and warning signs of students who develop, or are at risk of developing, mental health and behavioral disorders and who experience, or are at risk of experiencing, mistreatment, including mistreatment related to any form of conflict or bullying
8. Improving school climate and student well-being by addressing the mental and behavioral health needs of students during a period of transition, separation, heightened stress, and critical changes, accessing community programs and services to meet those needs, and providing other appropriate services
9. Enhancing students' social and emotional competence, character, health, civic engagement, cultural literacy, and commitment to lifelong learning and the pursuit of high-quality educational programs
10. Providing counseling services for unduplicated students who are classified as English learners, ~~or foster youth, homeless children, and students~~ eligible for free and reduced-priced meals, foster youth, and/or experiencing homelessness, including interventions and support services that enhance equity and access to appropriate education systems and public and private services
11. Engaging in continued development as a professional school counselor

Educational And Career Counseling

Beginning in grade 7, parents/guardians shall receive a general notice at least once before career counseling and course selection so that they may participate in the counseling sessions and decisions.—(Education Code 221.5)

The educational counseling program shall include academic counseling and postsecondary services, in the following areas—(Education Code 49600):

1. Development and implementation, with parent/guardian involvement, of the student's immediate and long-range educational plans
2. Optimizing progress towards achievement of proficiency standards and competencies
3. Completion of the required curriculum in accordance with the student's needs, abilities, interests, and aptitudes
4. Academic planning for access and success in higher education programs, including advisement on courses needed for admission to colleges and universities, standardized admissions tests, and financial aid
5. High-quality career programs at all grade levels in which students are assisted in doing all of the following:
 - a. Planning for the future, including, but not limited to, identifying personal interests, skills, and abilities, career planning, course selection, and career transition

- b. Becoming aware of personal preferences and interests that influence educational and occupational exploration, career choice, and career success
- c. Developing work self-efficacy for the ever-changing work environment, the changing needs of the workforce, and the effects of work on quality of life
- d. Understanding the relationship between academic achievement and career success, and the importance of maximizing career options
- e. Understanding the value of participating in career technical education pathways, programs, and certifications, including, but not limited to, those related to regional occupational programs and centers, the federal program administered by the ~~United States~~ U. S. Department of Labor offering free education and vocational training to students, known as "Job Corps," the California Conservation Corps, work-based learning, industry certifications, college preparation and credit, and employment opportunities
- f. Understanding the need to develop essential employable skills and work habits
- g. Understanding entrance requirements to the U.S. Armed Forces ~~of the United States~~, including the benefits of the Armed Services Vocational Aptitude Battery (ASVAB) test

The district's educational counseling program also may include, but not be limited to, identification of students who are at risk of not graduating with their peers, development of a list of coursework and experience necessary to assist students to satisfy the curricular requirements for college admission and successfully transition to postsecondary education or employment, and counseling regarding available options for students who fail to meet graduation requirements to continue with their education.

The Superintendent or designee shall establish and maintain a program of guidance, placement, and follow-up for all high school students subject to compulsory continuation education. ~~(Education Code 48431)~~ (Education Code 48431)

To enhance the educational counseling program and assist students in reaching their educational and professional goals, the district shall provide students in grades 9-12 with financial aid support; social services support; state-funded immigration legal services; academic opportunities; and parent/guardian and family workshops. (Education Code 54680, 54683)

As part of the district's educational counseling program, students may be offered mental and behavioral health services under which a student may receive prevention, intervention, short-term counseling services, and mental health related classroom instruction to reduce stigma and increase awareness of counseling support services.

No counselor shall unlawfully discriminate against any student. Guidance counseling regarding school programs and career, vocational, or higher education opportunities shall not be differentiated on the basis of any protected category specified in ~~B~~ Law or Board Policy 0410 - Nondiscrimination in District Programs and Activities.

~~In addition~~ Additionally, counselors shall affirmatively explore with a student the possibility of careers, or courses leading to careers, that are nontraditional for that student's sex. ~~—~~ (Education

Code 221.5)

For assessing or counseling students, the district shall not use testing or other materials that permit or require impermissible or unlawful differential treatment of students. ~~(5 CCR 4931, unless such different materials cover the same occupations and interest areas and the use of such materials is essential to the elimination of bias and discrimination. (5 CCR 4931)~~

OPTION 1: (Districts with policy that permits college, employment, and military recruiters access to students)

Colleges and prospective employers, including military recruiters, shall have the same access to students for recruiting purposes. ~~(Education Code 49603; 10 USC 503; 20 USC 7908)~~ (Education Code 49603; 10 USC 503; 20 USC 7908)

OPTION 1 ENDS HERE

OPTION 2: (Districts with policy that prohibits college, employment, and military recruiters access to students)

~~Colleges and prospective employers, including military recruiters, shall not have access to students for recruiting purposes. (Education Code 49603; 10 USC 503)~~

OPTION 2 ENDS HERE

The Superintendent or designee shall collaborate with businesses, government agencies, postsecondary institutions including universities and career technical schools, community organizations, and/or other employers to provide students with actual or simulated work-based learning opportunities through college and/or career fairs.

When planning to hold a college or career fair, the Superintendent or designee shall notify each apprenticeship program in the county. -The notification shall include the planned date, time, and location of the college or career fair. ~~-(Labor Code 3074.2)~~

~~Additionally, the district shall provide the notification to any community college district that has overlapping jurisdiction with the district and an opportunity for the community college district to participate in the college or career fair. (Education Code 52770)~~

Personal or Mental Health Counseling

A school counselor, school psychologist, or school social worker may provide individualized personal, mental health, or family counseling to students in accordance with the specialization(s) authorized by their credential. Such services may include, but are not limited to, support related to the student's social and emotional development, behavior, substance abuse, mental health assessment, depression, or mental illness. As appropriate, students and their parents/guardians shall be informed about community agencies, organizations, or health care providers that offer qualified professional assistance.

Written parent/guardian consent shall be obtained before mental health counseling or treatment services are provided to a student, except when the student is authorized to consent to the service pursuant to Family Code ~~6920-6929~~6924, Health and Safety Code 124260, or other applicable law.

Any information of a personal nature disclosed to a school counselor by a student age 12 years or older or by the student's parent/guardian is confidential and shall not become part of the student record without the written consent of the person who disclosed the confidential information. The information shall not be revealed, released, discussed, or referred to except under the limited circumstances specified in Education Code 49602. ~~—~~(Education Code 49602)

A counselor shall consult with the Superintendent or designee and, as appropriate, with the district's legal counsel whenever ~~unsure of~~there is uncertainty regarding how to respond to a student's personal problem or when questions arise regarding the possible release of confidential information regarding a student.

Crisis Counseling

The Board recognizes the need for a prompt and effective response when students are confronted with a traumatic incident. School counselors shall assist in the development of the ~~comprehensive school safety plan,~~ emergency and disaster preparedness plan, and other prevention and intervention practices designed to assist students and parents/guardians before, during, and after a crisis.

Early identification and intervention plans shall be developed to help identify those students who may be at risk for violence so that support may be provided before they engage in violent or disruptive behavior.

~~In addition~~Additionally, the Superintendent or designee shall identify crisis counseling resources to train district staff in effective threat assessment, appropriate response techniques, and/or methods to directly help students cope with a crisis if it occurs.

Teacher-Based Advisory Program

The Board recognizes that a supportive, ongoing relationship with a caring adult can provide a student with valuable advice, enhance student-teacher relationships, and build the student's feelings of connectedness with the school. The Board authorizes the development of a teacher-based advisory program in which teachers advise students in such areas as academic planning, character development, conflict resolution, and self-esteem. Any teacher participating in this program shall be under the supervision of a credentialed school counselor as appropriate, receive related information and training, and be subject to law and this Board policy ~~and law~~, including requirements pertaining to student confidentiality and nondiscrimination.

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 4930-4931	Counseling
5 CCR 80049-80049.1	Pupil Personnel Services credential
5 CCR 80632-80632.5	Preparation programs for Pupil Personnel Services
Ed. Code 221.5	Equal opportunity
Ed. Code 44266	Pupil Personnel Services credential
Ed. Code 48431	Establishing and maintaining high school guidance and placement program
Ed. Code 49600-49604	Educational counseling
Ed. Code 51250-51251	Assistance to military dependents
Ed. Code 51513	Personal beliefs
Ed. Code 52770	College and career fairs; community college districts
Ed. Code 54680-54685	Dream Resource Center Grant Program
Fam. Code 6920-6930	Consent by minor for medical treatment
Gov. Code 7927.700	Exemption for personnel records if invasion of personal privacy
H&S Code 124260	Mental health services; consent by minors age 12 and older
Lab. Code 3074.2	College and career fairs; notice to apprenticeship programs
Pen. Code 11166-11170	Reporting known or suspected cases of child abuse
W&I Code 5850-5883	Mental Health Services Act
Federal	Description
10 USC 503	Military recruiter access to directory information
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
20 USC 7908	Armed forces recruiter access to students and student recruiting information
34 CFR 99.1-99.67	Family Educational Rights and Privacy
Management Resources	Description
California Department of Education Publication	California Results-Based School Counseling and Student Support Guidelines, 2007
U.S. Department of Education Publication	Protecting Student Privacy: Frequently Asked Questions

Website	California Division of Apprenticeship Standards
Website	CSBA District and County Office of Education Legal Services
Website	California Association of School Counselors
Website	American School Counselor Association
Website	U.S. Department of Education, access to military recruiters
Website	Commission on Teacher Credentialing
Website	California Department of Education
Website	CSBA

Cross References

Code	Description
0410	Nondiscrimination In District Programs And Activities Nondiscrimination In District Programs And Activities
0415	Equity Equity
0415	Equity
0450	Comprehensive Safety Plan Comprehensive Safety Plan
0450	Comprehensive Safety Plan Comprehensive Safety Plan
0460	Local Control And Accountability Plan Local Control And Accountability Plan
0460	Local Control And Accountability Plan Local Control And Accountability Plan
1312.3	Uniform Complaint Procedures Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures Uniform Complaint Procedures
1312.3-E-PDF(1)	Uniform Complaint Procedures Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1313	Civility
1400	Relations Between Other Governmental Agencies And The Schools Relations Between Other Governmental Agencies And The Schools
3515	Campus Security Campus Security

3515	<u>Campus Security</u> Campus Security
3516	<u>Emergencies And Disaster Preparedness Plan</u> Emergencies And Disaster Preparedness Plan
3516	<u>Emergencies And Disaster Preparedness Plan</u> Emergencies And Disaster Preparedness Plan
3516.2	<u>Bomb Threats</u> Bomb Threats
4112.2	<u>Certification</u> Certification
4112.2	<u>Certification</u> Certification
4119.23	<u>Unauthorized Release Of Confidential/Privileged Information</u> Unauthorized Release Of Confidential/Privileged Information
4131	<u>Staff Development</u> Staff Development
4131	<u>Staff Development</u>
4219.23	<u>Unauthorized Release Of Confidential/Privileged Information</u> Unauthorized Release Of Confidential/Privileged Information
4319.23	<u>Unauthorized Release Of Confidential/Privileged Information</u> Unauthorized Release Of Confidential/Privileged Information
5022	<u>Student And Family Privacy Rights</u> Student And Family Privacy Rights
5022	<u>Student And Family Privacy Rights</u> Student And Family Privacy Rights
5113	<u>Absences And Excuses</u> Absences And Excuses
5113	<u>Absences And Excuses</u> Absences And Excuses
5113.1	<u>Chronic Absence And Truancy</u> Chronic Absence And Truancy
5113.1	<u>Chronic Absence And Truancy</u> Chronic Absence And Truancy
5113.11	<u>Attendance Supervision</u> Attendance Supervision
5125	<u>Student Records</u> Student Records
5125	<u>Student Records</u> Student Records
5125.1	<u>Release Of Directory Information</u> Release Of Directory Information

5125.1	<u>Release Of Directory Information</u> Release Of Directory Information
5125.1-E PDF(1)	<u>Release Of Directory Information</u> Release Of Directory Information
5131	<u>Conduct</u> Conduct
5131.2	<u>Bullying</u> Bullying
5131.2	<u>Bullying</u> Bullying
5131.6	<u>Alcohol And Other Drugs</u> Alcohol And Other Drugs
5131.6	<u>Alcohol And Other Drugs</u> Alcohol And Other Drugs
5136	<u>Gangs</u> Gangs
5136	<u>Gangs</u> Gangs
5137	<u>Positive School Climate</u> Positive School Climate
5138	<u>Conflict Resolution/Peer Mediation</u> Conflict Resolution/Peer Mediation
5141.22	<u>Infectious Diseases</u> Infectious Diseases
5141.22	<u>Infectious Diseases</u> Infectious Diseases
5141.4	<u>Child Abuse Prevention And Reporting</u> Child Abuse Prevention And Reporting
5141.4	<u>Child Abuse Prevention And Reporting</u> Child Abuse Prevention And Reporting
5141.5	<u>Mental Health</u> Mental Health
5141.52	<u>Suicide Prevention</u> Suicide Prevention
5141.52	<u>Suicide Prevention</u> Suicide Prevention
5141.52-E PDF(1)	<u>Suicide Prevention</u>
5141.6	<u>School Health Services</u> School Health Services
5141.6	<u>School Health Services</u> School Health Services
5144	<u>Discipline</u> Discipline
5144	<u>Discipline</u> Discipline
5145.3	<u>Nondiscrimination/Harassment</u> Nondiscrimination/Harassment
5145.3	<u>Nondiscrimination/Harassment</u> Nondiscrimination/Harassment
5145.6	<u>Parent/Guardian Notifications</u> Parent/Guardian Notifications

5145.6-E PDF(1)	<u>Parent/Guardian Notifications</u> <u>Parent/Guardian Notifications</u>
5145.9	<u>Hate-Motivated Behavior</u> <u>Hate-Motivated Behavior</u>
5147	<u>Dropout Prevention</u> <u>Dropout Prevention</u>
6120	<u>Response To Instruction And Intervention</u> <u>Response To Instruction And Intervention</u>
6141.54	<u>Advanced Placement</u> <u>International Baccalaureate Program</u>
6141.5	<u>Advanced Placement</u> <u>Advanced Placement</u>
6142.8	<u>Comprehensive Health Education</u> <u>Comprehensive Health Education</u>
6142.8	<u>Comprehensive Health Education</u> <u>Comprehensive Health Education</u>
6143	<u>Courses Of Study</u> <u>Courses Of Study</u>
6143	<u>Courses Of Study</u> <u>Courses Of Study</u>
6146.2	<u>Certificate Of Proficiency/High School Equivalency</u> <u>Certificate Of Proficiency/High School Equivalency</u>
6146.2	<u>Certificate Of Proficiency/High School Equivalency</u> <u>Certificate Of Proficiency/High School Equivalency</u>
6146.2-E PDF(1)	<u>Certificate Of Proficiency/High School Equivalency</u> <u>Certificate Of Proficiency/High School Equivalency</u>
6164.5	<u>Student Success Teams</u> <u>Student Success Teams</u>
6164.5	<u>Student Success Teams</u> <u>Student Success Teams</u>
6171	<u>Title I Programs</u> <u>Title I Programs</u>
6171	<u>Title I Programs</u> <u>Title I Programs</u>
<u>6172</u>	<u>Gifted And Talented Student Program</u>
<u>6172</u>	<u>Gifted And Talented Student Program</u>
6173	<u>Education For Homeless Children</u> <u>Education For Homeless Children</u>
6173	<u>Education For Homeless Children</u> <u>Education For Homeless Children</u>
6173-E PDF(1)	<u>Education For Homeless Children</u> <u>Education For Homeless Children</u>
<u>6173</u>	<u>Education For Homeless Children</u>

6173.1	Education For Foster Youth Education For Foster Youth
6173.1	Education For Foster Youth Education For Foster Youth
6173.4	Education For American Indian Students
6175	Migrant Education Program Migrant Education Program
6175	Migrant Education Program Migrant Education Program
6178	Career Technical Education Career Technical Education
6178	Career Technical Education Career Technical Education
6178.2	Regional Occupational Center/Program Regional Occupational Center/Program
6184	Continuation Education Continuation Education
6184	Continuation Education Continuation Education
6185	Community Day School Community Day School
6185	Community Day School Community Day School
6200	Adult Education Adult Education
6200	Adult Education Adult Education
6200-E PDF(1)	Adult Education

Policy 6164.2: Guidance/Counseling Services

Status: ADOPTED

Original Adopted Date: 11/15/2016 | **Last Revised Date:** 02/14/2023 | **Last Reviewed Date:** 02/14/2023

The Governing Board recognizes that a structured, coherent, and comprehensive counseling program promotes academic achievement and growth, and serves the diverse needs of district students. The district shall provide an educational counseling program that offers students services and supports within a Multi-Tiered Systems of Support (MTSS) framework, in accordance with law. Counseling staff shall be available to provide students with individualized reviews of their educational progress toward academic and/or career and vocational goals and, as appropriate, may discuss social, personal, or other issues that may impact student learning and well-being.

The Superintendent or designee shall ensure that all persons employed to provide direct school counseling, school psychology, school social work services, child welfare and attendance services, and/or to implement equitable school programs and services that support students' academic and social and emotional development and college and career readiness possess the appropriate credential from the Commission on Teacher Credentialing authorizing their employment in such positions. Responsibilities of such positions shall be clearly defined in a job description.

Responsibilities of school counselors include, but are not limited to:

1. Engaging with, advocating for, and providing all students with direct services, such as individual counseling, group counseling, risk assessment, crisis response, and instructional services, including mental health and behavioral, academic, and postsecondary educational services, and indirect services, including but not limited to, positive school climate strategies, teacher and parent/guardian consultations, and referrals to public and private community services
2. Planning, implementing, and evaluating school counseling programs
3. Working within a MTSS that uses multiple data sources to monitor and improve student behavior, attendance, engagement, and achievement
4. Developing, coordinating, and supervising comprehensive student support systems in collaboration with teachers, administrators, other pupil personnel services professionals, families, community partners, and community agencies, including county mental health agencies
5. Promoting and maintaining a safe learning environment for all students by providing restorative practices, positive behavior interventions, and support services and by developing and responding with a variety of intervention strategies to meet individual, group, and school community needs before, during, and after a crisis

6. Intervening to ameliorate school-related problems, including problems related to chronic absences and retention
7. Using research-based strategies to promote mental wellness, reduce mental health stigma, and to identify characteristics, risk factors, and warning signs of students who develop, or are at risk of developing, mental health and behavioral disorders and who experience, or are at risk of experiencing, mistreatment, including mistreatment related to any form of conflict or bullying
8. Improving school climate and student well-being by addressing the mental and behavioral health needs of students during a period of transition, separation, heightened stress, and critical changes, accessing community programs and services to meet those needs, and providing other appropriate services
9. Enhancing students' social and emotional competence, character, health, civic engagement, cultural literacy, and commitment to lifelong learning and the pursuit of high-quality educational programs
10. Providing counseling services for unduplicated students who are classified as English learners, eligible for free and reduced-priced meals, foster youth, and/or experiencing homelessness, including interventions and support services that enhance equity and access to appropriate education systems and public and private services
11. Engaging in continued development as a professional school counselor

Educational And Career Counseling

Beginning in grade 7, parents/guardians shall receive a general notice at least once before career counseling and course selection so that they may participate in the counseling sessions and decisions. (Education Code 221.5)

The educational counseling program shall include academic counseling and postsecondary services, in the following areas (Education Code 49600):

1. Development and implementation, with parent/guardian involvement, of the student's immediate and long-range educational plans
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5. High-quality career programs at all grade levels in which students are assisted in doing all of the following:

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The district's educational counseling program also may include, but not be limited to, identification of students who are at risk of not graduating with their peers, development of a list of coursework and experience necessary to assist students to satisfy the curricular requirements for college admission and successfully transition to postsecondary education or employment, and counseling regarding available options for students who fail to meet graduation requirements to continue with their education.

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No counselor shall unlawfully discriminate against any student. Guidance counseling regarding school programs and career, vocational, or higher education opportunities shall not be differentiated

on the basis of any protected category specified in law or Board Policy 0410 - Nondiscrimination in District Programs and Activities.

Additionally, counselors shall affirmatively explore with a student the possibility of careers, or courses leading to careers, that are nontraditional for that student's sex. (Education Code 221.5)

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The Superintendent or designee shall collaborate with businesses, government agencies, postsecondary institutions including universities and career technical schools, community organizations, and/or other employers to provide students with actual or simulated work-based learning opportunities through college and/or career fairs.

When planning to hold a college or career fair, the Superintendent or designee shall notify each apprenticeship program in the county. The notification shall include the planned date, time, and location of the college or career fair. (Labor Code 3074.2)

Additionally, the district shall provide the notification to any community college district that has overlapping jurisdiction with the district and an opportunity for the community college district to participate in the college or career fair. (Education Code 52770)

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Written parent/guardian consent shall be obtained before mental health counseling or treatment services are provided to a student, except when the student is authorized to consent to the service pursuant to Family Code 6924, Health and Safety Code 124260, or other applicable law.

Any information of a personal nature disclosed to a school counselor by a student age 12 years or older or by the student's parent/guardian is confidential and shall not become part of the student record without the written consent of the person who disclosed the confidential information. The information shall not be revealed, released, discussed, or referred to except under the limited

circumstances specified in Education Code 49602. (Education Code 49602)

A counselor shall consult with the Superintendent or designee and, as appropriate, with the district's legal counsel whenever there is uncertainty regarding how to respond to a student's personal problem or when questions arise regarding the possible release of confidential information regarding a student.

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5 CCR 4930-4931	Counseling
5 CCR 80049-80049.1	Pupil Personnel Services credential
5 CCR 80632-80632.5	Preparation programs for Pupil Personnel Services
Ed. Code 221.5	Equal opportunity
Ed. Code 44266	Pupil Personnel Services credential

Ed. Code 48431	Establishing and maintaining high school guidance and placement program
Ed. Code 49600-49604	Educational counseling
Ed. Code 51250-51251	Assistance to military dependents
Ed. Code 51513	Personal beliefs
Ed. Code 52770	College and career fairs; community college districts
Ed. Code 54680-54685	Dream Resource Center Grant Program
Fam. Code 6920-6930	Consent by minor for medical treatment
Gov. Code 7927.700	Exemption for personnel records if invasion of personal privacy
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Lab. Code 3074.2	College and career fairs; notice to apprenticeship programs
Pen. Code 11166-11170	Reporting known or suspected cases of child abuse
W&I Code 5850-5883	Mental Health Services Act
Federal	Description
10 USC 503	Military recruiter access to directory information
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
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34 CFR 99.1-99.67	Family Educational Rights and Privacy
Management Resources	Description
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U.S. Department of Education Publication	Protecting Student Privacy: Frequently Asked Questions
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Website	CSBA District and County Office of Education Legal Services
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Website	American School Counselor Association

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Website	California Department of Education
Website	CSBA

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0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan
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Policy 7214: General Obligation Bonds

Status: ADOPTED

Original Adopted Date: ~~08/25/2009~~11/01/2012 | **Last Revised Date:** 06/~~11/2013~~01/2024 |
Last Reviewed Date: 06/~~11/2013~~01/2024

The Governing Board recognizes that school facilities are an essential component of the educational program and that the Board has a responsibility to ensure that the district's facilities needs are met in the most cost-effective manner possible. The Board may direct the Superintendent to explore the possibility of a bond measure, which may include, but is not limited to, conducting community focus groups, surveys, and Board presentations. When the Board determines that it is in the best interest of district students, it may order an election on the question of whether bonds shall be issued to pay for school facilities.

~~The Board shall determine the appropriate amount of the bonds in accordance with law.~~

The Board's decision to order a bond election, as well as its determinations regarding the appropriate amount, timing, and structure of the bond issuance, shall be consistent with law and the district's debt management policy.

Before ordering a bond election, the Board shall obtain reasonable and informed projections of assessed valuations that take into consideration projections of assessed property valuations made by the county assessor. (Education Code 15100)

When any project to be funded by bonds will require state matching funds for any phase of the project, the ballot materials for the bond measure shall include a statement as specified in Education Code 15122.5, advising voters that, because the project is subject to approval of state matching funds, passage of the bond measure is not a guarantee that the project will be completed. (Education Code 15122.5)

Bonds Requiring 55 Percent Approval by Local Voters

~~The Board may decide to pursue the authorization and issuance of bonds, by approval of 55 percent majority of the voters pursuant to Article 13A, Section 1(b)(3) and Article 16, Section 18(b) of the California Constitution. If a two-thirds of the Board agrees to such an election, the Board shall vote to and subject to Education Code 15100, may adopt a resolution to incur bonded indebtedness if approved by a 55 percent majority of the voters. (and order an election. Pursuant to the California Constitution, Article 13A, Section 1(b)(3) and Article 16, Section 18(b), a bond election authorized pursuant to Education Code 15266)~~

requires the approval of at least a 55 percent majority of the voters voting in the election. (Education Code 15266)

The bond election may only be ordered at a primary or general election, a statewide special election, or a regularly scheduled local election at which all of the electors of the ~~school~~ district are entitled to vote. (Education Code 15266)

Bonded indebtedness incurred by the district pursuant to Education Code 15266 shall be used only for the following purposes: (California Constitution Article 13A, Section 1(b)(3) and 1(b)(3)(A))

~~Bonded indebtedness incurred by the district shall be used only for the following purposes: (California Constitution Article 13A, Section 1(b)(3) and 1(b)(3)(A))~~

1. The construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities
2. The acquisition or lease of real property for school facilities
3. The refunding of any outstanding debt issuance used for the purposes specified in Items #1-2 above

The proposition approved by the voters shall include the following accountability requirements: (California Constitution Article 13A, Section 1(b)(3))

1. ~~A requirement~~Certification that proceeds from the sale of the bonds will be used only for the purposes specified in ~~items~~Items #1-2 above, and not for any other purposes including teacher and administrative salaries and other school operating expenses
-
2. A list of specific school ~~facility~~facilities projects to be funded and certification that the Board has evaluated safety, class size reduction, and information technology needs in developing that list
-
3. A requirement that the Board conduct an annual, independent performance audit to ensure that the funds have been expended only on the specific projects listed
4. A requirement that the Board conduct an annual, independent financial audit of the proceeds from the sale of the bonds until all of those proceeds have been expended for the school facilities projects

If a district general obligation bond requiring a 55 percent majority is approved by the voters, the Board shall appoint an independent citizens' ~~advisory oversight committee~~oversight committee to inform the public concerning the expenditure of bond revenues as specified in Education Code 15278 and the accompanying administrative regulation. This committee shall be appointed within 60 days of the date that the Board enters the election results in its minutes pursuant to Education Code 15274. (Education Code 15278)

The Superintendent or designee shall ensure that the annual, independent performance and

financial audits ~~conducted~~required pursuant to ~~items~~Items #3 ~~and~~ #4 above are issued in accordance with the U.S. Comptroller General's Government Auditing Standards. ~~He/she shall submit the audits and submitted~~ to the citizens' oversight committee ~~by~~at the same time they are submitted to the Superintendent or designee and no later than March 31 of each year. (Education Code 15286)

The Board shall provide the citizens' oversight committee with responses to all findings, recommendations, and concerns addressed in the performance and financial audits within three months of receiving the audits. (Education Code 15280)

The Board may disband the citizens' oversight committee when the committee has completed its review of the final performance and financial audits.

Bonds Requiring 66.67 Percent Approval by Local Voters

The Board may decide to pursue the authorization and issuance of bonds by approval of 66.67 percent majority of the voters pursuant to Education Code 15100 and California Constitution, Article 13A, Section 1(b)(2)~~of the California Constitution.~~ If a majority of the Board agrees to such an election, or upon a petition of the majority of the qualified electors residing in the district, the Board shall adopt a resolution ordering an election on the question of whether to incur bonded indebtedness if approved by a 66.67 percent majority of the voters. (Education Code 15100)

The bond election may be ordered to occur on any Tuesday, except a Tuesday that is a state holiday or the day before or after a state holiday, is within 45 days before or after a statewide election unless conducted at the same time as the statewide election, or is an established election date pursuant to Elections Code 1000 or 1500. ~~(Education Code 15101)~~ (Education Code 15101)

Subject to limits specified in Article 13A, Section 1 of the California Constitution, bonds shall be sold to raise money for any of the following purposes: (Education Code 15100)

~~Bonds shall be sold to raise money for any of the following purposes: (Education Code 15100)~~

1. Purchasing school lots
2. Building or purchasing school buildings
3. Making alterations or additions to school building(s) other than as may be necessary for current maintenance, operation, or repairs
4. Repairing, restoring, or rebuilding any school building damaged, injured, or destroyed by fire or other public calamity
5. Supplying school buildings and grounds with furniture, equipment, or necessary apparatus of a permanent nature

6. Permanently improving school grounds
7. Refunding any outstanding valid indebtedness of the district, evidenced by bonds or state school building aid loans
8. Carrying out sewer or drain projects or purposes authorized in Education Code 17577
9. Purchasing school buses with a useful life of at least 20 years
10. Demolishing or razing any school building with the intent to replace it with another school building, whether in the same location or in any other location

Except for refunding any outstanding indebtedness, any of the purposes listed above may be united and voted upon as a single proposition by an order of the Board ~~and~~ entered into the minutes. (Education Code 15100)

The Board may appoint a citizens' oversight committee to review and report to the Board and the public as to whether the expenditure of bond revenues complies with the intended purposes of the bond.

Certificate of Results

If the certificate of election results received by the Board shows that the appropriate majority of the voters is in favor of issuing the bonds, the Board shall record that fact in its minutes. The Board shall then certify to the County Board of Supervisors all proceedings it had in connection with the election results. (Education Code 15124, 15274)

Resolutions Regarding Sale of Bonds

Following passage of the bond measure by the appropriate majority of voters, the Board shall pass a resolution directing the issuance and sale of bonds. ~~The~~ In accordance with law, the resolution shall prescribe the total amount of bonds to be sold and may also prescribe the maximum acceptable interest rate, not to exceed eight percent, and the time(s) when the whole or any part of the principal of the bonds shall be payable, ~~which shall not be more than 25 years from the date of the bonds. However, if the Board elects to issue the bonds pursuant to Government Code 53508, the maximum acceptable interest rate shall not exceed 12 percent and the time(s) when the whole or any part of the principal shall be payable shall not be more than 40 years.~~ (Education Code 15140; Government Code 53508). (Education Code 15140; Government Code 53508.6)

In passing the resolution, the Board shall consider each available funding instrument, including, but not limited to, the costs associated with each and their relative suitability for the project to be financed.

Prior to the sale of bonds, the Board shall place an agenda item at a public meeting and adopt as part of the bond issuance resolution, or in a separate resolution, disclosures of the available funding instruments, the costs and sustainability of each, and all of the following information: (Education Code 15146)

~~Prior to the sale of bonds, the Board shall disclose, as an agenda item at a public meeting, either in the bond issuance resolution or a separate resolution, all of the following information: (Education Code 15146; Government Code 53508.9)~~

1. Express approval of the method of sale ~~(i.e., such as~~ competitive; ~~or~~ negotiated; ~~or hybrid)~~ sales
2. Statement of the reasons for the method of sale selected
3. Disclosure of the identity of the bond counsel, and the identities of the bond underwriter and the financial adviser if either or both are utilized for the sale, unless these individuals have not been selected at the time the resolution is adopted, in which case the Board shall disclose their identities at the public meeting occurring after they have been selected
4. Estimates of the costs associated with the bond issuance, including, but not limited to, bond counsel and financial advisor fees, printing costs, rating agency fees, underwriting fees, and other miscellaneous costs and expenses of issuing the bonds

When the sale involves bonds that allow for the compounding of interest, such as a capital appreciation bond (CAB), the resolution to be adopted by the Board shall include Items #1-4 above as well as the financing term and time of maturity, repayment ratio, and the estimated change in the assessed value of taxable property within the district over the term of the bonds. The resolution shall be publicly noticed on at least two consecutive meeting agendas, first as an information item and second as an action item. The agendas shall identify that bonds that allow for the compounding of interest are proposed. (Education Code 15146)

Prior to adopting a resolution for the sale of bonds that allow for the compounding of interest, the Board shall be presented with the following: (Education Code 15146)

1. An analysis containing the total overall cost of the bonds that allow for the compounding of interest
2. A comparison to the overall cost of current interest bonds
3. The reason bonds that allow for the compounding of interest are being recommended
4. A copy of the disclosure made by the underwriter in compliance with Rule G-17 adopted by the federal Municipal Securities Rulemaking Board

At least 30 days prior to the sale of any debt issue, the Superintendent or designee shall submit a report of the proposed issuance to the California Debt and Investment Advisory Commission (CDIAC). (Government Code 8855)

After the sale, the Board shall be presented with the actual issuance cost information and shall disclose that information at the Board's next scheduled meeting. The Board shall ensure that an itemized summary of the costs of the bond sale and all necessary information and reports regarding the sale are submitted to the ~~California Debt and Investment Advisory Commission; CDAIC.~~ (Education Code 15146; Government Code 53509.5)

Bond Anticipation Notes

Whenever the Board determines that it is in the best interest of the district, it may, by resolution, issue a bond anticipation note, on a negotiated or competitive-bid basis, to raise funds that shall be used only for a purpose authorized by a bond that has been approved by the voters of the district in accordance with law. (Education Code 15150)

Payment of principal and interest on any bond anticipation note shall be made at note maturity, not to exceed five years, from the proceeds derived from the sale of the bond in anticipation of which that note was originally issued or from any other source lawfully available for that purpose, including state grants. Interest payments may also be made from such sources. However, interest payments may be made periodically and prior to note maturity from an increased property tax if the following conditions are met: (Education Code 15150)

1. A resolution of the Board authorizes the property tax for that purpose.
2. The principal amount of the bond anticipation note does not exceed the remaining principal amount of the authorized but unissued bonds.

~~The notes~~ A bond anticipation note may be issued only if the tax rate levied to pay interest on the ~~notes periodically~~ note would not cause the district to exceed the tax rate ~~limitations~~ limitation set forth in Education Code 15268 or 15270, as applicable.

Deposit of Bond Proceeds

With regard to general obligation bonds, the district shall invest new money bond proceeds in the county treasury pool as required by law. (Education Code 15146)

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 13A, Section 1	Tax limitation
CA Constitution Article 16, Section 18	Debt limit
Ed. Code 15100-15254	Bonds for school districts and community college districts
Ed. Code 15264-15288	Strict Accountability in Local School Construction Bonds Act of 2000
Ed. Code 17577	Sewers and drains
Ed. Code 47614	Charter school facilities
Ed. Code 5322	Resolution calling election
Ed. Code 7054	Use of district property; campaign purposes
Elec. Code 1090-1099	Prohibitions applicable to specified officers
Elec. Code 1125-1129	Incompatible activities
Elec. Code 13119	Forms of Ballots; ballot order
Elec. Code 15372	Elections official certificate
Elec. Code 324	General election
Elec. Code 328	Local election
Elec. Code 341	Primary election
Elec. Code 348	Regular election
Elec. Code 356	Special election
Elec. Code 357	Statewide election
Elec. Code 53506-53509.5	General obligation bonds
Elec. Code 53580-53595.5	Bonds
Elec. Code 54952	Definition of legislative body; Brown Act
Elec. Code 9160-9170	Ballot label; support and opposition listings
Elec. Code 9400-9405	Bond issues
Gov. Code 6500-6539.9	Joint powers agreements
Gov. Code 8855	California Debt and Investment Advisory Commission
Federal	Description
17 CFR 240.10b-5	Prohibition against fraud or deceit
17 CFR 240.15c2-12	Municipal securities disclosure

Management Resources	Description
Attorney General Opinion	87 Ops.Cal.Atty.Gen. 157 (2004)
Attorney General Opinion	88 Ops.Cal.Atty.Gen. 46 (2005)
Attorney General Opinion	99 Ops.Cal.Atty.Gen. 18 (2016)
Court Decision	Taxpayers for Accountable School Bond Spending v. San Diego Unified School District (2013) 215 Cal.App.4th 1013
Court Decision	San Lorenzo Valley Community Advocates for Responsible Education v. San Lorenzo Valley Unified School District (2006) 139 Cal.App.4th 1356
CSBA Publication	<u>California's Challenge: Adequately Funding Education in the 21st Century, December 2015</u>
CSBA Publication	<u>Legal Guidelines: Use of Public Resources for Ballot Measures and Candidates, Fact Sheet, February 2011</u>
CSBA Publication	<u>Bond Sales - Questions and Considerations for Districts, Governance Brief, December 2012</u>
Debt & Investment Advisory Commission Publication	<u>California Debt Financing Guide, rev. March 2022</u>
Gov. Finance Officers Association Publication	<u>Types of Legal Counsel, Best Practice, September 2018</u>
Gov. Finance Officers Association Publication	<u>Selecting and Managing the Method of Sale of Bonds, Best Practice, March 2021</u>
Gov. Finance Officers Association Publication	<u>Debt Management Policy, Best Practice, March 2020</u>
Gov. Finance Officers Association Publication	<u>Investment and Management of Bond Proceeds, Best Practice, March 2022</u>
Gov. Finance Officers Association Publication	<u>Selecting and Managing Municipal Advisors, Best Practice, February 2014</u>
Gov. Finance Officers Association Publication	<u>Understanding Your Continuing Disclosure Responsibilities, Best Practice, March 2020</u>
Gov. Finance Officers Association Publication	<u>Refunding Municipal Bonds, Best Practice, March 2019</u>
Gov. Finance Officers Association Publication	<u>An Elected Official's Guide to Debt Issuance, 3rd Ed., 2008</u>
Website	<u>CSBA District and County Office of Education Legal Services</u>
Website	<u>Government Finance Officers Association</u>

Website	Municipal Security Rulemaking Board, Electronic Municipal Market Access (EMMA)
Website	California Debt and Investment Advisory Commission
Website	Department of General Services, Office of Public School Construction
Website	California Department of Education
Website	CSBA

Cross References

Code	Description
0420	School Plans/Site Councils School Plans/Site Councils
0420	School Plans/Site Councils School Plans/Site Councils
0440	District Technology Plan District Technology Plan
0440	District Technology Plan
0450	Comprehensive Safety Plan Comprehensive Safety Plan
0450	Comprehensive Safety Plan Comprehensive Safety Plan
1113	District And School Websites District And School Websites
1113	District And School Websites District And School Websites
1113-E PDF(1)	District And School Websites District And School Websites
1160	Political Processes Political Processes
1220	Citizen Advisory Committees Citizen Advisory Committees
1220	Citizen Advisory Committees Citizen Advisory Committees
1230	School-Connected Organizations School-Connected Organizations
1230	School-Connected Organizations School-Connected Organizations
1330.1	Joint Use Agreements Joint Use Agreements
1340	Access To District Records Access To District Records

1340	Access To District Records Access To District Records
3460	Financial Reports And Accountability Financial Reports And Accountability
3460	Financial Reports And Accountability Financial Reports And Accountability
3470	Debt Issuance And Management
3580	District Records District Records
3580	District Records District Records
6151	Class Size Class Size
6151	Class Size
7110	Facilities Master Plan Facilities Master Plan
7210	Facilities Financing Facilities Financing
7213	School Facilities Improvement Districts
9270	Conflict Of Interest Conflict Of Interest
9270-E PDF(1)	Conflict Of Interest Conflict Of Interest
9320	Meetings And Notices Meetings And Notices
9323.2	Actions By The Board Actions By The Board
9323.2-E PDF(1)	Actions By The Board
9323.2-E PDF(2)	Actions By The Board Actions By The Board
9324	Minutes And Recordings Minutes And Recordings

Policy 7214: General Obligation Bonds

Status: ADOPTED

Original Adopted Date: 08/25/2009 | **Last Revised Date:** 06/11/2013 | **Last Reviewed Date:** 06/11/2013

The Governing Board recognizes that school facilities are an essential component of the educational program and that the Board has a responsibility to ensure that the district's facilities needs are met in the most cost-effective manner possible. The Board may direct the Superintendent to explore the possibility of a bond measure, which may include, but is not limited to, conducting community focus groups, surveys, and Board presentations. When the Board determines that it is in the best interest of district students, it may order an election on the question of whether bonds shall be issued to pay for school facilities.

The Board's decision to order a bond election, as well as its determinations regarding the appropriate amount, timing, and structure of the bond issuance, shall be consistent with law and the district's debt management policy.

Before ordering a bond election, the Board shall obtain reasonable and informed projections of assessed valuations that take into consideration projections of assessed property valuations made by the county assessor. (Education Code 15100)

When any project to be funded by bonds will require state matching funds for any phase of the project, the ballot materials for the bond measure shall include a statement as specified in Education Code 15122.5, advising voters that, because the project is subject to approval of state matching funds, passage of the bond measure is not a guarantee that the project will be completed. (Education Code 15122.5)

Bonds Requiring 55 Percent Approval by Local Voters

The Board, by a two-thirds vote and subject to Education Code 15100, may adopt a resolution to incur bonded indebtedness and order an election. Pursuant to the California Constitution, Article 13A, Section 1(b)(3) and Article 16, Section 18(b), a bond election authorized pursuant to Education Code 15266 requires the approval of at least a 55 percent majority of the voters voting in the election. (Education Code 15266)

The bond election may only be ordered at a primary or general election, a statewide special election, or a regularly scheduled local election at which all of the electors of the district are entitled to vote. (Education Code 15266)

Bonded indebtedness incurred by the district pursuant to Education Code 15266 shall be used only for the following purposes: (California Constitution Article 13A, Section 1(b)(3) and 1(b)(3)(A))

1. The construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities
2. The acquisition or lease of real property for school facilities
3. The refunding of any outstanding debt issuance used for the purposes specified in Items #1-2 above

The proposition approved by the voters shall include the following accountability requirements: (California Constitution Article 13A, Section 1(b)(3))

1. Certification that proceeds from the sale of the bonds will be used only for the purposes specified in Items #1-2 above, and not for any other purposes including teacher and administrative salaries and other school operating expenses
2. A list of specific school facilities projects to be funded and certification that the Board has evaluated safety, class size reduction, and information technology needs in developing that list
3. A requirement that the Board conduct an annual, independent performance audit to ensure that the funds have been expended only on the specific projects listed
4. A requirement that the Board conduct an annual, independent financial audit of the proceeds from the sale of the bonds until all of those proceeds have been expended for the school facilities projects

If a district general obligation bond requiring a 55 percent majority is approved by the voters, the Board shall appoint an independent citizens' oversight committee to inform the public concerning the expenditure of bond revenues as specified in Education Code 15278 and the accompanying administrative regulation. This committee shall be appointed within 60 days of the date that the Board enters the election results in its minutes pursuant to Education Code 15274. (Education Code 15278)

The Superintendent or designee shall ensure that the annual, independent performance and financial audits required pursuant to Items #3-4 above are issued in accordance with the U.S. Comptroller General's Government Auditing Standards and submitted to the citizens' oversight committee at the same time they are submitted to the Superintendent or designee and no later than March 31 of each year. (Education Code 15286)

The Board shall provide the citizens' oversight committee with responses to all findings, recommendations, and concerns addressed in the performance and financial audits within three months of receiving the audits. (Education Code 15280)

The Board may disband the citizens' oversight committee when the committee has completed its review of the final performance and financial audits.

Bonds Requiring 66.67 Percent Approval by Local Voters

The Board may decide to pursue the authorization and issuance of bonds by approval of 66.67 percent majority of the voters pursuant to Education Code 15100 and California Constitution, Article 13A, Section 1(b)(2). If a majority of the Board agrees to such an election, or upon a petition

of the majority of the qualified electors residing in the district, the Board shall adopt a resolution ordering an election on the question of whether to incur bonded indebtedness if approved by a 66.67 percent majority of the voters. (Education Code 15100)

The bond election may be ordered to occur on any Tuesday, except a Tuesday that is a state holiday or the day before or after a state holiday, is within 45 days before or after a statewide election unless conducted at the same time as the statewide election, or is an established election date pursuant to Elections Code 1000 or 1500. (Education Code 15101)

Subject to limits specified in Article 13A, Section 1 of the California Constitution, bonds shall be sold to raise money for any of the following purposes: (Education Code 15100)

1. Purchasing school lots
2. Building or purchasing school buildings
3. Making alterations or additions to school building(s) other than as may be necessary for current maintenance, operation, or repairs
4. Repairing, restoring, or rebuilding any school building damaged, injured, or destroyed by fire or other public calamity
5. Supplying school buildings and grounds with furniture, equipment, or necessary apparatus of a permanent nature
6. Permanently improving school grounds
7. Refunding any outstanding valid indebtedness of the district, evidenced by bonds or state school building aid loans
8. Carrying out sewer or drain projects or purposes authorized in Education Code 17577
9. Purchasing school buses with a useful life of at least 20 years
10. Demolishing or razing any school building with the intent to replace it with another school building, whether in the same location or in any other location

Except for refunding any outstanding indebtedness, any of the purposes listed above may be united and voted upon as a single proposition by an order of the Board entered into the minutes. (Education Code 15100)

The Board may appoint a citizens' oversight committee to review and report to the Board and the public as to whether the expenditure of bond revenues complies with the intended purposes of the bond.

Certificate of Results

If the certificate of election results received by the Board shows that the appropriate majority of the voters is in favor of issuing the bonds, the Board shall record that fact in its minutes. The Board shall then certify to the County Board of Supervisors all proceedings it had in connection with the election results. (Education Code 15124, 15274)

Resolutions Regarding Sale of Bonds

Following passage of the bond measure by the appropriate majority of voters, the Board shall pass a resolution directing the issuance and sale of bonds. In accordance with law, the resolution shall prescribe the total amount of bonds to be sold and may also prescribe the maximum acceptable interest rate, not to exceed eight percent, and the time(s) when the whole or any part of the principal of the bonds shall be payable. (Education Code 15140; Government Code 53508.6)

In passing the resolution, the Board shall consider each available funding instrument, including, but not limited to, the costs associated with each and their relative suitability for the project to be financed.

Prior to the sale of bonds, the Board shall place an agenda item at a public meeting and adopt as part of the bond issuance resolution, or in a separate resolution, disclosures of the available funding instruments, the costs and sustainability of each, and all of the following information: (Education Code 15146)

1. Express approval of the method of sale, such as competitive or negotiated sales
2. Statement of the reasons for the method of sale selected
3. Disclosure of the identity of the bond counsel, and the identities of the bond underwriter and the financial adviser if either or both are utilized for the sale, unless these individuals have not been selected at the time the resolution is adopted, in which case the Board shall disclose their identities at the public meeting occurring after they have been selected
4. Estimates of the costs associated with the bond issuance, including, but not limited to, bond counsel and financial advisor fees, printing costs, rating agency fees, underwriting fees, and other miscellaneous costs and expenses of issuing the bonds

When the sale involves bonds that allow for the compounding of interest, such as a capital appreciation bond (CAB), the resolution to be adopted by the Board shall include Items #1-4 above as well as the financing term and time of maturity, repayment ratio, and the estimated change in the assessed value of taxable property within the district over the term of the bonds. The resolution shall be publicly noticed on at least two consecutive meeting agendas, first as an information item and second as an action item. The agendas shall identify that bonds that allow for the compounding of interest are proposed. (Education Code 15146)

Prior to adopting a resolution for the sale of bonds that allow for the compounding of interest, the Board shall be presented with the following: (Education Code 15146)

1. An analysis containing the total overall cost of the bonds that allow for the compounding of interest
2. A comparison to the overall cost of current interest bonds
3. The reason bonds that allow for the compounding of interest are being recommended
4. A copy of the disclosure made by the underwriter in compliance with Rule G-17 adopted by the federal Municipal Securities Rulemaking Board

At least 30 days prior to the sale of any debt issue, the Superintendent or designee shall submit a report of the proposed issuance to the California Debt and Investment Advisory Commission (CDIAC). (Government Code 8855)

After the sale, the Board shall be presented with the actual issuance cost information and shall disclose that information at the Board's next scheduled meeting. The Board shall ensure that an itemized summary of the costs of the bond sale and all necessary information and reports regarding the sale are submitted to the CDAIC. (Education Code 15146; Government Code 53509.5)

Bond Anticipation Notes

Whenever the Board determines that it is in the best interest of the district, it may, by resolution, issue a bond anticipation note, on a negotiated or competitive-bid basis, to raise funds that shall be used only for a purpose authorized by a bond that has been approved by the voters of the district in accordance with law. (Education Code 15150)

Payment of principal and interest on any bond anticipation note shall be made at note maturity, not to exceed five years, from the proceeds derived from the sale of the bond in anticipation of which that note was originally issued or from any other source lawfully available for that purpose, including state grants. Interest payments may also be made from such sources. However, interest payments may be made periodically and prior to note maturity from an increased property tax if the following conditions are met: (Education Code 15150)

1. A resolution of the Board authorizes the property tax for that purpose
2. The principal amount of the bond anticipation note does not exceed the remaining principal amount of the authorized but unissued bonds

A bond anticipation note may be issued only if the tax rate levied to pay interest on the note would not cause the district to exceed the tax rate limitation set forth in Education Code 15268 or 15270, as applicable.

Deposit of Bond Proceeds

With regard to general obligation bonds, the district shall invest new money bond proceeds in the county treasury pool as required by law. (Education Code 15146)

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 13A, Section 1	<u>Tax limitation</u>
CA Constitution Article 16, Section 18	<u>Debt limit</u>

Ed. Code 15100-15254	Bonds for school districts and community college districts
Ed. Code 15264-15288	Strict Accountability in Local School Construction Bonds Act of 2000
Ed. Code 17577	Sewers and drains
Ed. Code 47614	Charter school facilities
Ed. Code 5322	Resolution calling election
Ed. Code 7054	Use of district property; campaign purposes
Elec. Code 1090-1099	Prohibitions applicable to specified officers
Elec. Code 1125-1129	Incompatible activities
Elec. Code 13119	Forms of Ballots; ballot order
Elec. Code 15372	Elections official certificate
Elec. Code 324	General election
Elec. Code 328	Local election
Elec. Code 341	Primary election
Elec. Code 348	Regular election
Elec. Code 356	Special election
Elec. Code 357	Statewide election
Elec. Code 53506-53509.5	General obligation bonds
Elec. Code 53580-53595.5	Bonds
Elec. Code 54952	Definition of legislative body; Brown Act
Elec. Code 9160-9170	Ballot label; support and opposition listings
Elec. Code 9400-9405	Bond issues
Gov. Code 6500-6539.9	Joint powers agreements
Gov. Code 8855	California Debt and Investment Advisory Commission
Federal	Description
17 CFR 240.10b-5	Prohibition against fraud or deceit
17 CFR 240.15c2-12	Municipal securities disclosure
Management Resources	Description
Attorney General Opinion	87 Ops.Cal.Atty.Gen. 157 (2004)
Attorney General Opinion	88 Ops.Cal.Atty.Gen. 46 (2005)

Attorney General Opinion	99 Ops.Cal.Atty.Gen. 18 (2016)
Court Decision	Taxpayers for Accountable School Bond Spending v. San Diego Unified School District (2013) 215 Cal.App.4th 1013
Court Decision	San Lorenzo Valley Community Advocates for Responsible Education v. San Lorenzo Valley Unified School District (2006) 139 Cal.App.4th 1356
CSBA Publication	California's Challenge: Adequately Funding Education in the 21st Century, December 2015
CSBA Publication	Legal Guidelines: Use of Public Resources for Ballot Measures and Candidates, Fact Sheet, February 2011
CSBA Publication	Bond Sales - Questions and Considerations for Districts, Governance Brief, December 2012
Debt & Investment Advisory Commission Publication	California Debt Financing Guide, rev. March 2022
Gov. Finance Officers Association Publication	Types of Legal Counsel, Best Practice, September 2018
Gov. Finance Officers Association Publication	Selecting and Managing the Method of Sale of Bonds, Best Practice, March 2021
Gov. Finance Officers Association Publication	Debt Management Policy, Best Practice, March 2020
Gov. Finance Officers Association Publication	Investment and Management of Bond Proceeds, Best Practice, March 2022
Gov. Finance Officers Association Publication	Selecting and Managing Municipal Advisors, Best Practice, February 2014
Gov. Finance Officers Association Publication	Understanding Your Continuing Disclosure Responsibilities, Best Practice, March 2020
Gov. Finance Officers Association Publication	Refunding Municipal Bonds, Best Practice, March 2019
Gov. Finance Officers Association Publication	An Elected Official's Guide to Debt Issuance, 3rd Ed., 2008
Website	CSBA District and County Office of Education Legal Services
Website	Government Finance Officers Association
Website	Municipal Security Rulemaking Board, Electronic Municipal Market Access (EMMA)
Website	California Debt and Investment Advisory Commission

Website	Department of General Services, Office of Public School Construction
Website	California Department of Education
Website	CSBA

Cross References

Code	Description
0420	School Plans/Site Councils
0420	School Plans/Site Councils
0440	District Technology Plan
0440	District Technology Plan
0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan
1113	District And School Websites
1113	District And School Websites
1113	District And School Websites
1160	Political Processes
1220	Citizen Advisory Committees
1220	Citizen Advisory Committees
1230	School-Connected Organizations
1230	School-Connected Organizations
1330.1	Joint Use Agreements
1340	Access To District Records
1340	Access To District Records
3460	Financial Reports And Accountability
3460	Financial Reports And Accountability
3470	Debt Issuance And Management
3580	District Records
3580	District Records
6151	Class Size

7110	Facilities Master Plan
7210	Facilities Financing
7213	School Facilities Improvement Districts
9270	Conflict Of Interest
9270	Conflict Of Interest
9320	Meetings And Notices
9323.2	Actions By The Board
9323.2	Actions By The Board
9324	Minutes And Recordings

ALAMEDA UNIFIED SCHOOL DISTRICT
BOARD AGENDA ITEM

Item Title: Approval of Facilities Bond Measure I and Measure B Contracts (Standing Item)

Item Type: Consent

Background: In November 2014, Alameda voters approved Facilities Bond Measure I, and in June 2022, they approved Facilities Bond Measure B.

According to the bond schedules, various contracts will be presented to the Board for approval. These contracts may include construction bid contracts, addenda to architectural services agreements, specialist and consultant agreements, and more. To streamline this process, staff has established a standing board item to separately track and manage contracts related to Measure I and Measure B, distinct from other district contracts.

1. (Fund 21 – Measure I) Amendment No. 1 to Professional Services Agreement between AUSD and Advance Construction Inspection for contract term extension from 9/30/24 to 6/30/25, and no change to the original compensation of \$126,720.00. (Longfellow)
2. (Fund 21 – Measure B) Professional Services Agreement between AUSD and ACC Environmental for a total not to exceed \$75,000.00. (AHS Swim Center)
3. (Fund 21 – Measure B) Professional Services Agreement between AUSD and ACC Environmental for a total not to exceed \$75,000.00. (Encinal Field)
4. (Fund 21 – Measure B) Professional Services Agreement between AUSD and ACC Environmental for a total not to exceed \$25,000.00. (Otis)
5. (Fund 21 – Measure B) Professional Services Agreement between AUSD and Advance Construction Inspection for \$120/hour with a total not to exceed \$50,400.00. (AHS Fencing)
6. (Fund 21 – Measure B) Professional Services Agreement between AUSD and Advance Construction Inspection for \$120/hour with a total not to exceed \$105,600.00. (AHS Kofman)
7. (Fund 25, Resource 9020) Amendment to Lease Agreement between AUSD and Mobile Modular Management Corporation for an increase of \$14,167.00. (WMS)

AUSD LCAP Goals: 4. Ensure that all students have access to basic services.

Fund Codes: 21 Building – Bond Fund

Fiscal Analysis

Amount (Savings) (Cost): See attached contract(s) for detailed expenditures.

Recommendation: Approve as submitted.

AUSD Guiding Principle: #5 - Accountability, transparency, and trust are necessary at all levels of the organization. | #6 - Allocation of funds must support our vision, mission, and guiding principles.

Submitted By: Shariq Khan, Assistant Superintendent of Business Services

ATTACHMENTS:

Description	Upload Date	Type
▣ Advanced Construction Inspection (Longfellow)	9/17/2024	Backup Material
▣ ACC Environmental (AHS Swim)	9/17/2024	Backup Material
▣ ACC Environmental (Encinal Field)	9/17/2024	Backup Material
▣ ACC Environmental (Otis)	9/17/2024	Backup Material
▣ Advanced Construction Inspection (AHS Fencing)	9/17/2024	Backup Material
▣ Advanced Construction Inspection (AHS Kofman)	9/17/2024	Backup Material
▣ Mobile Modular	9/18/2024	Backup Material

ALAMEDA UNIFIED SCHOOL DISTRICT
BOARD AGENDA ITEM

Item Title: Approval of Individual Service Agreements (ISAs) with Non-Public Schools and Non-Public Agencies

Item Type: Consent

Background: Each year, Alameda Unified School District's Special Education Department executes "Master Contracts" with Non-Public Schools and Non-Public Agencies to support the Special Education Department. Through the year, Individual Service Agreements (ISAs) are entered into under these "Master Contracts" that allocate funds for services required to provide support to AUSD students in accordance with the Individuals with Disabilities in Education Act (IDEA).

Below are details of contracts executed and attached to this agenda item.

(Fund 01) Individual Services Agreement between AUSD and Pine Health for a total of \$69,120.00.

(Fund 01) Individual Services Agreement between AUSD and Pine Health for a total of \$83,040.00.

(Fund 01) Individual Services Agreement between AUSD and Spectrum for a total of \$98,630.00.

(Fund 01) Individual Services Agreement between AUSD and Star View for a total of \$502,196.00.

For reasons of confidentiality, the contracts for non-public schools and non-public agencies with student specific information are not uploaded to this item, and will be maintained in the Special Education Department for review upon request.

AUSD LCAP Goals: 4. Ensure that all students have access to basic services.

Fund Codes: 01 General Fund

Fiscal Analysis

Amount (Savings) (Cost): See attached non-confidential contract(s) for detailed expenditures.

Recommendation: Approve as submitted.

AUSD Guiding Principle: #1 - All students have the ability to achieve academic and personal success.

Submitted By: Kirsten Zazo, Assistant Superintendent of Educational Services

ALAMEDA UNIFIED SCHOOL DISTRICT
BOARD AGENDA ITEM

Item Title: Approval of New Job Descriptions: Environmental Health and Safety Technician and Technology Assistant

Item Type: Consent

Background: Environmental Health & Safety Technician:
The Environmental Health & Safety Technician is a new job description. This position will perform technical and maintenance work in support of the district's environmental health, fire, and life-safety programs.
The job description has been negotiated with CSEA #860 and is pending their final approval.

Cost: \$165,219
Budget: 100% from restricted maintenance funds

-
Technology Assistant:
The Technology Assistant is a new entry level job description that will support the technology services operations.
The job description has been negotiated with CSEA #27 and is pending their final approval.

Cost: \$95,735
Budget: 50% out of existing position budgeted for 24/25
50% from restricted maintenance funds

AUSD LCAP Goals:

Fund Codes:

Fiscal Analysis

Amount (Savings) (Cost): See background information above for cost and departmental budget information.

Recommendation: Approve as submitted.

AUSD Guiding Principle: #2 - Teachers must challenge and support all students to reach their highest academic and personal potential. | #3 - Administrators must have the knowledge, leadership skills and ability to ensure student success.

Submitted By: Timothy Erwin, Assistant Superintendent, Human Resources

ATTACHMENTS:

Description	Upload Date	Type
□ Environmental Health & Safety Technician	9/16/2024	Backup Material

Title	Environmental Health & Safety Technician	Reports To:	Director of Maintenance, Operations & Facilities or Designee	
Department:	Maintenance, Operations & Facilities	Bargaining Unit:	<input checked="" type="checkbox"/> CSEA 860 <input type="checkbox"/> CSEA 27 <input type="checkbox"/> AEA	<input type="checkbox"/> Management <input type="checkbox"/> Confidential <input type="checkbox"/> Unrepresented
Hours:	Varies	No. of Work Days:	261	
FLSA Classification:	<input type="checkbox"/> Exempt <input checked="" type="checkbox"/> Non Exempt	Type:	<input type="checkbox"/> Reclassification <input type="checkbox"/> Update of job description <input checked="" type="checkbox"/> New job description	
Salary Schedule:	<input type="checkbox"/> Contract <input type="checkbox"/> Executive Cabinet <input type="checkbox"/> Administrative/Supervisory <input type="checkbox"/> Confidential		<input type="checkbox"/> Licensed <input type="checkbox"/> Unrepresented <input type="checkbox"/> CSEA 27 <input checked="" type="checkbox"/> CSEA 860 – Range 59	

DEFINITION

Under general supervision, the Environmental Health & Safety Technician performs a variety of technical and maintenance work to support environmental health, fire, and life-safety programs, such as performing routing audits, inspections, and maintenance of district facilities for various Fire, Life and Playgrounds safety concerns; collecting and consolidating hazardous materials/wastes that are potentially dangerous or harmful to human health or the environment; and performing or assisting others with basic site inspections, investigations, and remedies.

This job reports to Director of Maintenance, Operations & Facilities or Designee

SUPERVISION RECEIVED AND EXERCISED

Receives general supervision from Director of Maintenance, Operations & Facilities or designee.
Exercises no supervision of staff.

ESSENTIAL FUNCTIONS

- Attends department meetings, in-service training, workshops, etc. for the purpose of gathering information required to perform job functions.
- Performs inspections, audits, and minor maintenance of elevators and wheelchairs lift equipment.
- Performs inspections and maintenance of Fire Extinguisher devices, cabinets, accessories.
- Performs inspections and maintenance of playground equipment and fall arrest surfaces in accordance with Public Playground Safety regulations to ensure safety of students.
- Maintains district inventory of Automated External Defibrillator (AED) devices inspection and maintenance programs. Conduct inspections, testing, and repairs are required.

- Maintains Readiness and Emergency Management for Schools (REMS) supplies at designated school sites, replenishing supplies, maintaining inventories to ensure school readiness.
- Performs regular inspections and maintenance of fire alarms, including testing, troubleshooting and device maintenance to keep system operable. Assist with coordination of large repairs where required.
- Assists with Asbestos and Lead Based Paint maintenance program documentation. Coordinates with manager and service providers for sampling, testing and mitigation as required.
- Assist with the collection, consolidation, and packaging for transport and/or disposal of hazardous materials/wastes. Ensures that required inspections, storage, and documentation in compliance with federal, state, and local hazardous waste and hazardous materials regulations.
- May assist with and respond to basic emergency calls related to chemical spills, fires, or other hazardous materials/conditions and takes appropriate action as directed. Coordinates and assists other trades as required to arrest, correct, and resolve the facility issues.
- Performs other related duties as assigned for the purpose of providing leadership to ensure the efficient and effective functioning of the Department.

QUALIFICATIONS

Knowledge of:

- Organizing and scheduling meetings, compiling, and distributing meeting agendas and taking meeting minutes;
- Basic principles and practices of training;
- Safety practices, policies, and procedures.

Ability to:

- Schedule activities, meetings, and/or events;
- Gather and/or collate data; and use job-related equipment.
- Work with others in a wide variety of circumstances;
- Work with data utilizing defined and similar processes; and operate equipment using a variety of standardized methods.
- Work with a diversity of individuals; work with similar types of data; and utilize a variety of types of job- related equipment.
- Analyze issues and create action plans.
- Problem solve with data frequently requiring independent interpretation of guidelines.
- Adapt to changing work priorities; communicate with diverse groups;
- Meeting deadlines and schedules; working as part of a team; and working with constant interruptions.

Education and Experience:

Experience:

- Job related experience within a specialized field is required.

Education:

- Two (2) year degree in occupational safety, industrial hygiene, environmental discipline or equivalent.
- High School Diploma/GED and 3+ years of experience with an emphasis in environmental and/or health and safety program management. Completion of 2 years of college-level coursework preferred.

Licenses and Certifications:

- Driver’s License & Evidence of Insurability
- OSHA 40-hour (HAZWOPER) Certification or ability to obtain certification within 180 days of employment.
- OSHA-30 hour for General Industry Certification or ability to obtain certification within 180 days of employment.

PHYSICAL DEMANDS

Frequency Key: None (N); Occasional - up to 25% of shift (O); Intermittently – up to 50% of shift (I); Frequently – up to 75% of shift (F).

Activity	Frequency		Activity	Frequency
Bend	F		Lift/carry 0-10 lbs	F
Twist	F		Lift/carry 11-25 lbs	F
Squat	F		Lift/carry 26-40 lbs	I
Kneel	F		Lift/carry 41-100 lbs	I
Climb	I		Stand	F
Reach above shoulder	I		Walk	F
Grip/Grasp	F		Sit	I
Extend/Flex Neck	I		Drive	I
Use Dominant Hand	F		Perform Repetitive Hand Motions	F
Use Non-Dominant Hand	O		Keyboarding/Mouse Work	F
Ability to See	F		Ability to Hear	F

ENVIRONMENTAL ELEMENTS

Employees primarily work in an office environment with moderate noise levels, controlled temperature conditions, and no direct exposure to hazardous physical substances. Employees occasionally work outdoors and are exposed to dust, fumes, allergens, vermin, parasites, or insects.

THE ALAMEDA UNIFIED SCHOOL DISTRICT IS AN EQUAL OPPORTUNITY EMPLOYER and, in compliance with federal and state laws, does not discriminate in any employment practice on the basis of age, ancestry, color, marital status, medical condition, national origin, political or union affiliation, physical or mental disability, race, religion, sexual orientation or sex.

Title	Technology Assistant	Reports To:	Director of Technology or Designee	
Department:	Technology	Bargaining Unit:	<input type="checkbox"/> CSEA 860 <input checked="" type="checkbox"/> CSEA 27 <input type="checkbox"/> AEA	<input type="checkbox"/> Management <input type="checkbox"/> Confidential <input type="checkbox"/> Unrepresented
Hours:	Varies	No. of Work Days:	261	
FLSA Classification:	<input type="checkbox"/> Exempt <input checked="" type="checkbox"/> Non Exempt	Type:	<input type="checkbox"/> Reclassification <input type="checkbox"/> Update of job description <input checked="" type="checkbox"/> New job description	
Salary Schedule:	<input type="checkbox"/> Contract <input type="checkbox"/> Executive Cabinet <input type="checkbox"/> Administrative/Supervisory <input type="checkbox"/> Confidential		<input type="checkbox"/> Licensed <input type="checkbox"/> Unrepresented <input checked="" type="checkbox"/> CSEA 27 – Range 37 <input type="checkbox"/> CSEA 860	

DEFINITION

Under general supervision, the Technology Assistant performs a variety of technical and clerical tasks that support technology services operations; and performs related duties as assigned.

SUPERVISION RECEIVED AND EXERCISED

Receives general supervision from Director of Technology or designee.
 Exercises no supervision of staff.

ESSENTIAL FUNCTIONS

- Perform simple installations and configurations for a variety of computer hardware, software, and peripherals with a focus on student access and use.
- Perform simple hardware and software troubleshooting, diagnostics, maintenance, cleaning and repairing with a focus on student devices.
- Work collaboratively with staff to troubleshoot and resolve issues.
- Assist in the maintenance of IT standards and documentation.
- Collect technology equipment and distribute it to students/classrooms; maintains accurate inventory of instructional technology equipment.
- Prepare, organize, and maintain records and files.
- Assist with the clerical operations of the department. Examples: data entry and help desk support
- Research, compile, and organize information and data on topics related to assigned programs and/or projects; prepares and assembles reports and other informational materials.
- Stays abreast of current trends and developments in the field of technology, software, and programs.
- Review and complete assigned work orders in a timely and efficient manner.
- Perform other related duties as assigned.

QUALIFICATIONS

Knowledge of:

- Applications and functions of computer hardware, software, and peripheral devices.
- Principles and practices of data collection and report preparation.
- Applicable Federal, State, local and District policies, codes, regulations, technical processes, and procedures related to the program to which assigned.
- Office practices, methods, and computer equipment and applications, including word processing, database and spreadsheet applications.
- Record keeping principles and procedures.
- Basic technical skills and aptitude to learn technology to help support the IT department.
- Appropriate English usage, grammar, spelling, punctuation, and vocabulary.
- Effective practices in dealing with parents/guardians, students, and District staff.

Ability to:

- Be organized and structured with work tasks, complete in a timely manner and meet deadlines.
- Respond to and effectively prioritize workload.
- Follow verbal and written plans and technical instructions with minimal supervision and guidance.
- Present information about technical issues clearly, both verbally and in writing.
- Compose and prepare basic reports, correspondence, and other written materials independently or from brief instructions.
- Establish and maintain a variety of filing, record keeping, and tracking systems.
- Communicate effectively both orally and in writing.
- Type with reasonable speed and accuracy.
- Operate standard office equipment including a computer and assigned software.
- Establish and maintain cooperative and effective working relationships with others.
- Maintain confidentiality of sensitive and privileged information.
- Interpret, apply, explain, and ensure compliance with applicable Federal, state, local, and District policies, procedures, and regulations.
- Conduct research; analyze, interpret, summarize, and present technical information and data in an effective manner.

Education and Experience:

Experience:

- Demonstrated experience with computer hardware or software.

Education:

- High school diploma or equivalent to the completion of the twelfth (12th) grade.
- Specialized training in technology or related field.
- Completion of 2 years of college-level coursework preferred.

Licenses and Certifications:

- Valid California driver's license, reliable transportation, and evidence of insurance.

PHYSICAL DEMANDS

Frequency Key: None (N); Occasional - up to 25% of shift (O); Intermittently – up to 50% of shift (I); Frequently – up to 75% of shift (F).

Activity	Frequency		Activity	Frequency
Bend	I		Lift/carry 0-10 lbs	F
Twist	I		Lift/carry 11-25 lbs	I
Squat	I		Lift/carry 26-40 lbs	O
Kneel	I		Lift/carry 41-100 lbs	O
Climb	O		Stand	F
Reach above shoulder	I		Walk	F
Grip/Grasp	F		Sit	I
Extend/Flex Neck	O		Drive	I
Use Dominant Hand	F		Perform Repetitive Hand Motions	F
Use Non-Dominant Hand	O		Keyboarding/Mouse Work	F
Ability to See	F		Ability to Hear	F

ENVIRONMENTAL ELEMENTS

Employees primarily work in an office environment with moderate noise levels, controlled temperature conditions, and no direct exposure to hazardous physical substances. Employees occasionally work outdoors and are exposed to dust, fumes, allergens, vermin, parasites, or insects.

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ALAMEDA UNIFIED SCHOOL DISTRICT
BOARD AGENDA ITEM

Item Title: Proclamation: Lesbian, Gay, Bisexual, Transgender, Queer/Questioning History Month - October

Item Type: Consent

Background: A resolution was first approved in 2013-14 by the Alameda Unified Board of Education declaring October LGBTQ History Month. Tonight we continue the tradition and present a proclamation to recognize October as LGBTQ History Month in AUSD.

AUSD LCAP Goals: 1. Eliminate barriers to student success and maximize learning time.| 3. Support parent/guardian development as knowledgeable partners and effective advocates for student success.

Fund Codes:

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.| #4 - Parental involvement and community engagement are integral to student success.

Submitted By: Kerri Lonergan, Senior Executive Assistant to the Superintendent and Board of Education

ATTACHMENTS:

	Description	Upload Date	Type
□	Proclamation: Lesbian, Gay, Bisexual, Transgender, Queer/Questioning History Month - October	9/16/2024	Backup Material

PROCLAMATION
Lesbian, Gay, Bisexual, Transgender,
Queer/Questioning (LGBTQ) History Month
October

WHEREAS, Lesbian, Gay, Bisexual, Transgender, and Queer/Questioning (LGBTQ) Americans have made and continue to make lasting contributions to strengthen the fabric of American society; and

WHEREAS, October holds historically significant days such as the first National March on Washington and also Coming Out Day; and

WHEREAS, the month of October has been established to remind all cultures within our wider community of the important roles LGBTQ people have taken in creating the social, historical, legal, and political worlds we live in today; and

WHEREAS, the Alameda Board of Education appreciates and recognizes the importance of LGBTQ History Month as an effective means of educating and calling to action the citizens of the City of Alameda to work together by fighting prejudice and discrimination in their own lives; and

WHEREAS, a knowledge of LGBTQ history enables LGBTQ students, families, and educators to be supported to uphold affirmative lives with dignity and respect; and

WHEREAS, in 2017 the Alameda Unified School District (AUSD), the City of Alameda, the Alameda Collaborative for Children, Youth, and their Families (ACCYF), the Alameda Chamber of Commerce, the Alameda Education Foundation (AEF), Alameda Family Services (AFS), the Alameda Education Association (AEA), the local California School Employees Associations (CSEA) Chapters 27 and 860, the Alameda Parent Teachers Association (PTA), and other civic leaders joined together in an “Everyone Belongs Here” campaign created by AUSD’s students and AUSD’s LGBTQ Round Table to voice a common call to action for LGBTQ rights, uniting us all in a social justice platform to uphold the rights of all people;

NOW, THEREFORE, BE IT PROCLAIMED that the Alameda Unified School District Board of Education recognizes and supports October as Lesbian, Gay, Bisexual, Transgender, and Queer/Questioning (LGBTQ) History Month.

PASSED AND ADOPTED by the following vote this 24th day of September 2024.

AYES: _____ MEMBERS: _____

NOES: _____ MEMBERS: _____

ABSENT: _____ MEMBERS: _____

Jennifer Williams, President
Board of Education
Alameda Unified School District
Alameda County, State of California

ATTEST:

By: _____

Pasquale Scuderi, Secretary
Board of Education
Alameda Unified School District
Alameda County, State of California

ALAMEDA UNIFIED SCHOOL DISTRICT
BOARD AGENDA ITEM

Item Title: Proclamation: National Domestic Violence Awareness Month - October

Item Type: Consent

Background: Each year millions of children and youth are at risk of exposure to domestic violence. Learning disabilities and developmental delays in verbal, cognitive, and motor skills are common among children living in homes with domestic violence. Additionally children from violent homes have a high risk of alcohol/drug use, post-traumatic stress disorder, and juvenile delinquency.

On October 13, 2016 the Alameda Unified Board of Education approved a resolution declaring Alameda Public Schools Domestic Violence Free Zones. In support of that resolution, tonight the Alameda Unified School District's Board of Education proclaims October as National Domestic Violence Awareness Month.

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.

Fund Codes:

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.| #2 - Teachers must challenge and support all students to reach their highest academic and personal potential.| #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.

Submitted By: Kerri Lonergan, Senior Executive Assistant to the Superintendent and Board of Education

ALAMEDA UNIFIED SCHOOL DISTRICT
BOARD AGENDA ITEM

Item Title: Proclamation: World Teachers' Day - October 5, 2023

Item Type: Consent

Background: World Teachers' Day, created in 1994 by UNESCO, is held annually on October 5th and celebrates teachers worldwide. Its aim is to mobilize support for teachers and to ensure that the needs of future generations will continue to be met by teachers. This day is also an opportunity to draw attention to their status, employment conditions, and the needs of countries where teacher recruitment is not keeping pace with increased student enrollment.

Tonight the Alameda Unified School District's Board of Education proclaims October 5, 2024 as World Teachers' Day.

AUSD LCAP Goals:

Fund Codes:

Fiscal Analysis

Amount (Savings) (Cost): N/A

Recommendation: Approve as submitted.

AUSD Guiding Principle: #7 - All employees must receive respectful treatment and professional support to achieve district goals.

Submitted By: Kerri Lonergan, Senior Executive Assistant to the Superintendent and Board of Education

ALAMEDA UNIFIED SCHOOL DISTRICT
BOARD AGENDA ITEM

Item Title: Ratification of Contracts Executed Pursuant to Board Policy 3300

Item Type: Consent

Background: On January 9, 2024, the Board of Education delegated authority to enter into contracts on behalf of the Alameda Unified School District and to purchase supplies, materials, apparatus, equipment, and services up to the amounts specified in Public Contract Code 20111 and Education Code section 17604 to the Superintendent of Schools, Assistant Superintendent of Educational Services, Assistant Superintendent of Business Services, Assistant Superintendent of Human Resources, and the Purchasing Manager.

Resolution Number 2023-2024.35 further limited the delegation to expenditures of less than \$114,500 and required that the Board of Education ratify the contracts within sixty (60) days of incurring the expense.

1. (Fund 01, Resource 8150) Contract for Repairs, Maintenance or Small Construction Projects between AUSD and Backflow Prevention Specialists, Inc. for a total price not to exceed \$25,000.
2. (Fund 01) Professional Services Agreement between AUSD and Smith's Pest Management for various rates not to exceed \$25,000.00.
3. (Fund 01) Contract for Repairs, Maintenance or Small Construction Projects between AUSD and Pacific Metro Electric, Inc. for a total project price of \$40,287.00 to be fully reimbursed by leasee Zum Transportation per Lease Agreement.
4. (Fund 01) Amendment to Products and Services Order between AUSD and AVID Center for an increase of \$3,468.00 and an amended total three-year price of \$104,302.00.
5. (Fund 01) Cancellation of Professional Services Agreement between AUSD and Eval Group for \$125/hour and a total not to exceed \$183,000.00.
6. (Fund 13) Delivery Service Agreement between AUSD and Island Pizza Inc., dba Domino's Pizza for an annual price not to exceed \$178,776.00.
7. (Fund 01) Agreement for Special Education Services between AUSD and Children's Hospital & Research Center at Oakland dba UCSF Benioff Children's Hospital Oakland for a total not to exceed \$377,321.96.
8. (Fund 01) Professional Services Agreement between AUSD and Freedom Soul Media Education Initiatives for a proposed total cost of \$30,000.00.
9. (Fund 01) Amendment No. 1 to Professional Services Agreement between AUSD and West Shield Adolescent Services for an increase of \$25,000.00 and an amended total value of \$35,000.00.

AUSD LCAP Goals: 4. Ensure that all students have access to basic services.

Fund Codes:

Fiscal Analysis

Amount (Savings) (Cost): See attached contract(s) for detailed expenditures.

Recommendation: Approve as submitted.

AUSD Guiding Principle: #5 - Accountability, transparency, and trust are necessary at all levels of the organization. | #6 - Allocation of funds must support our vision, mission, and guiding principles.

Submitted By: Shariq Khan, Assistant Superintendent of Business Services

ATTACHMENTS:

Description	Upload Date	Type
☐ Backflow Prevention Specialists	9/17/2024	Backup Material
☐ Smith's Pest Management	9/17/2024	Backup Material
☐ Pacific Metro Electric	9/17/2024	Backup Material
☐ AVID Center	9/17/2024	Backup Material
☐ EVAL Group	9/17/2024	Backup Material
☐ Domino's Pizza	9/18/2024	Backup Material
☐ Childrens Hospital_UCSF	9/17/2024	Backup Material
☐ Freedom Soul Media Education Initiatives	9/17/2024	Backup Material
☐ West Shield	9/17/2024	Backup Material

AVID Center



Amendment to Products and Services Quote/Order

Client:	Alameda Unified School Dist	AVID Representative :	Veronica Martinez
Address:	2060 Challenger Dr	Phone :	(858) 654-5017
	Alameda, CA, 94501	Email :	vmartinez@avid.org
Amendment Effective Date:	July 1, 2024	Expiration Date:	June 30, 2026

2024-25 Alameda USD
Quote/Order #: Q-86770

District Products				
QTY	PRODUCT NAME	UNIT PRICE	DISCOUNT	EXTENDED PRICE
12	AVID Summer Institute	\$1099.00	\$1200.00	\$11988.00
1	Coaching Days for AE and AVID Secondary	\$3150.00	\$0.00	\$3150.00
1	Coaching Days for AE and AVID Secondary	\$3150.00	\$0.00	\$3150.00
SUBTOTAL				\$ 18,288.00

Encinal High School & Jr Jets				
QTY	PRODUCT NAME	UNIT PRICE	DISCOUNT	EXTENDED PRICE
1	AVID Membership Fees Secondary	\$4499.00	\$0.00	\$4499.00
1	AVID Weekly Secondary	\$699.00	\$14.00	\$685.00
1	AVID Ignite	\$925.00	\$75.00	\$850.00
1	Secondary Digital Library Set - 8 Licenses - Year 2	\$0.00	\$0.00	\$0.00
SUBTOTAL				\$ 6,034.00

Ruby Bridges Elementary School				
QTY	PRODUCT NAME	UNIT PRICE	DISCOUNT	EXTENDED PRICE

QTY	PRODUCT NAME	UNIT PRICE	DISCOUNT	EXTENDED PRICE
1	AVID Membership Fees Elementary School	\$3525.00	\$0.00	\$3525.00
1	AVID Weekly Elementary	\$699.00	\$0.00	\$0.00
1	AVID Ignite	\$925.00	\$75.00	\$850.00
1	Elementary Digital Library Set - 4 Licenses - Year 2	\$0.00	\$0.00	\$0.00
SUBTOTAL				\$ 4,375.00

Will C Wood Middle School

QTY	PRODUCT NAME	UNIT PRICE	DISCOUNT	EXTENDED PRICE
1	AVID Membership Fees Secondary	\$4499.00	\$0.00	\$4499.00
1	AVID Weekly Secondary	\$699.00	\$14.00	\$685.00
1	AVID Ignite	\$925.00	\$75.00	\$850.00
1	Secondary Digital Library Set - 8 Licenses - Year 2	\$0.00	\$0.00	\$0.00
SUBTOTAL				\$ 6,034.00

2025-26 Alameda USD
 Quote/Order #: Q-86771

District Products

QTY	PRODUCT NAME	UNIT PRICE	DISCOUNT	EXTENDED PRICE
4	AVID Summer Institute	\$1149.00	\$396.00	\$4200.00
1	Coaching Days for AE and AVID Secondary	\$3299.00	\$0.00	\$3299.00
1	Coaching Days for AE and AVID Secondary	\$3299.00	\$0.00	\$3299.00
SUBTOTAL				\$ 10,798.00

Encinal High School & Jr Jets

QTY	PRODUCT NAME	UNIT PRICE	DISCOUNT	EXTENDED PRICE
1	AVID Membership Fees Secondary	\$4649.00	\$0.00	\$4649.00

1	AVID Weekly Secondary	\$725.00	\$15.00	\$710.00
1	AVID Ignite	\$950.00	\$75.00	\$875.00
SUBTOTAL				\$ 6,234.00

Ruby Bridges Elementary School

QTY	PRODUCT NAME	UNIT PRICE	DISCOUNT	EXTENDED PRICE
1	AVID Membership Fees Elementary School	\$3675.00	\$0.00	\$3675.00
1	AVID Weekly Elementary	\$725.00	\$0.00	\$0.00
1	AVID Ignite	\$950.00	\$75.00	\$875.00
SUBTOTAL				\$ 4,550.00

Will C Wood Middle School

QTY	PRODUCT NAME	UNIT PRICE	DISCOUNT	EXTENDED PRICE
1	AVID Membership Fees Secondary	\$4649.00	\$0.00	\$4649.00
1	AVID Weekly Secondary	\$725.00	\$15.00	\$710.00
1	AVID Ignite	\$950.00	\$75.00	\$875.00
SUBTOTAL				\$ 6,234.00

Quote Summary :

Quote #	Quote Start Date	Quote End Date	Subtotal
Q-86770	July 1, 2024	June 30, 2025	\$ 34,731.00
Q-86771	July 1, 2025	June 30, 2026	\$ 27,816.00
Grand Total			\$ 62,547.00
*plus all applicable taxes			

Additional Comments :

This Amendment revises Quote Q-86770 for 2024-2025 and Q-86771 for 2025-2026 of the multi-year Agreement for 2023-2026.

Each Quote has been revised as follows:

Quote Q-86770: Total Amount has been increased from \$33,341.00 to \$34,731.00 as a result of the following revisions:

- Agreement will be paid on an annual basis instead of paid upfront in 2023-2024.

Quote Q-86771: Total Amount has been increased from \$25,741.00 to \$27,816.00 as a result of the following revisions:

- Agreement will be paid on an annual basis instead of paid upfront in 2023-2024.

Quote Q-86769 is remaining the same.

This Amendment to AVID Center Products and Services Quote/Order #Q-86770 and #Q-86771 (this "Amendment") is hereby entered into by AVID Center, a California non-profit corporation ("AVID Center"), and the "Client" identified above and amends such Quote/Order with respect to the AVID Products and Services specified in this Amendment effective as of the Amendment Effective Date above. Except as modified herein, such AVID Center Products and Services Quote/Order, the applicable AVID Center General Terms and Conditions (including the definitions of terms set forth at <https://www.avid.org/Page/3290> or another location on AVID Center's website designated by AVID Center), and all exhibits and attachments thereto (the "AVID Agreement") shall remain in full force and effect. In the event of any conflict between this Amendment and the terms and conditions of the Agreement, this Amendment shall control. Each party has caused this Amendment to be signed by its duly authorized representative. The terms of this Quote/Order will control in the event of a conflict with any terms or conditions set forth in any purchase order or other document or communication from Client and any such terms and conditions are hereby rejected by AVID Center and of no effect.

AVID Center, a California Non-Profit Corporation 501(c)(3)

Alameda Unified School Dist

DocuSigned by:
David S. Greulich
ECA0539E066044D...
Sign: _____
Print David S. Greulich
Name: _____
Title: Controller
Date: 1/26/2024 | 12:57 PM PST
Email: contracts@avid.org

DocuSigned by:
Kirsten Zazo
A09E/A941A04A4C4...
Sign: _____
Print Kirsten Zazo
Name: _____
Title: Assistant Superintendent
Date: 1/26/2024 | 12:50 PM PST
Email: kzazo@alamedaunified.org

AVID Center
9797 Aero Drive, Suite 100
San Diego, CA 92123
Employer ID # 33-0522594

AVID Center



Products and Services Quote/Order

Client: Alameda Unified School Dist AVID Center Representative : Veronica Martinez
 Address: 2060 Challenger Dr Phone : (858) 654-5117
 Alameda, CA, 94501 Email : vmartinez@avid.org
 Effective Date: July 1, 2023 Expiration Date: June 30, 2026

2023-24 Alameda USD
 Quote/Order #: Q-86769

Encinal High School & Jr Jets				
QTY	PRODUCT NAME	UNIT PRICE	DISCOUNT	EXTENDED PRICE
1	AVID Membership Fees Secondary	\$4349.00	\$0.00	\$4349.00
1	AVID Secondary Library Package	\$4590.00	\$0.00	\$4590.00
1	Shipping & Handling	\$150.00	\$0.00	\$150.00
1	Secondary Digital Library Set - 8 Licenses	\$1250.00	\$0.00	\$0.00
1	AVID Weekly Secondary	\$675.00	\$0.00	\$0.00
8	AVID Summer Institute	\$1050.00	\$800.00	\$7600.00
			SUBTOTAL	\$ 16,689.00

Ruby Bridges Elementary School				
QTY	PRODUCT NAME	UNIT PRICE	DISCOUNT	EXTENDED PRICE
1	AVID Membership Fees Elementary School	\$3375.00	\$0.00	\$3375.00
1	AVID Weekly Elementary	\$675.00	\$0.00	\$0.00
1	Elementary Curriculum Set	\$1124.00	\$0.00	\$1124.00
1	Shipping & Handling	\$75.00	\$0.00	\$75.00
1	Elementary Digital Library Set - 4 Licenses	\$450.00	\$0.00	\$0.00

Multi-year Full Contract-Imp-SB-Excel
 2023 - 2026 Alameda Unified School Dist Drafted : 2023-04-19

4	AVID Summer Institute	\$1050.00	\$400.00	\$3800.00
SUBTOTAL				\$ 8,374.00

Will C Wood Middle School				
QTY	PRODUCT NAME	UNIT PRICE	DISCOUNT	EXTENDED PRICE
1	AVID Membership Fees Secondary	\$4349.00	\$0.00	\$4349.00
1	AVID Secondary Library Package	\$4590.00	\$0.00	\$4590.00
1	Shipping & Handling	\$150.00	\$0.00	\$150.00
1	Secondary Digital Library Set - 8 Licenses	\$1250.00	\$0.00	\$0.00
1	AVID Weekly Secondary	\$675.00	\$0.00	\$0.00
8	AVID Summer Institute	\$1050.00	\$800.00	\$7600.00
SUBTOTAL				\$ 16,689.00

2024-25 Alameda USD
 Quote/Order #: Q-86770

District Products				
QTY	PRODUCT NAME	UNIT PRICE	DISCOUNT	EXTENDED PRICE
12	AVID Summer Institute	\$1050.00	\$1200.00	\$11400.00
1	Coaching Days for AE and AVID Secondary	\$2999.00	\$0.00	\$2999.00
1	Coaching Days for AE and AVID Secondary	\$2999.00	\$0.00	\$2999.00
SUBTOTAL				\$ 17,398.00

Encinal High School & Jr Jets				
QTY	PRODUCT NAME	UNIT PRICE	DISCOUNT	EXTENDED PRICE
1	AVID Membership Fees Secondary	\$4349.00	\$0.00	\$4349.00
1	AVID Weekly Secondary	\$675.00	\$15.00	\$660.00
1	AVID Ignite	\$925.00	\$75.00	\$850.00
1	Secondary Digital Library Set - 8 Licenses - Year 2	\$0.00	\$0.00	\$0.00

	SUBTOTAL	\$ 5,859.00
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Ruby Bridges Elementary School				
QTY	PRODUCT NAME	UNIT PRICE	DISCOUNT	EXTENDED PRICE
1	AVID Membership Fees Elementary School	\$3375.00	\$0.00	\$3375.00
1	AVID Weekly Elementary	\$675.00	\$0.00	\$0.00
1	AVID Ignite	\$925.00	\$75.00	\$850.00
1	Elementary Digital Library Set - 4 Licenses - Year 2	\$0.00	\$0.00	\$0.00
SUBTOTAL				\$ 4,225.00

Will C Wood Middle School				
QTY	PRODUCT NAME	UNIT PRICE	DISCOUNT	EXTENDED PRICE
1	AVID Membership Fees Secondary	\$4349.00	\$0.00	\$4349.00
1	AVID Weekly Secondary	\$675.00	\$15.00	\$660.00
1	AVID Ignite	\$925.00	\$75.00	\$850.00
1	Secondary Digital Library Set - 8 Licenses - Year 2	\$0.00	\$0.00	\$0.00
SUBTOTAL				\$ 5,859.00

2025-26 Alameda USD
 Quote/Order #: Q-86771

District Products				
QTY	PRODUCT NAME	UNIT PRICE	DISCOUNT	EXTENDED PRICE
4	AVID Summer Institute	\$1050.00	\$400.00	\$3800.00
1	Coaching Days for AE and AVID Secondary	\$2999.00	\$0.00	\$2999.00
1	Coaching Days for AE and AVID Secondary	\$2999.00	\$0.00	\$2999.00
SUBTOTAL				\$ 9,798.00

Encinal High School & Jr Jets				
QTY	PRODUCT NAME	UNIT PRICE	DISCOUNT	EXTENDED PRICE

QTY	PRODUCT NAME	UNIT PRICE	DISCOUNT	EXTENDED PRICE
1	AVID Membership Fees Secondary	\$4349.00	\$0.00	\$4349.00
1	AVID Weekly Secondary	\$675.00	\$15.00	\$660.00
1	AVID Ignite	\$925.00	\$75.00	\$850.00
SUBTOTAL				\$ 5,859.00

Ruby Bridges Elementary School				
QTY	PRODUCT NAME	UNIT PRICE	DISCOUNT	EXTENDED PRICE
1	AVID Membership Fees Elementary School	\$3375.00	\$0.00	\$3375.00
1	AVID Weekly Elementary	\$675.00	\$0.00	\$0.00
1	AVID Ignite	\$925.00	\$75.00	\$850.00
SUBTOTAL				\$ 4,225.00

Will C Wood Middle School				
QTY	PRODUCT NAME	UNIT PRICE	DISCOUNT	EXTENDED PRICE
1	AVID Membership Fees Secondary	\$4349.00	\$0.00	\$4349.00
1	AVID Weekly Secondary	\$675.00	\$15.00	\$660.00
1	AVID Ignite	\$925.00	\$75.00	\$850.00
SUBTOTAL				\$ 5,859.00

Quote Summary :

Quote #	Quote Start Date	Quote End Date	Subtotal
Q-86769	July 1, 2023	June 30, 2024	\$ 41,752.00
Q-86770	July 1, 2024	June 30, 2025	\$ 33,341.00
Q-86771	July 1, 2025	June 30, 2026	\$ 25,741.00
Grand Total			\$ 100,834.00
*plus all applicable taxes			

Additional Comments :

Prices for this multi-year Agreement 2023-2026 are contingent upon Client paying for all quotes/years in

2023-2024. If Client does not pay the Grand Total indicated above in 2023-2024, then Client agrees that AVID Center has the right to adjust pricing of applicable quotes to the then current list prices for each respective year and invoice accordingly.

This AVID Center Products and Services Quote/Order (“Quote/Order”), together with the General Terms and Conditions (“Ts&Cs”) attached hereto as Exhibit “A” and any exhibits or attachments thereto, (collectively, this “Agreement” or “AVID Agreement”) constitutes a binding agreement between AVID Center, a California non-profit corporation (“AVID Center”), and the “Client” identified above with respect to the AVID Products and Services specified in this Quote/Order. The Ts&Cs attached to this Quote/Order will apply, regardless of whether they are attached, to all Subsequent Quote/Orders placed by Client.

AVID Center is committed to assisting Client with a successful implementation. Additional information regarding professional learning registrations is listed below:

- Newly implementing AVID sites are best supported by a core site team of educators – at least 8 for AVID Secondary or 4 for AVID Elementary. In the initial year of implementation, Client agrees to enroll participants into AVID Summer Institute (“SI”) equal to the minimum core site team described herein, unless AVID Center agrees otherwise on this Quote/Order. If other professional learning events are taken instead of SI, prices will be adjusted accordingly upon completion of the training event.
- For each existing site in year 2 and beyond of AVID implementation, Client agrees to enroll one (1) participant into AVID Ignite™, unless Client notifies otherwise. If a participant is not enrolled, or a registrant does not attend, Client will receive a voucher to be used for AVID Ignite™ in the following summer after payment has been received.

Client will be invoiced for the greater of the number of participants from a site registered for the event or committed to on this Quote/Order.

No payment is due at the time of execution of this Quote/Order, notwithstanding anything to the contrary in the General Terms and Conditions. At the time of invoicing, AVID Center will verify registration fees for each site listed on the Quote/Order and any registrations which have been paid previously will be removed from the invoice. Payment will be due within thirty (30) days following receipt of AVID Center’s invoice related to this Quote/Order. Each party has caused this Agreement to be signed by its duly authorized representative. The terms of this Quote/Order will control in the event of a conflict with any terms or conditions set forth in any purchase order or other document or communication from Client and any such terms and conditions are hereby rejected by AVID Center and of no effect.

AVID Center, a California Non-Profit Corporation 501(c)(3)

Alameda Unified School Dist

DocuSigned by:
 Sign: David S. Greulich
ECA8539C066844D...

Print Name: David S. Greulich

Title: Controller

Date: 6/8/2023 | 8:51 AM PDT

Email: contracts@avid.org

DocuSigned by:
 Sign: Kirsten Zazo
A09EA941A04A4C4...

Print Name: Kirsten Zazo

Title: Assistant Superintendent

Date: 6/8/2023 | 8:41 AM PDT

Email: kzazo@alamedaunified.org

AVID Center
9797 Aero Drive, Suite 100
San Diego, CA 92123
Employer ID # 33-0522594

Exhibit “A”

AVID Center General Terms and Conditions (Ts&Cs)

These Ts&Cs apply to the Quote/Order and any Subsequent Quote/Order(s), regardless of whether they are attached to such Quote/Order or Subsequent Quote/Order(s) and shall prevail over any other terms and conditions contained in any purchase order or other document submitted by Client. AVID Center hereby rejects any other such terms and conditions.

Article I. Definitions: Descriptions and Requirements.

Capitalized terms in these Ts&Cs not defined in the Quote/Order or a Subsequent Quote/Order or elsewhere in these Ts&Cs shall have the meanings set forth at <https://www.avid.org/Page/3290> (or another location on AVID Center’s website designated by AVID Center) and are incorporated into this Agreement by reference. Such descriptions and requirements related to AVID Products and Services may change from time to time at AVID Center’s sole discretion.

Article II. Term. This Agreement will be in effect from the “Effective Date” until the “Expiration Date” specified in the Quote/Order or Subsequent Quote/Order, unless earlier terminated as provided herein or renewed pursuant to a Subsequent Quote/Order (“Term”).

Article III. Licenses.

3.1. **AVID Products and Services.** Subject to all of the terms and conditions of this Agreement, AVID Center grants to Client a limited, non-exclusive, non-transferable license, without the right to sublicense, to permit Client Sites to:

(a) access the AVID Products and Services specified in the Quote/Order or Subsequent Quote/Order and corresponding to such Client Sites via a password-protected website that is accessible only to staff and/or students of such Client Site;

(b) use the AVID Products and Services solely for classroom and school use; and

(c) reproduce, distribute, and display copies of, the AVID Materials in connection with such use of the AVID Products and Services at the Client site.

AVID Center reserves all rights that are not expressly granted to Client in this Section 3.1.

3.2. **Restrictions.** Except as permitted in this Agreement, Client shall not, nor permit any third party to, do any of the following with respect to the AVID Products and Services and AVID Materials:

(a) Provide, sell, sublicense, transfer, lease, distribute, broadcast, or transmit to any third party;

(b) Reproduce;

(c) Modify or create derivative works;

(d) Use or integrate with any other product or service or develop any other product or service;

(e) Use with any timesharing service, service bureau, network or the like for revenue-generating purposes; or

(f) Obscure, remove, alter or fail to reproduce any copyright notice and other proprietary legends.

3.3. **AVID Trademarks.**

(a) Client shall not, and shall ensure that Client Sites do not:

(i) modify any AVID Trademarks or use any other words, names, designs or logos with any of the AVID Trademarks; or

(ii) use any AVID Trademarks with any products or services other than the AVID Products and Services.

(b) Client shall include, and ensure each Client Site, includes:

(i) the appropriate trademark symbol, in the form of either [AVID Trademark]® or [AVID Trademark]™;

(ii) the following notice on all literature and materials containing any AVID Trademarks, as appropriate: “[AVID Trademark] is a [registered] trademark of AVID Center.”

(c) AVID Center shall have the irrevocable right to approve all use by Client or a Client Site of any AVID Trademarks to promote the AVID Products and Services.

3.4. **Ownership.** As between the parties, AVID Center retains all right, title and interest, except as licensed to Client hereunder, in and to the AVID Products and Services, AVID Methodologies, AVID Trademarks, and AVID Materials, and all intellectual and proprietary rights therein.

Article IV. Data Collection. During the Term, Client shall provide to AVID Center via a designated secure web portal Site Data and Student Data (collectively, “Data”) specified by AVID Center, provided, however, Client may withhold, revise, and/or edit confidential data, such as student names and any other information the disclosure of which would violate state or federal law. Client shall collect Data in accordance with applicable privacy laws, including without limitation the federal Family Educational Rights and Privacy Act (FERPA). AVID Center shall maintain in confidence all personally identifiable information or information that is included in Data received from Client and agrees not to use any Data in a manner that would violate applicable law.

Article V. Proprietary Information.

5.1. **Confidentiality.** Client shall (a) maintain all Proprietary Information in strict confidence; (b) not use Proprietary Information, except to the extent necessary to exercise its rights and perform its obligations under this Agreement; and (c) not disclose Proprietary Information to any third party other than to its employees and contractors who have a need to know such information. Client shall ensure all Client Sites to comply with the obligations in this Section 5.1 and shall be responsible for any Client Site’s breach of such obligations.

5.2. **Exceptions.** The restrictions set forth in Section 5.1 shall not apply with respect to any information which: (a) is already known by Client at time of disclosure; (b) becomes, through no act or fault of Client or any Client Site, publicly available; (c) is rightfully received by Client from a third party on a non-confidential basis; or (d) is independently developed by Client without reference to any Proprietary Information. Client may disclose Proprietary Information pursuant to a lawful requirement of a governmental agency to the

minimum extent required, provided that Client first notifies AVID Center of such requirement and Client cooperates with AVID Center in seeking a protective order or contesting such required disclosure.

Article VI. Compensation.

6.1. Invoicing and Payment. No payment is due at the time of execution of this Quote/Order. Payment of the Quote/Order, or the applicable Subsequent Quote/Order, shall be due without offset within thirty (30) days following Client's receipt of AVID Center's invoice.

6.2. Taxes. Client shall be responsible for the payment of any applicable sales or use taxes or any value added or similar taxes payable with respect to the AVID Products and Services provided by AVID Center or arising out of or in connection with this Agreement.

Article VII. Representations and Warranties; Warranty Disclaimer.

7.1. Representations and Warranties. Each party represents and warrants: (a) it has full power and authority to execute and deliver this Agreement and perform its obligations hereunder; (b) no consent or other action of any third party or governmental body or agency is required for it to enter into this Agreement; and (c) entering into this Agreement will not violate or conflict with any applicable law, regulation, or published interpretive guidance or ruling or constitute a default under any contract to which it is a party.

7.2. Warranty Disclaimer.

(a) EXCEPT AS EXPRESSLY SET FORTH IN SECTION 7.1., NEITHER PARTY MAKES ANY REPRESENTATION OR WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, AND EACH PARTY DISCLAIMS ALL OTHER WARRANTIES INCLUDING, BUT NOT LIMITED TO, IMPLIED WARRANTIES OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE AND NON-INFRINGEMENT.

(b) AVID CENTER DOES NOT WARRANT THAT THE AVID PRODUCTS AND SERVICES WILL MEET CLIENT'S OR ANY CLIENT SITE'S REQUIREMENTS AND AVID CENTER DOES NOT MAKE ANY WARRANTY WITH RESPECT TO CLIENT'S OR ANY CLIENT SITE'S USE OR INABILITY TO USE ANY OF THE AVID PRODUCTS AND SERVICES OR THE RESULTS GENERATED FROM THE USE OF ANY OF THE AVID PRODUCTS AND SERVICES.

Article VIII. Limitation of Liability. EXCEPT FOR LIABILITY ARISING FROM A BREACH OF ARTICLE III OR ARTICLE V, NEITHER PARTY WILL BE LIABLE TO THE OTHER PARTY UNDER THIS AGREEMENT FOR (a) INDIRECT, INCIDENTAL, SPECIAL, CONSEQUENTIAL OR EXEMPLARY DAMAGES; (b) THE COST OF PROCURING SUBSTITUTE GOODS; OR (c) ANY AMOUNT IN EXCESS OF THE AGGREGATE AMOUNT PAID OR PAYABLE BY CLIENT HEREUNDER.

Article IX. Termination.

9.1. By AVID Center. AVID Center may terminate this Agreement in its entirety, or with respect to one or more Client Sites, upon written notice to Client in the event of Client's material breach of this Agreement, which is not fully cured within thirty (30) days following AVID Center's notice of the breach.

9.2. By Client. Client may terminate this Agreement for any reason, or no reason, upon thirty (30) days' prior written notice to AVID Center.

9.3. Effect of Termination. Upon termination or expiration of this Agreement, or termination of one or more Client Sites, (a) the

licenses granted to Client hereunder, or the rights granted hereunder with respect to the terminated Client Sites, shall automatically terminate and all such rights shall revert to AVID Center; (b) Client shall immediately discontinue use of the AVID Products and Services, the AVID Materials, and AVID Trademarks in all affected Client Sites following termination or expiration of this Agreement, or, in the case of termination of one or more Client Sites, in the terminated Client Sites; (c) Client shall pay to AVID Center all unpaid amounts (if any) that are due and payable hereunder and shall remain liable for its obligations or other actions that accrued or occurred prior to the date of termination or expiration; and (d) Client shall promptly return to AVID Center all AVID Materials and Proprietary Information (including copies) in its possession or control.

9.4. Survival. All accrued rights to payment and Articles IV, V, VIII, and IX and Sections 3.4, 7.2, 9.3 and 9.4 shall survive expiration or any termination of this Agreement.

Article X. General Provisions

10.1. Independent Contractors. The parties are independent contractors.

10.2. Cumulative Remedies. All rights and remedies are cumulative.

10.3. Governing Law/Venue. This Agreement shall be governed by California law, without regard to its conflict of laws provisions.

10.4. Force Majeure. Neither party shall be liable for nonperformance or any delay caused by an event reasonably beyond its control.

10.5. Cancellation. Certain AVID Products and Services may be cancelled by Client as set forth in AVID Center's Rest Assured Policy, which may be viewed at <https://www.avid.org/rest-assured-policy>.

10.6. Severability. Any illegal or unenforceable provision of this Agreement shall be limited or eliminated to the minimum extent necessary without voiding the remainder of this Agreement.

10.7. Notices. All notices provided hereunder must be in writing and addressed to the applicable party as set forth in the Quote/Order or Subsequent Quote/Order or such other address as set forth in a notice provided as set forth in this Section 10.7, and shall be effective upon receipt if sent by email, one business day following delivery by commercial courier, or three business days following deposit in the U.S. mail via certified mail, postage prepaid, return receipt requested.

10.8. Waiver. A party's waiver of any breach by the other party shall not apply to any other or subsequent breach.

10.9. No Third-Party Beneficiaries. There are no third-party beneficiaries of the rights, obligations or remedies provided in this Agreement.

10.10. No Assignment. Any assignment of this Agreement by Client without AVID Center's prior written consent shall be null and void.

10.11. Amendment. Any amendment of this Agreement must be in writing and signed by both parties.

10.12. Entire Agreement. This Agreement is the entire agreement between the parties relating to the subject matter hereof.

10.13. Counterparts. This Agreement may be executed in counterparts and a party's executed signature page may be delivered by electronic mail or other written means.

10.14. Indemnification/Hold Harmless. AVID Center agrees to defend, indemnify and hold harmless Client, its Board of Trustees, officers, agents and employees, volunteers, individually and collectively, from and against all costs, losses, claims, demands, suits, actions, payments and judgments, including legal and attorney fees, arising from personal or bodily injuries, property damage or otherwise, however caused, brought or recovered against any of the above that may arise for any negligent acts from or during or be alleged to be caused by AVID Center's officers, agents, employees and volunteers.

The Client agrees to defend, indemnify and hold harmless AVID Center, its officers, agents and employees, volunteers, individually and collectively, from and against all costs, losses, claims, demands, suits, actions, payments and judgments, including legal and attorney fees, arising from personal or bodily injuries, property damage or otherwise, however caused, brought or recovered against any of the above that may arise from any negligent acts from or during or be alleged to be caused by the Client, its Board of Trustees, officers, agents and employees, volunteers.

10.15. Insurance. General Liability. AVID Center shall maintain general liability insurance, including business or commercial automobile coverage (when applicable), each with limits of One Million Dollars (\$1,000,000) per occurrence for bodily injury and property damage. The policy shall name the District as an additional insured through endorsement.

Workers' Compensation. AVID Center shall maintain Workers' Compensation Insurance in conformance with the laws of the State of California and Federal laws when applicable.

AVID Center must provide insurance documentation prior to the commencement of work.

10.16. Agreement Contingent on Governing Board Approval. The Client shall not be bound by the terms of this Agreement until it has been formally approved or ratified by the District's Governing Board, and no payment shall be owed or made to AVID Center absent formal approval.

10.17. Contract Publicly Posted. This contract, its contents, and all incorporated documents are public documents and will be made available by the Client to the public online via the Internet.

ALAMEDA UNIFIED SCHOOL DISTRICT
Excellence & Equity For All Students

Professional Services Agreement

This Agreement is entered into between the Alameda Unified School District (AUSD) and The Eval Group (CONTRACTOR). AUSD is authorized by Government Code Section 53060 to contract for the furnishing of special services and advice in financial, economic, account, engineering, legal, and administrative matters with persons specially trained, experienced, and competent to perform such services. CONTRACTOR is specially trained, experienced, and competent to provide such services. The parties agree as follows:

1. **Services.** The CONTRACTOR shall provide the following services (include location, dates, to whom services are provided):

Jojo Lynch will work as a Special Education teacher at Lincoln Middle School in a MM position for the 24-25 school year.

2. **Terms.** The term of this agreement shall be from August 14, 2024 for the day immediately following approval by the Superintendent or Assistant Superintendent(s) per (Education Code(s) §35161 and §17600) if the aggregate amount CONTRACTOR contracted with AUSD is below \$114,500; or, approved by the Board of Education if the total contract(s) exceeds \$114,500) to June 30, 2025. The work shall be completed no later than June 6, 2025.

3. **Compensation.** This sum shall be for full performance of this Agreement and includes fees, costs, and expenses incurred by CONTRACTOR including, but not limited to labor, materials, taxes, profit, overhead, travel, insurance, subcontractor costs, and other costs. **Select one of the following:**

- 3.1.1 CONTRACTOR is providing services for a flat fee which shall not exceed \$_____.
- 3.1.2 CONTRACTOR will be compensated at an hourly rate. CONTRACTOR will provide a maximum hours of service at a rate of \$125 /hour for a total not to exceed \$ 183,000.00 .
- 3.1.3 Other:_____.

AUSD shall not be liable to CONTRACTOR for any costs or expenses paid or incurred or equipment, materials or supplies used by CONTRACTOR in performing services for AUSD, except as follows n/a; which shall not exceed a total cost of \$_____.

Payment for the work shall be made for all undisputed amounts in monthly installment payments within forty-five (45) days after the CONTRACTOR submits an invoice to AUSD for work actually completed and after AUSD's written approval of the work, or the portion of the work for which payment is to be made.

The granting of any payment by AUSD or the recipient thereof by CONTRACTOR, shall in no way lessen the liability of CONTRACTOR to correct unsatisfactory work, although the unsatisfactory character of that work may not have been apparent or detected at the time a payment was made. Work, which does not conform to the requirements of this Agreement, may be rejected by AUSD and in that case must be replaced by CONTRACTOR without delay.

4. Strategic Alignment. Select one of the following:

4.1 **School-based Agreements:** How does this service support academic goals and increase student achievement as described in the Board-approved School Site Plan? _____

4.2 **Central Office Agreements:** How does this service support the overall strategic goals of the department and increase student achievement? Necessary for students to receive special education services.

5. Conduct of Contractor. CONTRACTOR will adhere to the following staff requirements and provide AUSD with evidence of staff qualifications as identified prior to commencing the work under this Agreement and consistent with invoicing requirements outlined in Section 9.

5.1 Tuberculosis Screening. Select one of the following:

5.1.1 TB Clearance will be completed through AUSD prior to starting work or such records are already on file.

5.1.2 Agency certifies that they require all employees or subcontractors to complete TB testing and maintain such records.

5.1.3 **Waiver of TB Screening.** CONTRACTOR is not required to provide evidence of TB Clearance because CONTRACTOR will not work directly with students more than eight (8) hours.

dk (CONTRACTOR initials)

_____ (AUSD Representative initials)

5.2 Fingerprinting of Employees and Agents. The fingerprinting and criminal background investigation requirements of Education Code Section 45125.1 apply to CONTRACTOR's services under this Agreement and CONTRACTOR certifies its compliance with these provisions as follows: "CONTRACTOR has complied with the fingerprinting and criminal background investigation requirements of Education Code Section 45125.1 with respect to all CONTRACTOR's employees, subcontractors, agents, and subcontractors' employees or agents ("Employees") regardless of whether those Employees are paid or unpaid, concurrently employed by AUSD or acting as independent contractors of CONTRACTOR, who may have contact with AUSD pupils in the course of providing services pursuant to the Agreement, and the California Department of Justice has determined that none of those Employees has been convicted of a felony, as that term is defined in Education Code Section 45122.1. CONTRACTOR further certifies that it has received and reviewed fingerprint results for each of its Employees and CONTRACTOR has requested and reviewed subsequent arrest records for all Employees who may come into contact with AUSD pupils in providing services to the AUSD under this Agreement."

Fingerprinting of Employees and Agents. Select one of the following:

5.2.1 Fingerprint Clearance will be completed through AUSD prior to starting work or records are already on file.

5.2.2 Agency or Organization certifies that they require all employees or subcontractors to complete fingerprinting and maintains such records.

5.2.3 **Waiver of Fingerprint Requirement.** CONTRACTOR is not required to comply with section 5.2 as:

CONTRACTOR staff will have no contact or interactions with students outside of the immediate and constant supervision and control of the pupil's parent or guardian or a school employee; or

CONTRACTOR services under this Agreement shall be limited to the construction, reconstruction, rehabilitation, or repair of a school facility, and CONTRACTOR'S employees shall have only limited contact with students. Accordingly, the requirements of Education Code section 45125.2 shall not apply to services under this Agreement:

_____ (CONTRACTOR initials)

_____ (AUSD Representative initials)

5.3 **Removal of CONTRACTOR's Employee(s).** In the event that AUSD, in its sole discretion, at any time during the term of this Agreement, desires the removal of any CONTRACTOR-related persons, employee, representative, or agent from an AUSD school site and/or property, CONTRACTOR shall immediately upon receiving notice from AUSD of such desire, cause the removal of such person or persons.

6. **Insurance.** The CONTRACTOR shall procure and maintain the following insurance coverage at all times. Failure to provide documentation or maintain coverage during the contract term will result in termination.

6.1 Workers' Compensation and Employers' Liability Insurance. Workers' Compensation Insurance and Employers' Liability Insurance for all of its employees performing any portion of the Services in conformance with the laws of the State of California and Federal laws when applicable. Workers' Compensation shall meet statutory requirements and Employers' Liability Insurance shall not be less than One Million Dollars (\$1,000,000) per occurrence. **Select one of the following:**

The CONTRACTOR is aware of and in compliance of the provisions of Section 5300 of the Labor Code and will provide AUSD proof of coverage before commencing the performance of the work of this Agreement.

*CONTRACTOR acknowledgement DPK

The CONTRACTOR is exempt from Workers' Compensation Requirements as a Sole proprietor or Independent Contractor with no employees.

6.2 General Liability and Automobile Liability Insurance. Commercial General Liability Insurance and when applicable, Automobile Liability Insurance (Any Auto) that shall protect the CONTRACTOR and AUSD, from all claims of bodily injury, property damage, personal injury, death, advertising injury, and medical payments arising performing any portion of the Service with a minimum requirement of One Million Dollars (\$1,000,000) per occurrence. Certain professional services provided through this Agreement may require higher cover limits as determined by AUSD.

*CONTRACTOR acknowledgement Doris Kanoun DPK

6.3 Professional Liability Insurance. If CONTRACTOR is providing AUSD professional or advice or consultation for implementation under this Agreement, CONTRACTOR shall maintain errors and omissions insurance or professional liability insurance with coverage limits of One Million Dollars (\$1,000,000) per claim.

Waiver of Professional Liability Insurance. CONTRACTOR is not required to maintain professional liability insurance due to the scope of services in this Agreement.

dk (CONTRACTOR initials)

_____ (AUSD Representative initials)

6.4 Proof of Carriage of Insurance. CONTRACTOR shall not commence performing any portion of the Services until all required insurance has been obtained and certificates indicating the required coverages have been provided to AUSD and approved by AUSD. Certificates and insurance policies shall include the following:

6.4.1 A clause stating: "This policy shall not be canceled or reduced in required limits of liability or amounts of insurance until notice has been mailed to the AUSD, stating date of cancellation or reduction. Date of cancellation or reduction shall not be less than thirty (30) days after date of mailing notice."

6.4.2 An endorsement stating that the AUSD are named additional insureds under all policies except Workers' Compensation Insurance, Professional Liability, and Employers' Liability Insurance. An endorsement shall also state that the Contractor's insurance policies shall be primary to any insurance or self-insurance maintained by the AUSD.

6.4.3 All policies shall be written in an occurrence form.

6.4.4 Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A: VII, unless otherwise acceptable to the AUSD.

7. Notices. All notices provided for under this Agreement shall be in writing and either personally delivered during normal business hours or sent by U.S. Mail (certified, return receipt requested) with postage prepaid to the other party at the address set forth below:

AUSD	CONTRACTOR
Name: <u>Randhir Bains</u>	Name: <u>The Eval Group</u>
Title: <u>Senior Director Special Educaiton</u>	Title: <u>Director</u>
Address: <u>2060 Challenger Dr</u> <u>Alameda, CA 94501</u>	Address: <u>171 Main St #567</u> <u>Los Altos, Ca 94022</u>
Email: <u>rbains@alamedaunified.org</u>	Email: <u>dorisk@evalgroup.com</u>

Notice shall be effective when received if personally served or, if mailed, three days after mailing. Either party must give written notice of a change in address.

8. Invoicing. Invoices furnished by CONTRACTOR under this Agreement must be in a form acceptable to AUSD. All amounts paid by AUSD shall be subject to audit by AUSD.

8.1 Invoices shall be emailed directly to accountspayable@alamedaunified.org or mailed to Attn: Accounts Payable at 2060 Challenger Drive, Alameda, CA 94501. Invoice shall include but not be limited to: consultant name, consultant address, invoice date, invoice sequence number, purchase order number, name of school or department service was provided to, period of service, number of hours of service, brief description of services provided, hourly rate, and total payment requested.

9. **Licenses and Permits.** CONTRACTOR shall obtain and keep in force all licenses, permits, and certificates necessary for the performance of this Agreement.

10. **Contractor Qualifications / Performance of Services.**

10.1 **Contractor Qualifications.** CONTRACTOR is specially trained, experienced, competent and fully licensed to provide the Services required by this Agreement in conformity with the laws and regulations of the State of California, the United States of America, and all local laws, ordinances and regulations, as they may apply.

10.2 **Standard of Care.** CONTRACTOR represents that CONTRACTOR has the qualifications and ability to perform the Services in a professional manner, without the advice, control, or supervision of AUSD. Contractor's services will be performed, findings obtained, reports and recommendations prepared in accordance with generally and currently accepted principles and practices of its profession for services to California schools.

11. **Status of Contractor.** This is not an employment contract. CONTRACTOR, in the performance of this Agreement, shall be and act as an independent contractor. CONTRACTOR certifies that s/he performs work that is outside the usual course of the AUSD's business. CONTRACTOR further certifies s/he is customarily engaged in an independently established trade, occupation, or business of the same nature as that involved in the work performed. CONTRACTOR understands and agrees that it and all of its employees shall not be considered officers, employees, agents, partner, or joint venture of AUSD, and are not entitled to benefits of any kind or nature normally provided employees of AUSD and/or to which AUSD's employees are normally entitled, including, but not limited to, State Unemployment Compensation or Workers' Compensation. CONTRACTOR shall assume full responsibility for payment of all federal, state, and local taxes or contributions, including unemployment insurance, social security, and income taxes with respect to CONTRACTOR's employees. In the performance of the work herein contemplated, CONTRACTOR is an independent contractor or business entity, with the sole authority for controlling and directing the performance of the details of the work. AUSD's interest is only in the results obtained.

12. **Assignment.** The obligations of CONTRACTOR under this Agreement shall not be assigned by CONTRACTOR without the express prior written consent of AUSD.

13. **Site Access/Security.** While providing services as set forth in this contract, it may be determined that keys are necessary for access or emergency response. In the event that keys are approved to be issued to the CONTRACTOR, the CONTRACTOR acknowledges and agrees to the responsibility of securely maintaining said keys. The CONTRACTORS' duty, along with its employees or subcontractors if applicable, is to ensure the keys are kept safe, used only for business purposes, and not misused (shared, duplicated, etc.). In the event of any lost or stolen keys, the organization must report the incident to the AUSD in no less than 24 hours. Furthermore, should any contractor be reassigned to another site or their contract with AUSD terminate or expire, all individuals must return all keys to the original issuer on their final day. The CONTRACTOR assumes all liability for re-keying costs at any AUSD school site associated with the use, loss, or failure to return AUSD keys, including the potential of reduced or withheld invoice payments if necessary.

14. **Anti-Discrimination.** It is the policy of AUSD that in connection with all work performed under contracts there be no discrimination against any employee engaged in the work because of race, color, ancestry, national origin, religious creed, physical disability, medical condition, marital status, sexual orientation, gender, or age and therefore the CONTRACTOR agrees to comply with applicable federal and California laws including, but not limited to, the California Fair Employment and Housing Act beginning with Government Code Section 12900 and Labor Code Section 1735 and AUSD policy. In addition, the CONTRACTOR agrees to require like compliance by all its subcontractors. Contractor shall not engage in unlawful discrimination in employment on the basis of actual or perceived race, color, national origin, ancestry, religion, age, marital status, pregnancy, physical or mental disability, medical condition, veteran status, gender, sex, or sexual orientation.

- 15. Drug-Free/Smoke Free Policy.** No drugs, alcohol, and/or smoking are allowed at any time in any buildings and/or grounds on AUSD property. No students, staff, visitors, CONTRACTORS, or subcontractors are to smoke or use drugs or alcohol on these sites.
- 16. Indemnification.** CONTRACTOR agrees to defend, indemnify and hold harmless AUSD, its Board, trustees, officers, agents, employees and volunteers from all claims, including active and passive claims, losses, costs, attorney fees and expenses arising out of any liability or claim of liability for personal injury, bodily injury to persons or death, contractual liability and damage to property sustained or claimed to have been sustained arising out of activities of the CONTRACTOR or its sub-Contractors, and any other person, firm or corporation furnishing or supplying services, materials or supplies in conjunction with the services of the CONTRACTOR, whether authorized by this Agreement or not. CONTRACTOR further agrees to waive all rights of subrogation against AUSD. The provisions of this article do not apply to any damage or losses caused solely by the negligence or willful misconduct of AUSD or any of its agents or employees
- 17. Copyright/Trademark/Patent/Ownership.** CONTRACTOR understands and agrees that all matters produced under this Agreement shall become the property of AUSD and cannot be used without AUSD's express written permissions. AUSD shall have all rights, title, and interest in said matters, including the right to secure and maintain the copyright, trademark and/or patent of said matter in the name of AUSD. CONTRACTOR consents to use of CONTRACTOR's name in conjunction with the sale, use, performance, and distribution of the matters for any purpose and in any medium. These matters include, without limitation, drawings, plans, specifications, studies, reports, manuals and computation sheets, the contents of computer diskettes, artwork copy, posters, billboards, photographs, videotapes, audiotapes, systems designs, software, reports, diagrams, surveys, source codes, or any other original works of authorships or other documents prepared by CONTRACTOR or its subcontractors in connection with the Services performed under this Agreement. All works shall be works for hire as defined under Title 17 of the United States Code, and all copyrights in those works are the property of AUSD.
- 18. Waiver.** No delay or omission by either party in exercising any right under this Agreement shall operate as a waiver of that or any other right or prevent a similar subsequent act from constituting a violation of the Agreement.
- 19. Termination.** AUSD may at any time terminate this Agreement upon written notice to CONTRACTOR. AUSD shall compensate CONTRACTOR for services satisfactorily provided through the date of termination. In addition, AUSD may terminate this Agreement for cause should CONTRACTOR fail to perform any part of this Agreement. In the event of termination for cause, AUSD may secure the required services from another contractor. If the cost to AUSD exceeds the cost of providing the services pursuant to the Agreement, CONTRACTOR shall pay the additional cost.
- 20. No Rights in Third Parties.** This Agreement does not create any rights in, or inure to the benefit of, any third party except as expressly provided herein.
- 21. AUSD's Evaluation of CONTRACTOR and CONTRACTOR's Employees and/or Subcontractors.** AUSD may evaluate the CONTRACTOR's work in any way that AUSD is entitled to do so pursuant to applicable law. The AUSD's evaluation may include, without limitation:
- 21.1** Requesting that AUSD employee(s) evaluate the CONTRACTOR and the CONTRACTOR's employees and subcontractors and each of their performance.
 - 21.2** Announced and unannounced observance of CONTRACTOR, CONTRACTOR's employee(s), and/or subcontractor.

- 22. Limitation of AUSD Liability.** Other than as provided in this Agreement, AUSD's financial obligations under this Agreement shall be limited to the payment of the compensation provided in this Agreement. Notwithstanding any other provision of this Agreement, in no event shall AUSD be liable, regardless of whether any claim is based on contract or tort, for any special, consequential, indirect, or incidental damages, including, but not limited to, lost profits or revenue, arising out of or in connection with this Agreement for the services performed in connection with this Agreement.
- 23. Confidentiality.** CONTRACTOR and all personnel designated by CONTRACTOR to perform under this Agreement shall maintain the confidentiality of information received in the course of performing this Agreement. This requirement shall extend beyond the effective termination or expiration date of this Agreement. In the event CONTRACTOR receives student data protected by the Family Educational Rights and Privacy Act ("FERPA"), Provider shall abide by Education Code section 49073, including the following: (a) Provider shall not use the student data provided, for an unauthorized purpose, transfer the student data to an unauthorized third party, or sell said data (b) Provider shall delete or otherwise dispose of student data in its possession after the termination of services under this Agreement (c) Provider shall undertake reasonable precautions to protect the student data and shall promptly report to the AUSD any unauthorized access to the student data.
- 24. Conflict of Interest.** CONTRACTOR shall be by and be subject to all applicable AUSD policies, regulations, statutes or other laws regarding conflict of interest. CONTRACTOR shall not hire any officer or employee of AUSD to perform any service by this Agreement. CONTRACTOR affirms to the best of his/her/its knowledge, there exists no actual or potential conflict of interest between CONTRACTOR's family, business or financial interest and the services provided under this Agreement. In the event of change in either private interest or services under this Agreement, any question regarding possible conflict of interest which may arise as a result of such change will be brought to AUSD's attention in writing. Through its execution of this Agreement, CONTRACTOR acknowledges that it is familiar with the provisions of Section 1090 et seq. and Section 87100 et seq. of the Government Code of the State of California, and certifies that it does not know of any facts which constitute a violation of said provisions. In the event CONTRACTOR receives any information subsequent to execution of this Agreement, which might constitute a violation of said provisions, CONTRACTOR agrees it shall notify AUSD of this information.
- 25. Integration/Entire Agreement of Parties.** This Agreement constitutes the entire agreement between the Parties and supersedes all prior discussions, negotiations, and agreements, whether oral or written. This Agreement may be amended or modified only by a written instrument executed by both Parties.
- 26. Litigation.** This Agreement shall be performed in Alameda, California and is governed by the laws of the State of California. The Alameda County Superior Court shall have jurisdiction over any state court litigation initiated to enforce or interpret this Agreement. If litigation is initiated, the prevailing party shall be entitled to reasonable attorney's fees and costs.
- 27. Agreement Contingent on Governing Board Approval.** The AUSD shall not be bound by the terms of this Agreement until it has been formally approved or ratified by the AUSD's Governing Board, and/or Executive Cabinet as its designee, and no payment shall be owed or made to CONTRACTOR absent formal approval.
- 28. Counterparts.** This Agreement and all amendments and supplements to it may be executed in counterparts, and all counterparts together shall be construed as one document. The Recitals and each Exhibit attached hereto are hereby incorporated herein by reference.

- 29. Contract Publicly Posted.** This contract, its contents, and all incorporated documents are public documents and will be made available by AUSD to the public online via the Internet.
- 30. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion.** CONTRACTOR certifies to the best of his/her/its knowledge and belief, that it and its principals are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency according to Federal Acquisition Regulation Subpart 9.4, and by signing this contract, certifies that this vendor does not appear on the Excluded Parties List.
- 31. Force Majeure.** At the AUSD's discretion, the Parties shall be excused from performance hereunder during the time and to the extent that it is prevented from performing in the customary manner by an act of God, fire, flood, war, riot, civil disturbance, terrorism, epidemic, quarantine/shelter in place order, strike, lockout, labor dispute, or any other occurrence which is beyond the control of the parties, when evidence thereof is presented to the other party. The AUSD shall not be responsible for any costs associated with this Agreement if performance is so excused.
- 32. Other.** Additional terms attached or edits to must be approved by AUSD.

CANCELLED

I. SITE

CONTRACTOR
Print Name & Title: Doris Kanoun - Director

CONTRACTOR Signature: *DKanoun* Date: 8/6/24

SOURCE OF FUNDS (check appropriate):

Unrestricted Funds (Fund 01) Donated Funds Restricted Funds

Budget Code: 01-6500-0-5760-1110-5800-040-40-0000

Randhir Bains Requesting Administrator Date: 08/07/2024

The person(s) signing this Agreement on behalf of each party has been given the proper authority and empowered to enter into this Agreement.

SEND TO: Business Services

II. HR

Human Resource Approval Yes No

T Erwin Signature of Human Resource Administrator Date: 08/07/2024
Timothy Erwin (Aug 7, 2024 12:00 PDT)

III. BOARD DELEGATES

- Superintendent, Pasquale Scuderi
- Assistant Superintendent of Human Resources, Tim Erwin
- Assistant Superintendent of Educational Services, Kirsten Zazo
- Assistant Superintendent of Business Services, Shariq Khan

K Zazo Signature of Superintendent or Assistant Superintendent Date: 08/07/2024
Kirsten Zazo (Aug 7, 2024 12:11 PDT)

IV. BOARD

BOE Approval Required for Contracts Equal To Or Greater Than \$114,500:

J Williams Signature of President, Board of Education Date: 8-13-2024
Jennifer Williams (Aug 14, 2024 21:50 PDT)

P Scuderi Signature of Secretary, Board of Education Date: 8-13-2024
Pasquale Scuderi (Aug 15, 2024 14:49 PDT)

**Addendum to Professional Services Agreement (PSA) Terms for
Providers of Particular Services**

33. Additional Insurance Requirements

In addition to requirements as detailed in 6. Insurance, CONTRACTOR will insurance coverage for sexual misconduct and harassment coverage with combined single limits of not less than \$1,000,000 per occurrence and \$3,000,000 aggregate

34. Training

Contractor certifies that staff providing services to the District shall arrive trained and certified for the service provided; including the Child Abuse and Neglect Reporting Act (CANRA) guidelines as Mandated Reporters as stated in California Penal Code § 11164 – 11174. Should Contractor choose to send staff to District training, those hours will not be paid by the District.

35. Paraprofessional Minimum Qualifications

All paraprofessionals (instructional and non-instructional) identified for potential placement at the District must meet the following minimum requirements for an instructional aide: a high school diploma or its equivalency and one of the following: (a) an AA degree or completion of 48 semester units in college; or (b) successful completion of the Instructional Assistant exam, administered by the Alameda County Office of Education or other COE as approved by the District. Such evidence of qualification (diploma, County record) shall be provided with each agency's signed PSA or Master Professional Services Agreement Addendum. The District will not counter-sign an agreement for placement without this included. Contractors who provide paraprofessionals without this qualification do so with no expectation of the District compensating services beyond their minimum rate.

36. Contract Approval Requirements

Contractor shall only provide services to the District as agreed to in a fully executed PSA or Master Professional Services Agreement Addendum. Contractors who provide staff for services without a countersigned Addendum do so with no expectation of payment. The District will not compensate any service that did not have a fully executed PSA or Master PSA Addendum before commencing, even should the service have been requested by staff verbally or through email, etc. The District will not retro-date and execute an agreement to cover these scenarios.

37. Invoicing for Agencies

For agencies staffing District positions, each must be invoiced separately and include the District PO number. The invoice must contain backup documentation indicating hours worked in a format acceptable to the District for payment to be processed.

Acknowledgment of these additional terms:


Kirsten Zabo (Aug 7, 2024 12:11 PDT)

District Representative


Contractor Representative

Legal Document Server, Inc
7162 Beverly Boulevard, 508
Los Angeles, CA 90036
+1 8006875003
billing@legaldocumentserver.com
www.legaldocumentserver.com



INVOICE

BILL TO

Alameda Unified School District
2060 Challenger Drive,
Alameda, CA, USA
Alameda, CA 94501
Attn: Danielle Krueger
Billing Code: 208431

INVOICE # 10346640
DATE 09/09/2024
DUE DATE 09/09/2024

ACTIVITY	QUANTITY	RATE	AMOUNT
Court eFiling Court eFiling Accepted - Documents E-Filed with the clerk of the court Please login into to the portal to view/print/download your conformed copies, 09/09/2024 Wiley W. Manuel Courthouse (eFiling) 661 Washington St., Oakland, CA, 94607 Request For Dismissal		11.95	11.95
Convenience Fee Payment Processing Fee	1	0.36	0.36

BILLING CODE: 208431
CASE #: 24SC072799
CASE NAME: ALAMEDA UNIFIED SCHOOL DISTRICT vs HUANG

PAYMENT 12.31
BALANCE DUE **\$0.00**

Invoice payment is due within 30 days of receipt. Please be advised that we will charge 1.5% interest per month on late invoices.

We truly appreciate your business, thank you!
EIN: 45-4430327

ALAMEDA UNIFIED SCHOOL DISTRICT
BOARD AGENDA ITEM

Item Title: Resolution No. 2024-2025.13 Approval of Budget Transfers, Increases, Decreases

Item Type: Consent

Background: After adopting the fiscal year budget, it is often necessary to make budgetary transfers and revisions. Budget transfers allow budget managers to redistribute funds as needs and plans change, and budget revisions allow the district to increase or decrease funds based on entitlements and grants received.

AUSD LCAP Goals: 4. Ensure that all students have access to basic services.

Fund Codes: 01 General Fund

Fiscal Analysis

Amount (Savings) (Cost): Will increase revenues and expenditures in the District in the amount of \$14,313.00.

Recommendation: Approve as submitted.

AUSD Guiding Principle: #1 - All students have the ability to achieve academic and personal success. | #5 - Accountability, transparency, and trust are necessary at all levels of the organization. | #6 - Allocation of funds must support our vision, mission, and guiding principles. | #7 - All employees must receive respectful treatment and professional support to achieve district goals.

Submitted By: Shariq Khan, Assistant Superintendent of Business Services

ATTACHMENTS:

Description	Upload Date	Type
☐ Resolution No. 2024-2025.13	9/16/2024	Resolution Letter
☐ Attachment A	9/16/2024	Backup Material

ALAMEDA UNIFIED SCHOOL DISTRICT
Alameda, California
Resolution

September 24, 2024

Resolution No. 2024-2025.13

Approval of Budget Transfers, Increases, Decreases

WHEREAS, the state statute require budget appropriations to be adopted by the Board of Education in the following object codes:

- 1000 Certificated Salaries
- 2000 Classified Salaries
- 3000 Employee Benefits
- 4000 Books and Supplies
- 5000 Services and Other Operating Expense
- 6000 Capital Outlay
- 7000 Other Sources and Uses

AND, WHEREAS, the Board of Education desires to change the adopted appropriations;

NOW, THEREFORE, BE IT RESOLVED that the changes be made to the adopted appropriations as per Attachment A.

PASSED AND ADOPTED by the following vote this 24th day of September, 2024:

AYES: _____ MEMBERS: _____

NOES: _____ MEMBERS: _____

ABSENT: _____ MEMBERS: _____

Jennifer Williams, President
Board of Education
Alameda Unified School District

ATTEST:

By: _____
Pasquale Scuderi, Secretary
Board of Education
Alameda Unified School District

BUDGET REVISIONS

(Budget Revisions affect Fund Balance;
Amounts are either added or subtracted from Fund Balance)

School/Dept	Description	Amount
Alameda HS	Donations	\$ 9,320.00
ASTI	Donations	\$ 1,400.00
Encinal HS	Donations	\$ 250.00
Lincoln MS	Donations	\$ 3,273.00
Ruby Bridges	Donations	\$ 70.00
TOTAL		\$ 14,313.00

ALAMEDA UNIFIED SCHOOL DISTRICT
BOARD AGENDA ITEM

Item Title: Resolution No. 2024-2025.14 Authorization to Dispose of Surplus Property

Item Type: Consent

Background: Education Code Sections 17545 and 17546 permit the Board of Education, through its designated agent, to legally dispose of surplus equipment that is either obsolete or in disrepair, and thus should be removed from district inventory.

Exhibits A, B, and C list items that are either damaged, obsolete, or no longer needed by the district, as well as materials that should be stored but are not currently required at the site.

Approval of Resolution No. 2024-2025.14 will authorize staff to dispose of these items in the most appropriate manner, in accordance with Administrative Regulation 3270: Sale and Disposal of Books, Equipment, and Supplies.

AUSD LCAP Goals: 1. Eliminate barriers to student success and maximize learning time.

Fund Codes:

Fiscal Analysis

Amount (Savings) (Cost): N/A

Recommendation: Approve as submitted.

AUSD Guiding Principle: #5 - Accountability, transparency, and trust are necessary at all levels of the organization. | #6 - Allocation of funds must support our vision, mission, and guiding principles.

Submitted By: Shariq Khan, Assistant Superintendent of Business Services

ATTACHMENTS:

Description	Upload Date	Type
☐ Resolution No. 2024-2025.14	9/16/2024	Resolution Letter
☐ Exhibit A	9/17/2024	Exhibit
☐ Exhibit B	9/17/2024	Exhibit
☐ Exhibit C	9/17/2024	Exhibit

ALAMEDA UNIFIED SCHOOL DISTRICT
Alameda, California
Resolution

September 24, 2024

Resolution No. 2024-2025.14

Authorization to Dispose of Surplus Property

WHEREAS, the state requires a resolution to be adopted by the Board of Education for the property transfer or retirement of used and obsolete equipment used in Maintenance, Operations, and Facilities, Food Services, or Technology as listed in:

Exhibits A, B & C - Property Transfer or Retirement Forms

AND WHEREAS, the Board of Education desires to change the adopted appropriations,

NOW, THEREFORE, BE IT RESOLVED that the changes be made to the adopted appropriations as per the Exhibit.

PASSED AND ADOPTED by the following vote this 24th day of September, 2024:

AYES: _____ MEMBERS: _____

NOES: _____ MEMBERS: _____

ABSENT: _____ MEMBERS: _____

Jennifer Williams, President
Board of Education
Alameda Unified School District

ATTEST:

By: _____
Pasquale Scuderi, Secretary
Board of Education
Alameda Unified School District

Alameda Unified School District
Business Services
2060 Challenger Drive, Alameda, CA 94501
Phone 510.337.7066

Property Transfer or Retirement Form

From:
Current Location

To:
New Location

Quantity	Item Description	Model or Serial Number	AUSD Number	Condition
850	See attached list			

E-waste – Please Submit This Form to the Technology Dept.
Furniture & Equipment – Please Submit This Form to MOF

Approved and Released by Site Administrator Signature: _____

Director Signature: _____

Forward Director Approved Form to Business Services

Assistant Superintendent of Business Services Signature: _____

BOE Consent Item Approval (Date): _____

Forward Form to Purchasing

Posted to Inventory Control by Purchasing (Date): _____

Condition Code:

1	Excellent
2	Fair
3	Poor-Retire

Quantity	Item Description	Model or Serial #	AUSD Asset #	Condition
1	AverVision 300AF+	6053209030P	3002	3
1	HP Aruba Switch	CN71G9C04K	24988	3
1	HP Aruba Switch	CN72G9C012	44438	3
1	HP Aruba Switch	CN65G9F0SB	33556	3
1	HP Elitebook	BCAK3012CFE2M0CZLT	14257	3
1	HP Elitebook	BCAK3102CFE2N0CLPD	14253	3
1	Dell Optiplex 7010	1.86194E+11	17201	3
1	HP Laserjet 3055	CNRK356316	4226	3
1	HP Laserjet P3015	VND3G33951	15512	3
1	DELL E7470	D6QZ9G2	34433	3
1	DELL LATITUDE 5480	FF9N7H2	24912	3
1	InFocus Projector	BJCB20801758	11279	3
1	InFocus Projector	BJCK35000736	16250	3
1	HP Color Laserjet CP3525n	CNCC9BF1CN	5868	3
1	AverVision 300AF+	5150408060P	2446	3
1	HP Elitebook 820	5CG5440SZ8	16683	3
1	Dell Inspiron mini	HXQQ2Q1	11890	3
1	Dell Latitude E5470	J8KCGC2	18375	3
1	Dell Latitude E5470	6HH7GC2	18307	3
1	Dell Latitude E5470	CHNBGC2	18216	3
1	Dell Latitude E7470	BX46L72	34409	3
1	InFocus Projector	BMZM44900510	15583	3
1	Epson Powerlite 575W LCD projector	UJWK4700437	15358	3
1	Dell Latitude E5470	GMCR3G2	24469	3
1	Dell Latitude E5470	91RCGC2	18265	3
1	Dell Latitude E5470	311CGC2	18235	3
1	Dell Latitude E6530	5X4JXW1	11599	3
1	Dell Latitude E5470	7DFR3G2	24486	3
1	Dell Latitude E5470	4D9HHC2	34408	3
1	Dell Latitude E5470	H4BR3G2	24465	3
1	Dell Latitude E5470	6LN5GC2	18338	3
1	Dell Latitude E5470	7L7P3G2	24452	3
1	Dell Latitude E5470	CDR9GC2	18209	3
1	Dell Latitude E7470	79BH2G2	34432	3
1	Dell Latitude E5470	67DCGC2	18172	3
1	Dell Latitude 5480	78RKP2	26810	3
1	Dell Latitude E5470	7TBMDC2	18363	3
1	Dell Latitude E5470	8Z8NFH2	25147	3
1	Dell Latitude E5470	56R9GC2	18304	3
1	AverVision 300AF+	5025612030P	10533	3
1	Dell Latitude E7470	B9BNMC2	34418	3
1	Dell Latitude 5490	GW7VMV2	33378	3
1	Dell Latitude E5470	DC95GC2	18124	3
1	Dell Latitude E5470	D5HMDC2	18351	3
1	Dell Latitude E5470	7Q7P3G2	24436	3
1	Dell Latitude E5470	1NXMDC2	18359	3
1	NEC M300XS Projector	3900052UK	16235	3
1	IPAD 2 WIFI 16GB	F5QM92U7DFHW	14080	3
1	NP-UM330X-WK, NEC XGA, LCD Projecto	4Y00091EC	15491	3
1	DELL OPTIPLEX 760	GH125K1	11604	3
1	AVERVISION 300AF+	5119608110P	2346	3
1	Makerbot Replicator 3D Printer	R50039571	17385	3
1	DELL OPTIPLEX 9020	JN7YT12	14617	3
1	DELL OPTIPLEX 9020	JN73V12	14657	3
1	DELL OPTIPLEX 9020	JN83W12	14655	3

Quantity	Item Description	Model or Serial #	AUSD Asset #	Condition
1	DELL OPTIPLEX 9020	JN7BV12	14622	3
1	DELL OPTIPLEX 9020	JN7XT12	14614	3
1	DELL OPTIPLEX 9020	JN79V12	14656	3
1	DELL OPTIPLEX 9020	JN82W12	14624	3
1	DELL OPTIPLEX 9020	JN7QV12	14628	3
1	DELL OPTIPLEX 9020	JN82N02	33832	3
1	DELL OPTIPLEX 9020	JN7YM02	14658	3
1	DELL OPTIPLEX 9020	JN7WV12	14671	3
1	DELL OPTIPLEX 9020	JN83V12	14620	3
1	DELL OPTIPLEX 9020	JN7PV12	14630	3
1	DELL OPTIPLEX 9020	JN73W12	14659	3
1	InFocus IN114a DLP projector	BMZB43501508	15220	3
1	InFocus IN114	BJCK35000846	14347	3
1	INFOCUS IN114	BJCB20601655	10506	3
1	NEC U300X	2Y00659CL	16133	3
1	Epson PowerLite 685W - 3LCD projector - LAN	X2AD8400293	28569	3
1	NEC XGA, LCD, 3300 Lumen Ultra Throw Projector	3X00032FC	14276	3
1	NEC XGA, LCD, 3300 Lumen Ultra Throw Projector	4600512FC	14965	3
1	NP-M300XS NEC Projector	3X00365UK	14170	3
1	NEC XGA Projector	NP-UM361X 5401153029	15977	3
1	HP Stream Pro 11 G3 - 11.6in - Celeron N3060 - 4 G	5CD7255BRR	26711	3
1	HP Stream Pro 11 G3 - 11.6in - Celeron N3060 - 4 G	5CD7255BTQ	26717	3
1	HP Stream Pro 11 G3 - 11.6in - Celeron N3060 - 4 G	5CD7255CY8	26715	3
1	Chromebook 11-v0	8CG637466M	12419	3
1	Chromebook 11-v0	8CG650672Y	12456	3
1	Acer Chromebook 11 (C720, C720P)	NXSHEAA004404147617600	12480	3
1	Acer Chromebook 11 (C740)	NXEF2AA002507098D97600	15646	3
1	Acer Chromebook 11 (C740)	NXEF2AA002507098DA7600	15648	3
1	Acer Chromebook 11 (C740)	NXEF2AA00250709E497600	15654	3
1	HP Chromebook 11 G3/G4/G4 EE	5CD5394P63	16760	3
1	HP Chromebook 11 G3/G4/G4 EE	5CD5457WVN	16888	3
1	HP Chromebook 11 G3/G4/G4 EE	5CD5470T3Z	17280	3
1	HP Chromebook 11 G3/G4/G4 EE	5CD6092VWV	17505	3
1	HP Chromebook 11 G3/G4/G4 EE	5CD6092VXX	17518	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA00560410C407600	17717	3
1	HP Chromebook 11 G3/G4/G4 EE	5CD6181FM9	17918	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342CA217600	18588	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C9FB7600	18589	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C9EB7600	18592	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA00563502FE37600	18593	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C85F7600	18594	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA00563502FB07600	18595	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C4877600	18609	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C7DB7600	18611	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C4367600	18612	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C79E7600	18614	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C6EA7600	18621	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C6DB7600	18623	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C6EB7600	18624	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C9DD7600	18625	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C9E37600	18627	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C9DA7600	18628	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C9EA7600	18631	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA005635030717600	18634	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C8127600	18638	3

Quantity	Item Description	Model or Serial #	AUSD Asset #	Condition
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056350303D7600	18641	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA00563502FF07600	18642	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA00563502FDB7600	18643	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA00563502FF27600	18645	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA00563502FD57600	18648	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C7E77600	18649	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C7E27600	18650	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C70C7600	18651	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C7F67600	18652	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C7FB7600	18653	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA00563502A027600	18654	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA00563502ADC7600	18655	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA00563502AD57600	18656	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C9F07600	18657	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C9DF7600	18658	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C9ED7600	18660	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342CA0C7600	18661	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342CA147600	18662	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C15E7600	18665	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C2FD7600	18666	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C9F47600	18667	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C4B57600	18668	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342CA117600	18669	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C3027600	18670	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C1117600	18672	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C6FB7600	18673	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C6FD7600	18674	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C7DA7600	18675	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA00563502AC07600	18676	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C7E17600	18677	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C7E97600	18678	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C7E87600	18679	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA00563502AB37600	18681	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA00563502AC47600	18682	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C5967600	18685	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C8207600	18686	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C7DD7600	18687	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C7EE7600	18688	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C0CC7600	18689	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C0D57600	18691	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C8577600	18702	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C6E27600	18705	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C6CD7600	18707	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C12B7600	18715	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C1487600	18716	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C00A7600	18719	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C6F97600	18722	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C5EC7600	18725	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C49F7600	18726	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342CB897600	18728	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA00563502FB67600	18733	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C5F57600	18734	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342CB547600	18735	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C6A47600	18736	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C85E7600	18737	3

Quantity	Item Description	Model or Serial #	AUSD Asset #	Condition
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056350303C7600	18741	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA005635030427600	18742	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C3F97600	18744	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA00563502F657600	18745	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C9847600	18746	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA005635030487600	18748	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342CC5B7600	18762	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C7237600	18763	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C42D7600	18764	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342CA617600	18765	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA00563502FF47600	18768	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C0D77600	18769	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C0D27600	18770	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C00E7600	18771	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C09F7600	18772	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C0DA7600	18774	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C0D07600	18775	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C0D37600	18776	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C6067600	18777	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C6D57600	18778	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C5EF7600	18779	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C6C47600	18782	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C6CB7600	18783	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA00563502FDF7600	18785	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056350302B7600	18786	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA005635030077600	18788	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA005635030357600	18789	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342CA0D7600	18795	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342CA107600	18796	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C9EE7600	18797	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C9FE7600	18798	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C9F87600	18799	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342CA007600	18800	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA00563502F937600	18801	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056350302F7600	18804	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA0056342C9997600	18805	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA005635030457600	18807	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA005635030367600	18809	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA00563502FFC7600	18810	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA00563502FE17600	18811	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA005635030197600	18812	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA00564225B957600	18956	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA00564225BA97600	18963	3
1	Chromebook 11-v0	8CG6325TST	19058	3
1	Chromebook 11-v0	8CG6325SYT	19083	3
1	Chromebook 11-v0	8CG6325T3K	19158	3
1	Chromebook 11-v0	8CG6325T3N	19159	3
1	Chromebook 11-v0	8CG6325T0X	19160	3
1	Chromebook 11-v0	8CG6325TZP	19161	3
1	Chromebook 11-v0	8CG6323QFV	19168	3
1	Chromebook 11-v0	8CG6325T37	19208	3
1	Chromebook 11-v0	8CG6325TBC	19211	3
1	Chromebook 11-v0	8CG6325T2B	19215	3
1	Chromebook 11-v0	8CG6325TGY	19269	3
1	Chromebook 11-v0	8CG6315GMD	19282	3

Quantity	Item Description	Model or Serial #	AUSD Asset #	Condition
1	Chromebook 11-v0	8CG6322532	19370	3
1	Chromebook 11-v0	8CG63461L0	19376	3
1	Chromebook 11-v0	8CG63224MY	19383	3
1	Chromebook 11-v0	8CG63461ZC	19403	3
1	Chromebook 11-v0	8CG634620G	19438	3
1	Chromebook 11-v0	8CG63461VT	19473	3
1	Chromebook 11-v0	8CG634621Y	19495	3
1	Chromebook 11-v0	8CG63225X4	19515	3
1	Chromebook 11-v0	8CG6345B2L	19639	3
1	Chromebook 11-v0	8CG63224M9	19673	3
1	Chromebook 11-v0	8CG632246Y	19690	3
1	Chromebook 11-v0	8CG6320Y1G	19709	3
1	Chromebook 11-v0	8CG63225GP	19740	3
1	Chromebook 11-v0	8CG6323PBT	19817	3
1	Chromebook 11-v0	8CG6323PBL	19819	3
1	Chromebook 11-v0	8CG6323PBH	19871	3
1	Chromebook 11-v0	8CG63347VM	19934	3
1	Chromebook 11-v0	8CG63348GS	19951	3
1	Chromebook 11-v0	8CG6471BDN	20099	3
1	Chromebook 11-v0	8CG64914NR	20112	3
1	Chromebook 11-v0	8CG6471BNM	20148	3
1	Lenovo N42 Chromebook	LR06RP53	20195	3
1	HP Chromebox G1	5CD71004N1	20394	3
1	HP Chromebox G1	5CD71004YN	20407	3
1	Chromebook 11-v0	8CG6506NJH	20554	3
1	Chromebook 11-v0	8CG6512D83	20559	3
1	Chromebook 11-v0	8CG6506Q5J	20565	3
1	Chromebook 11-v0	8CG6506Q5S	20571	3
1	Chromebook 11-v0	8CG65067VX	20593	3
1	Chromebook 11-v0	8CG6511BL6	20596	3
1	Chromebook 11-v0	8CG65067VQ	20604	3
1	Chromebook 11-v0	8CG6506NR5	20661	3
1	Chromebook 11-v0	8CG6506Q4S	20662	3
1	Chromebook 11-v0	8CG6506NJL	20688	3
1	Chromebook 11-v0	8CG6506Q37	20696	3
1	Chromebook 11-v0	8CG6505461	20841	3
1	Chromebook 11-v0	8CG65052Y9	20856	3
1	Chromebook 11-v0	8CG6504NM8	20863	3
1	Chromebook 11-v0	8CG6504TQ8	20882	3
1	Chromebook 11-v0	8CG6504NLS	20888	3
1	Chromebook 11-v0	8CG6504TP1	20891	3
1	Chromebook 11-v0	8CG6504NH5	20893	3
1	Chromebook 11-v0	8CG6504NCQ	20896	3
1	Chromebook 11-v0	8CG6504TMS	20901	3
1	Chromebook 11-v0	8CG6504TMM	20908	3
1	Chromebook 11-v0	8CG6502327	20910	3
1	Chromebook 11-v0	8CG6504TNR	20939	3
1	Chromebook 11-v0	8CG6504TMN	20940	3
1	Chromebook 11-v0	8CG650548F	20944	3
1	Chromebook 11-v0	8CG6511DZ4	20965	3
1	Chromebook 11-v0	8CG6513M4D	21008	3
1	Chromebook 11-v0	8CG6513WX6	21040	3
1	Chromebook 11-v0	8CG6513VHT	21061	3
1	Chromebook 11-v0	8CG6513X58	21080	3
1	Chromebook 11-v0	8CG6513VJ5	21086	3

Quantity	Item Description	Model or Serial #	AUSD Asset #	Condition
1	Chromebook 11-v0	8CG6511F0Q	21128	3
1	Chromebook 11-v0	8CG6513VK3	21159	3
1	Chromebook 11-v0	8CG6513X26	21183	3
1	Chromebook 11-v0	8CG6511DJR	21206	3
1	Chromebook 11-v0	8CG6513VKG	21213	3
1	Chromebook 11-v0	8CG6513MDF	21220	3
1	Chromebook 11-v0	8CG6513VKM	21224	3
1	Chromebook 11-v0	8CG6513X63	21293	3
1	Chromebook 11-v0	8CG6513X67	21296	3
1	Chromebook 11-v0	8CG6513VWT	21306	3
1	Chromebook 11-v0	8CG6510VD8	21422	3
1	Chromebook 11-v0	8CG6515LPY	24029	3
1	Chromebook 11-v0	8CG6515LNZ	24092	3
1	Chromebook 11-v0	8CG6515LNH	24146	3
1	Chromebook 11-v0	8CG6515LQ0	24168	3
1	Chromebook 11-v0	8CG7133F75	24185	3
1	Chromebook 11-v0	8CG6515LQB	24220	3
1	Chromebook 11-v0	8CG7133F77	24292	3
1	Chromebook 11-v0	8CG7133D5H	24319	3
1	Chromebook 11-v0	8CG7133D86	24321	3
1	Chromebook 11-v0	8CG7132M5W	24327	3
1	Chromebook 11-v0	8CG7133F7S	24331	3
1	Chromebook 11-v0	8CG7133F6X	24343	3
1	Chromebook 11-v0	8CG71322D6	24346	3
1	Chromebook 11-v0	8CG7153N0D	24642	3
1	Chromebook 11-v0	8CG7151075	24737	3
1	Chromebook 11-v0	8CG715107V	24747	3
1	Chromebook 11-v0	8CG7153N0S	24763	3
1	Chromebook 11-v0	8CG65038CT	25021	3
1	Chromebook 11-v0	8CG71321NP	25252	3
1	Chromebook 11-v0	8CG71321MR	25255	3
1	Chromebook 11-v0	8CG72145T3	25387	3
1	Chromebook 11-v0	8CG721465R	25406	3
1	Chromebook 11-v0	8CG7324GT3	25485	3
1	Chromebook 11-v0	8CG7324H42	25497	3
1	Chromebook 11-v0	8CG73257L1	25535	3
1	Chromebook 11-v0	8CG7325715	25542	3
1	Chromebook 11-v0	8CG73245PQ	25576	3
1	Chromebook 11-v0	8CG73245QD	25602	3
1	Chromebook 11-v0	8CG73256WQ	25718	3
1	Chromebook 11-v0	8CG7324761	25723	3
1	Chromebook 11-v0	8CG73245KX	25813	3
1	Chromebook 11-v0	8CG7361TY9	25823	3
1	Chromebook 11-v0	8CG7363N5V	26033	3
1	Chromebook 11-v0	8CG7362Z7T	26139	3
1	Chromebook 11-v0	8CG7363N4V	26197	3
1	Chromebook 11-v0	8CG7374KC6	26750	3
1	Chromebook 11-v0	8CG73730GH	26872	3
1	Chromebook 11-v0	8CG73683SN	26896	3
1	Chromebook 11-v0	8CG7373993	26897	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA011710165297600	26909	3
1	HP Chromebook 11 G5 EE	5CD7517M7T	26987	3
1	HP Chromebook 11 G5 EE	5CD7517M7J	26989	3
1	HP Chromebook 11 G5 EE	5CD7517LKL	26991	3
1	HP Chromebook 11 G5 EE	5CD7517M79	26992	3

Quantity	Item Description	Model or Serial #	AUSD Asset #	Condition
1	HP Chromebook 11 G5 EE	5CD7517LJM	26995	3
1	HP Chromebook 11 G5 EE	5CD7517L82	26999	3
1	HP Chromebook 11 G5 EE	5CD7517K4V	27003	3
1	HP Chromebook 11 G5 EE	5CD7517L9B	27005	3
1	HP Chromebook 11 G5 EE	5CD7517LCK	27010	3
1	HP Chromebook 11 G5 EE	5CD7517NPM	27062	3
1	HP Chromebook 11 G5 EE	5CD7517LY2	27074	3
1	HP Chromebook 11 G5 EE	5CD7517LYN	27077	3
1	HP Chromebook 11 G5 EE	5CD75130S0	27079	3
1	HP Chromebook 11 G5 EE	5CD7517M17	27081	3
1	HP Chromebook 11 G5 EE	5CD7517M0V	27083	3
1	HP Chromebook 11 G5 EE	5CD7517LNH	27084	3
1	HP Chromebook 11 G5 EE	5CD7517M0B	27085	3
1	HP Chromebook 11 G5 EE	5CD7517LYY	27089	3
1	HP Chromebook 11 G5 EE	5CD7517LYZ	27091	3
1	HP Chromebook 11 G5 EE	5CD7517LZF	27093	3
1	HP Chromebook 11 G5 EE	5CD7517M00	27094	3
1	HP Chromebook 11 G5 EE	5CD7517LWD	27096	3
1	HP Chromebook 11 G5 EE	5CD7517LX6	27099	3
1	HP Chromebook 11 G5 EE	5CD7517N8R	27108	3
1	HP Chromebook 11 G5 EE	5CD7517L2G	27109	3
1	HP Chromebook 11 G5 EE	5CD7517NPT	27111	3
1	HP Chromebook 11 G5 EE	5CD7517LYG	27115	3
1	HP Chromebook 11 G5 EE	5CD7517LV0	27116	3
1	HP Chromebook 11 G5 EE	5CD7517LVS	27119	3
1	HP Chromebook 11 G5 EE	5CD7517LT8	27120	3
1	HP Chromebook 11 G5 EE	5CD7517KP9	27125	3
1	HP Chromebook 11 G5 EE	5CD7517LQH	27126	3
1	HP Chromebook 11 G5 EE	5CD7517LSV	27127	3
1	HP Chromebook 11 G5 EE	5CD7517LT3	27144	3
1	HP Chromebook 11 G5 EE	5CD7517M11	27153	3
1	HP Chromebook 11 G5 EE	5CD7517M0C	27154	3
1	HP Chromebook 11 G5 EE	5CD7517LTW	27157	3
1	HP Chromebook 11 G5 EE	5CD7517M14	27159	3
1	HP Chromebook 11 G5 EE	5CD7517M22	27163	3
1	HP Chromebook 11 G5 EE	5CD7517M2B	27164	3
1	HP Chromebook 11 G5 EE	5CD7517KVC	27171	3
1	HP Chromebook 11 G5 EE	5CD7517M25	27173	3
1	HP Chromebook 11 G5 EE	5CD7517LXX	27203	3
1	HP Chromebook 11 G5 EE	5CD7517LT7	27206	3
1	HP Chromebook 11 G5 EE	5CD7517LQ7	27209	3
1	HP Chromebook 11 G5 EE	5CD7517LPN	27210	3
1	HP Chromebook 11 G5 EE	5CD7517LS9	27211	3
1	HP Chromebook 11 G5 EE	5CD7517LTB	27213	3
1	HP Chromebook 11 G5 EE	5CD7517LRX	27215	3
1	HP Chromebook 11 G5 EE	5CD7517LLP	27220	3
1	HP Chromebook 11 G5 EE	5CD7517LQM	27223	3
1	HP Chromebook 11 G5 EE	5CD7517KPF	27227	3
1	HP Chromebook 11 G5 EE	5CD7517KPT	27228	3
1	HP Chromebook 11 G5 EE	5CD7517LRN	27237	3
1	HP Chromebook 11 G5 EE	5CD7517LXV	27242	3
1	HP Chromebook 11 G5 EE	5CD7517LTX	27249	3
1	HP Chromebook 11 G5 EE	5CD7517LRZ	27250	3
1	HP Chromebook 11 G5 EE	5CD7517LT6	27255	3
1	HP Chromebook 11 G5 EE	5CD7517LSF	27257	3

Quantity	Item Description	Model or Serial #	AUSD Asset #	Condition
1	HP Chromebook 11 G5 EE	5CD7517LQY	27265	3
1	HP Chromebook 11 G5 EE	5CD7517LS4	27266	3
1	HP Chromebook 11 G5 EE	5CD7517LRT	27267	3
1	HP Chromebook 11 G5 EE	5CD7517LP7	27270	3
1	HP Chromebook 11 G5 EE	5CD806257P	27282	3
1	HP Chromebook 11 G5 EE	5CD80625B0	27284	3
1	HP Chromebook 11 G5 EE	5CD8062583	27300	3
1	HP Chromebook 11 G5 EE	5CD806243J	27308	3
1	HP Chromebook 11 G5 EE	5CD7517LND	27358	3
1	HP Chromebook 11 G5 EE	5CD7517KRN	27374	3
1	HP Chromebook 11 G5 EE	5CD80625BB	27384	3
1	HP Chromebook 11 G5 EE	5CD80625CM	27385	3
1	HP Chromebook 11 G5 EE	5CD80623MT	27386	3
1	HP Chromebook 11 G5 EE	5CD8061Z1K	27388	3
1	HP Chromebook 11 G5 EE	5CD80625B3	27397	3
1	HP Chromebook 11 G5 EE	5CD80624TD	27407	3
1	HP Chromebook 11 G5 EE	5CD80625CB	27409	3
1	HP Chromebook 11 G5 EE	5CD8086XDN	27499	3
1	HP Chromebook 11 G5 EE	5CD80623WV	27502	3
1	HP Chromebook 11 G5 EE	5CD806242K	27505	3
1	HP Chromebook 11 G5 EE	5CD806243W	27507	3
1	HP Chromebook 11 G5 EE	5CD806243Z	27517	3
1	HP Chromebook 11 G5 EE	5CD806243L	27518	3
1	HP Chromebook 11 G5 EE	5CD806242L	27519	3
1	HP Chromebook 11 G5 EE	5CD80623W6	27521	3
1	HP Chromebook 11 G5 EE	5CD806244T	27526	3
1	HP Chromebook 11 G5 EE	5CD806245J	27529	3
1	HP Chromebook 11 G5 EE	5CD806243Q	27530	3
1	HP Chromebook 11 G5 EE	5CD806244M	27531	3
1	HP Chromebook 11 G5 EE	5CD806244S	27533	3
1	HP Chromebook 11 G5 EE	5CD806244Q	27535	3
1	HP Chromebook 11 G5 EE	5CD8062433	27537	3
1	HP Chromebook 11 G5 EE	5CD80623W4	27539	3
1	HP Chromebook 11 G5 EE	5CD8062436	27540	3
1	HP Chromebook 11 G5 EE	5CD806242Z	27541	3
1	HP Chromebook 11 G5 EE	5CD806241P	27548	3
1	HP Chromebook 11 G5 EE	5CD806244F	27552	3
1	HP Chromebook 11 G5 EE	5CD806243D	27553	3
1	HP Chromebook 11 G5 EE	5CD806244K	27557	3
1	HP Chromebook 11 G5 EE	5CD806245H	27564	3
1	HP Chromebook 11 G5 EE	5CD8062439	27566	3
1	HP Chromebook 11 G5 EE	5CD8062435	27567	3
1	HP Chromebook 11 G5 EE	5CD80622WW	27569	3
1	HP Chromebook 11 G5 EE	5CD80623Y4	27570	3
1	HP Chromebook 11 G5 EE	5CD806243G	27575	3
1	HP Chromebook 11 G5 EE	5CD80623MD	27576	3
1	HP Chromebook 11 G5 EE	5CD8061Y9W	27577	3
1	HP Chromebook 11 G5 EE	5CD8061YG4	27578	3
1	HP Chromebook 11 G5 EE	5CD80622DM	27580	3
1	HP Chromebook 11 G5 EE	5CD8062410	27584	3
1	HP Chromebook 11 G5 EE	5CD80624T9	27585	3
1	HP Chromebook 11 G5 EE	5CD80624ST	27588	3
1	HP Chromebook 11 G5 EE	5CD806244J	27596	3
1	HP Chromebook 11 G5 EE	5CD806245N	27601	3
1	HP Chromebook 11 G5 EE	5CD8062444	27602	3

Quantity	Item Description	Model or Serial #	AUSD Asset #	Condition
1	HP Chromebook 11 G5 EE	5CD806243C	27608	3
1	HP Chromebook 11 G5 EE	5CD806245B	27609	3
1	HP Chromebook 11 G5 EE	5CD8062454	27610	3
1	HP Chromebook 11 G5 EE	5CD8062459	27611	3
1	HP Chromebook 11 G5 EE	5CD80622C7	27614	3
1	HP Chromebook 11 G5 EE	5CD8061Y6K	27617	3
1	HP Chromebook 11 G5 EE	5CD80624TT	27618	3
1	HP Chromebook 11 G5 EE	5CD8086YLM	27621	3
1	HP Chromebook 11 G5 EE	5CD8086S29	27622	3
1	HP Chromebook 11 G5 EE	5CD8086S1S	27623	3
1	HP Chromebook 11 G5 EE	5CD8108V53	27670	3
1	HP Chromebook 11 G5 EE	5CD8108V51	27671	3
1	HP Chromebook 11 G5 EE	5CD81083P3	27677	3
1	HP Chromebook 11 G5 EE	5CD81083H8	27678	3
1	HP Chromebook 11 G5 EE	5CD8108V67	27680	3
1	HP Chromebook 11 G5 EE	5CD8108376	27682	3
1	HP Chromebook 11 G5 EE	5CD81083NX	27696	3
1	HP Chromebook 11 G5 EE	5CD81083CC	27728	3
1	HP Chromebook 11 G5 EE	5CD8108V59	27729	3
1	HP Chromebook 11 G5 EE	5CD8108V5T	27730	3
1	HP Chromebook 11 G5 EE	5CD8108V5S	27731	3
1	HP Chromebook 11 G5 EE	5CD8108VM1	27733	3
1	HP Chromebook 11 G5 EE	5CD8108VL7	27734	3
1	HP Chromebook 11 G5 EE	5CD8108VLV	27737	3
1	HP Chromebook 11 G5 EE	5CD81083KB	27738	3
1	HP Chromebook 11 G5 EE	5CD81084BJ	27741	3
1	HP Chromebook 11 G5 EE	5CD8108V6G	27744	3
1	HP Chromebook 11 G5 EE	5CD81083KX	27745	3
1	HP Chromebook 11 G5 EE	5CD8105LRY	27749	3
1	HP Chromebook 11 G5 EE	5CD8108V76	27751	3
1	HP Chromebook 11 G5 EE	5CD8108V6S	27752	3
1	HP Chromebook 11 G5 EE	5CD8108VKH	27754	3
1	HP Chromebook 11 G5 EE	5CD8108VMS	27756	3
1	HP Chromebook 11 G5 EE	5CD8108VMM	27757	3
1	HP Chromebook 11 G5 EE	5CD8108VF4	27758	3
1	HP Chromebook 11 G5 EE	5CD80851JL	27810	3
1	HP Chromebook 11 G5 EE	5CD80851GJ	27814	3
1	HP Chromebook 11 G5 EE	5CD81083PX	27837	3
1	Chromebook	#N/A	27838	3
1	HP Chromebook 11 G5 EE	5CD810979H	27840	3
1	HP Chromebook 11 G5 EE	5CD81097BT	27841	3
1	Chromebook	#N/A	27854	3
1	HP Chromebook 11 G5 EE	5CD8108VMG	27858	3
1	Chromebook	#N/A	27862	3
1	Chromebook	#N/A	27864	3
1	HP Chromebook 11 G5 EE	5CD810947K	27865	3
1	HP Chromebook 11 G5 EE	5CD8108W5Z	27867	3
1	Chromebook	#N/A	27868	3
1	HP Chromebook 11 G5 EE	5CD810946F	27869	3
1	HP Chromebook 11 G5 EE	5CD810948V	27870	3
1	HP Chromebook 11 G5 EE	5CD8109484	27871	3
1	HP Chromebook 11 G5 EE	5CD81092M1	27875	3
1	HP Chromebook 11 G5 EE	5CD8108VVW	27877	3
1	HP Chromebook 11 G5 EE	5CD81092LL	27879	3
1	HP Chromebook 11 G5 EE	5CD8108VT1	27889	3

Quantity	Item Description	Model or Serial #	AUSD Asset #	Condition
1	HP Chromebook 11 G5 EE	5CD8108VV2	27890	3
1	HP Chromebook 11 G5 EE	5CD810929Y	27891	3
1	Chromebook	5CD810947P	27903	3
1	HP Chromebook 11 G5 EE	5CD8108YBJ	27909	3
1	HP Chromebook 11 G5 EE	5CD8108YD1	27910	3
1	HP Chromebook 11 G5 EE	5CD8108YCZ	27911	3
1	HP Chromebook 11 G5 EE	5CD8108YHC	27916	3
1	HP Chromebook 11 G5 EE	5CD8108YCS	27919	3
1	HP Chromebook 11 G5 EE	5CD8108VT2	27924	3
1	HP Chromebook 11 G5 EE	5CD8108VS9	27927	3
1	HP Chromebook 11 G5 EE	5CD81097G7	27928	3
1	Chromebook	5CD81097GP	27933	3
1	HP Chromebook 11 G5 EE	5CD81097G3	27934	3
1	HP Chromebook 11 G5 EE	5CD8108W8B	27935	3
1	HP Chromebook 11 G5 EE	5CD810949P	27936	3
1	Chromebook	5CD810947T	27966	3
1	HP Chromebook 11 G5 EE	5CD8109486	27967	3
1	Chromebook	5CD8105J83	27969	3
1	HP Chromebook 11 G5 EE	5CD8108YH9	27971	3
1	HP Chromebook 11 G5 EE	5CD8108YGH	27974	3
1	Chromebook	5cd8108vtq	27980	3
1	HP Chromebook 11 G5 EE	5CD81092LH	27982	3
1	Chromebook	5cd8108vs1	27983	3
1	Chromebook	5CD8108X41	27985	3
1	HP Chromebook 11 G5 EE	5CD81097HQ	27990	3
1	HP Chromebook 11 G5 EE	5CD8107340	27996	3
1	HP Chromebook 11 G5 EE	5CD8108YBN	27998	3
1	HP Chromebook 11 G5 EE	5CD8108W1F	28039	3
1	HP Chromebook 11 G5 EE	5CD8108Y97	28188	3
1	HP Chromebook 11 G5 EE	5CD81097D3	28194	3
1	HP Chromebook 11 G5 EE	5CD8109763	28198	3
1	HP Chromebook 11 G5 EE	5CD8108Y9G	28221	3
1	HP Chromebook 11 G5 EE	5CD8108ZK5	28227	3
1	HP Chromebook 11 G5 EE	5CD81092LX	28237	3
1	HP Chromebook 11 G5 EE	5CD81097GW	28256	3
1	Chromebook	5CD8108X7X	28257	3
1	HP Chromebook 11 G5 EE	5CD81097J9	28261	3
1	Chromebook	5CD810948P	28279	3
1	Chromebook	5CD81097FL	28290	3
1	Chromebook	5CD8108X52	28291	3
1	Chromebook	5CD8108VKV	28292	3
1	HP Chromebook 11 G5 EE	5CD810977V	28296	3
1	HP Chromebook 11 G5 EE	5CD8108VSF	28300	3
1	HP Chromebook 11 G5 EE	5CD810921P	28301	3
1	Chromebook	5CD8108W33	28312	3
1	Chromebook	5CD810949Q	28313	3
1	Chromebook	5CD81092LR	28331	3
1	HP Chromebook 11 G5 EE	5CD8108Y95	28336	3
1	HP Chromebook 11 G5 EE	5CD8108XC8	28344	3
1	HP Chromebook 11 G5 EE	5CD810929G	28347	3
1	HP Chromebook 11 G5 EE	5CD8108VWG	28348	3
1	HP Chromebook 11 G5 EE	5CD8108VT3	28350	3
1	Chromebook	5CD8108VX0	28351	3
1	HP Chromebook 11 G5 EE	5CD8108VXK	28352	3
1	Chromebook	5CD810946L	28356	3

Quantity	Item Description	Model or Serial #	AUSD Asset #	Condition
1	HP Chromebook 11 G5 EE	5CD8108XG5	28362	3
1	Chromebook	5CD81083M4	28363	3
1	HP Chromebook 11 G5 EE	5CD81097G9	28368	3
1	HP Chromebook 11 G5 EE	5CD81097GV	28370	3
1	HP Chromebook 11 G5 EE	5CD810949M	28376	3
1	Chromebook	5CD81094BP	28382	3
1	Chromebook	5CD810921K	28383	3
1	HP Chromebook 11 G5 EE	5CD810948R	28384	3
1	Chromebook	5CD810947X	28386	3
1	HP Chromebook 11 G5 EE	5CD810927S	28389	3
1	Chromebook	5CD81092MD	28391	3
1	HP Chromebook 11 G5 EE	5CD8108VSM	28394	3
1	Chromebook	5CD81092LY	28401	3
1	Chromebook	5CD81092M5	28407	3
1	Chromebook	5CD81092MB	28408	3
1	Chromebook	5CD81092CZ	28409	3
1	Chromebook	5CD81092MC	28414	3
1	Chromebook	5CD8108YBG	28417	3
1	Chromebook	5CD8108YDP	28419	3
1	Chromebook	5CD8108YDW	28421	3
1	Chromebook	5CD8108YJ8	28423	3
1	Chromebook	5CD810949Z	28426	3
1	HP Chromebook 11 G5 EE	5CD8108YD9	28429	3
1	HP Chromebook 11 G5 EE	5CD81097BN	28431	3
1	HP Chromebook 11 G5 EE	5CD81094C1	28434	3
1	Chromebook	5CD810947R	28458	3
1	Chromebook	5CD81092CQ	28467	3
1	HP Chromebook 11 G5 EE	5CD8105GRC	28471	3
1	HP Chromebook 11 G5 EE	5CD8108YB7	28477	3
1	HP Chromebook 11 G5 EE	5CD8109790	28480	3
1	HP Chromebook 11 G5 EE	5CD81097FV	28481	3
1	HP Chromebook 11 G5 EE	5CD81097CD	28484	3
1	Chromebook	5CD8108VVB	28501	3
1	Chromebook	5CD8108VTH	28502	3
1	Chromebook	5CD810921T	28505	3
1	HP Chromebook 11 G5 EE	5CD8108XDR	28507	3
1	Chromebook	5CD81083M3	28509	3
1	Chromebook	5CD81097C5	28511	3
1	HP Chromebook 11 G5 EE	5CD81097CW	28513	3
1	Chromebook	5CD8109498	28517	3
1	Chromebook	5CD81094C2	28520	3
1	Chromebook	5CD8108Y87	28521	3
1	Chromebook	5CD81094C7	28522	3
1	Chromebook	5CD81097HK	28525	3
1	Chromebook	5CD8108XF4	28526	3
1	Chromebook	5CD8108X8H	28528	3
1	HP Chromebook 11 G5 EE	5CD8108Y8V	28532	3
1	HP Chromebook 11 G5 EE	5CD8108Y9B	28533	3
1	HP Chromebook 11 G5 EE	5CD8108YG0	28534	3
1	HP Chromebook 11 G5 EE	5CD8108YCG	28538	3
1	HP Chromebook 11 G5 EE	5CD810946S	28540	3
1	HP Chromebook 11 G5 EE	5CD8108Y8Q	28542	3
1	HP Chromebook 11 G5 EE	5CD8108Y93	28543	3
1	Chromebook	5CD8108YC7	28546	3
1	HP Chromebook 11 G5 EE	5CD810948Y	28548	3

Quantity	Item Description	Model or Serial #	AUSD Asset #	Condition
1	HP Chromebook 11 G5 EE	5CD8108Y8L	28549	3
1	HP Chromebook 11 G5 EE	5CD81092C9	28550	3
1	HP Chromebook 11 G5 EE	5CD8108YFG	28557	3
1	HP Chromebook 11 G5 EE	5CD8108Y8D	28559	3
1	HP Chromebook 11 G5 EE	5CD81094FD	28561	3
1	HP Chromebook 11 G5 EE	5CD82230D1	28898	3
1	HP Chromebook 11 G5 EE	5CD81240PP	28977	3
1	HP Chromebook 11 G5 EE	5CD81240T0	28982	3
1	HP Chromebook 11 G5 EE	5CD81240S7	28983	3
1	HP Chromebook 11 G5 EE	5CD81240SK	28984	3
1	HP Chromebook 11 G5 EE	5CD81240NV	28985	3
1	HP Chromebook 11 G5 EE	5CD81240QR	28992	3
1	HP Chromebook 11 G5 EE	5CD81240NX	29000	3
1	HP Chromebook 11 G5 EE	5CD8352B5H	30047	3
1	HP Chromebook 11 G5 EE	5CD835346B	30061	3
1	HP Chromebook 11 G5 EE	5CD83535MN	30062	3
1	HP Chromebook 11 G5 EE	5CD835348C	30063	3
1	HP Chromebook 11 G5 EE	5CD835349H	30070	3
1	HP Chromebook 11 G5 EE	5CD8352BKV	30071	3
1	HP Chromebook 11 G5 EE	5CD83534C0	30075	3
1	HP Chromebook 11 G5 EE	5CD83534BS	30079	3
1	HP Chromebook 11 G5 EE	5CD8352B6N	30099	3
1	HP Chromebook 11 G5 EE	5CD8352B68	30101	3
1	HP Chromebook 11 G5 EE	5CD8352B7J	30102	3
1	HP Chromebook 11 G5 EE	5CD8352B70	30105	3
1	HP Chromebook 11 G5 EE	5CD83536VW	30111	3
1	HP Chromebook 11 G5 EE	5CD8352B7B	30113	3
1	HP Chromebook 11 G5 EE	5CD8352B96	30114	3
1	HP Chromebook 11 G5 EE	5CD8352B7M	30117	3
1	HP Chromebook 11 G5 EE	5CD83534BR	30124	3
1	HP Chromebook 11 G5 EE	5CD8059F17	30218	3
1	HP Chromebook 11 G5 EE	5CD8059F0P	30219	3
1	HP Chromebook 11 G5 EE	5CD8059D4Y	30223	3
1	HP Chromebook 11 G5 EE	5CD8059DXV	30227	3
1	HP Chromebook 11 G5 EE	5CD8059D5S	30232	3
1	HP Chromebook 11 G5 EE	5CD8059D5V	30233	3
1	HP Chromebook 11 G5 EE	5CD8059D5C	30238	3
1	HP Chromebook 11 G5 EE	5CD8059D4R	30255	3
1	HP Chromebook 11 G5 EE	5CD8059D4Q	30256	3
1	HP Chromebook 11 G5 EE	5CD8059CZY	30260	3
1	HP Chromebook 11 G5 EE	5CD8059CY9	30261	3
1	HP Chromebook 11 G5 EE	5CD8059DZJ	30267	3
1	HP Chromebook 11 G5 EE	5CD8059D18	30281	3
1	HP Chromebook 11 G5 EE	5CD8059D4B	30283	3
1	HP Chromebook 11 G5 EE	5CD8059DZC	30289	3
1	HP Chromebook 11 G5 EE	5CD8059D5H	30294	3
1	HP Chromebook 11 G5 EE	5CD8059D4N	30300	3
1	HP Chromebook 11 G5 EE	5CD8059D54	30301	3
1	HP Chromebook 11 G5 EE	5CD8059D69	30305	3
1	HP Chromebook 11 G5 EE	5CD8059D68	30306	3
1	HP Chromebook 11 G5 EE	5CD8059D5F	30307	3
1	HP Chromebook 11 G5 EE	5CD8059D6T	30311	3
1	HP Chromebook 11 G5 EE	5CD8059D6F	30312	3
1	HP Chromebook 11 G5 EE	5CD8059D4D	30314	3
1	HP Chromebook 11 G5 EE	5CD8204RM0	30484	3

Quantity	Item Description	Model or Serial #	AUSD Asset #	Condition
1	HP Chromebook 11 G5 EE	5CD8205T68	30490	3
1	HP Chromebook 11 G5 EE	5CD8205T72	30491	3
1	HP Chromebook 11 G5 EE	5CD8205T63	30498	3
1	HP Chromebook 11 G5 EE	5CD8204RKD	30505	3
1	HP Chromebook 11 G5 EE	5CD8205T73	30507	3
1	HP Chromebook 11 G5 EE	5CD8205T3K	30508	3
1	HP Chromebook 11 G5 EE	5CD8205T88	30509	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA010716116A97600	30862	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA010716116957600	30863	3
1	Acer Chromebook R11 (CB5-132T, C738T)	NXG55AA010716116AA7600	30864	3
1	Chromebook	5CD8108Y9D	33827	3
1	hp chromebox	5CD71004T9	20412	3
1	hp chromebox	5CD71004WG	20404	3
1	hp chromebox	5CD71004NG	20400	3
1	hp chromebox	5CD71004TT	20398	3
1	hp chromebox	5CD71004Z5	20416	3
1	hp chromebox	5CD71004Z1	20392	3
1	hp chromebox	5CD71004Z2	20399	3
1	hp chromebox	5CD71004W4	20397	3
1	hp chromebox	5CD71004QS	20402	3
1	hp chromebox	5CD7063CXY	20423	3
1	hp chromebox	5CD7063CX8	20424	3
1	hp chromebox	5CD71004ST	20417	3
1	hp chromebox	5CD71004P0	20389	3
1	hp chromebox	5CD71004QY	20390	3
1	hp chromebox	5CD71004VZ	20393	3
1	hp chromebox	5CD71004VY	20418	3
1	hp chromebox	5CD71004V4	20415	3
1	hp chromebox	5CD71004PW	20395	3
1	hp chromebox	5CD71004V0	20403	3
1	hp chromebox	5CD71004SB	20419	3
1	hp chromebox	5CD71004QW	20405	3
1	hp chromebox	5CD71004PK	20420	3
1	hp chromebox	5CD7062HWJ	20422	3
1	INFOCUS IN24	ARKC61900401	5032	3
1	infocus projector in114	NA	14346	3
1	infocus projector in114	NA	26323	3
1	infocus projector in114	BJCB20302007	10400	3
1	infocus projector in114	NA	18852	3
1	infocus projector in116	NA	24609	3
1	infocus projector in116	NA	26674	3
1	infocus projector in114	NA	16079	3
1	infocus projector in114	NA	14503	3
1	infocus projector in114	BFVM10702879	10403	3
1	infocus projector in114	NA	18458	3
1	infocus projector in114	NA	18455	3
1	infocus projector in114	BJCK33900151	12037	3
1	infocus projector in114	BJCB20302125	NA	3
1	infocus projector in114	NA	18454	3
1	infocus projector 300af+	NA	14336	3
1	infocus projector in114	AZNB94701699	10450	3
1	AVERMEDIA 300AF+	52059 08080P	5005	3
1	infocus projector in114	NA	14354	3
1	infocus projector	NA	26676	3
1	infocus projector	NA	18464	3

Quantity	Item Description	Model or Serial #	AUSD Asset #	Condition
1	DUKANE IMAGE PRO 8807	310301000000000	5260	3
1	INFOCUS IN114	BJCB20302113	12082	3
1	DUKANE IMAGE PRO 8807	NA	16265	3
1	avermedia doccam m50	5595211010P	10358	3
1	avermedia doccam 300af	55945 11010P	5027	3
1	avermedia doccam 300af	NA	26542	3
1	avermedia doccam 300af	58674 08080P	5179	3
1	avermedia doccam 300af	55955 11010P	5025	3
1	avermedia doccam m50	5904209070P	10393	3
1	avermedia doccam 300af	60479 11010P	5033	3
1	avermedia doccam 300af	NA	24605	3
1	avermedia doccam 300af	NA	14404	3
1	avermedia doccam 300af	47299 7080	5019	3
1	lumens projector dc 155	D02C04824	NA	3
1	lumens projector dc 155	D02C04981	10355	3
1	lumens projector dc 155	D02CD5327	5078	3
1	lumens projector dc 155	D02C04975	NA	3
1	Dell Latitude 5490 BTX, 7th Gen Intel Core i5-7300	92NZ4S2	30353	3
1	hp laptop probook	NA	15003	3
1	hp laptop elitebook	NA	15268	3
1	dell laptop latitude e5470	NA	18382	3
1	dell laptop latitude e6410	NA	15294	3
1	dell laptop latitude e5470	NA	24417	3
1	dell laptop latitude e5470	NA	18370	3
1	dell desktop optiplex 780	5TMM32S	8609	3
1	dell desktop optiplex 760	7ZXM84J	10145	3
1	dell desktop optiplex 7010	3TBF9Y1	10217	3
1	dell desktop optiplex 960	NA	12179	3
1	mitsubishi vhs player	hs-u448	1172	3
1	samsung dvd player vr-320	H5C589	NA	3
1	sharp vhs player xa-605	709724169	NA	3
1	rca vcr player vr352	945251086	NA	3
1	jvc dvd player hr-xvc 12	063r4670	NA	3
1	sony dvd player ns72hp	1029239	NA	3
1	asus eee windows laptop	A20AAS322476	5038	3
1	asus eee windows laptop	A20AAS095086	5040	3
1	asus eee windows laptop	A20AAS095866	5037	3
1	asus eee windows laptop	A20AAS095703	5061	3
1	epson scanner g812a	103086	NA	3
1	panasonic vhs camera ag-188	f9sa11678	NA	3
1	nec vhs camera	v40u	9448	3
1	epson printer xp-410	S52P395595	NA	3
1	epson printer et-2720	X6ND378610	NA	3
1	hp printer officejet 4630	NA	15499	3
1	hp printer officejet pro 6230	TH5184B08Q0613	NA	3
1	hp scanner v1n01-64022	CN95J8B1FP077X	NA	3
1	epson printer stylus cx5400	FQ5E345591	NA	3
1	smart board projector U70	B012GD30Q0281	NA	3
1	HP chromebox G1	5CD421565Q	14744	3
1	HP chromebox G1	5CD42156PY	14745	3
1	epson short throw projector 685i	NA	24622	3
1	hp elitebook	6djgq06bj6e55r	NA	3
1	hp elitebook	6djgq06bj6f29x	NA	3
1	asus eeepc	a60aas257615	NA	3
1	hp chromebox	5cd71004n1	NA	3

Quantity	Item Description	Model or Serial #	AUSD Asset #	Condition
1	dell 5400	8WSP533	NA	3
1	dell latitude e7470	h17rcc2	NA	3
1	dell latitude e7470	b2zhfc2	NA	3
1	DELL OPTIPLEX 760	79Q394J	NA	3
1	dell 5480	2x58nfh2	NA	3
1	dell 5400	p3bm533	NA	3
1	dell5420	d7bb4j3	NA	3
1	dell 5420	2zymgk3	NA	3
1	dell5410	4t3kn63	NA	3
1	dell 5470	7dkmzf2	NA	3
1	delln5470	gt5mzf2	NA	3
1	delln5470	j69r3g2	NA	3
1	delln5470	dm4n3g2	NA	3
1	AVERVISION 300AF+	64121 10070P	NA	3
1	AVERVISION 300AF+	5364 08100P	6160	3
1	infocus projector	BJCK35000798	NA	3
1	eepc	15G29L100300	NA	3
1	AVERVISION 300AF	53699 13040P	10051	3
1	AVERVISION 300AF	90082 1106RP	11257	3
1	Dell Latitude E5470	6PRG3G2	NA	3
1	Dell Latitude E5470	jj6cgc2	NA	3
1	Dell Latitude E5470	8FFR3G2	NA	3
1	Dell Latitude E5470	dy1p3g2	NA	3
1	Dell Latitude E5470	3bvbgc2	NA	3
1	Dell 7470	bqy6rc2	NA	3
1	Dell Laptop 5480	9k6m7h2	NA	3
1	Dell Laptop 5480	14FRPH2	NA	3
1	Acer Chromebox CXI2_Qb3205U - Celeron	DTZ09AA00464723CEC7600	20308	3
1	ACER CXI-4GKM MINI CHROMEBOX 2957U	DTZ04AA0024330FE077600	15810	3
1	AHS-Cromebox	NA	26967	3
1	ACER CXI-4GKM MINI CHROMEBOX 2957U	DTZ04AA0024330FD427600	15809	3
1	ACER CXI-4GKM MINI CHROMEBOX 2957U	DTZ04AA0024330FE9A7600	15826	3
1	ACER CXI-4GKM MINI CHROMEBOX 2957U	DTZ04AA0024330FE547600	15842	3
1	ACER CXI-4GKM MINI CHROMEBOX 2957U	DTZ04AA0024330FDC47600	15816	3
1	ACER CXI-4GKM MINI CHROMEBOX 2957U	DTZ04AA0024330FDC07600	15808	3
1	ACER C720 Chromebook	NXSHEAA0044520AE9A7600	15625	3
1	ACER CXI-4GKM MINI CHROMEBOX 2957U	DTZ04AA0024330FCF57600	15812	3
1	AHS-Cromebox	NA	26965	3
1	ACER CXI-4GKM MINI CHROMEBOX 2957U	DTZ04AA0024330FEC37600	15840	3
1	ACER CXI-4GKM MINI CHROMEBOX 2957U	DTZ04AA0024330FE367600	15833	3
1	ACER CXI-4GKM MINI CHROMEBOX 2957U	DTZ04AA0024330FDF17600	15807	3
1	ACER CXI-4GKM MINI CHROMEBOX 2957U	DTZ04AA0024330FDFF7600	15819	3
1	ACER CXI-4GKM MINI CHROMEBOX 2957U	DTZ04AA0024330FE397600	15830	3
1	ACER CXI-4GKM MINI CHROMEBOX 2957U	DTZ04AA0024330FE817600	15822	3
1	HP Chromebook 11 G5 - Education Edition - 11.6 - C	5CD8059DC4	30257	3
1	Acer Chromebook C738T-C44Z - 11.6in -	NXG55AA0056342C4	18671	3
1	Acer Chromebook C738T-C44Z - 11.6in -	NXG55AA005635030	18698	3
1	amazone kindles	NA	17997	3
1	amazone kindles	NA	17993	3
1	amazone kindles	NA	17995	3
1	amazone kindles	NA	17994	3
1	AVERVISION 300AF+	5188008080P	1059	3
1	AVERVISION 300AF	5217412070P	10462	3
1	AVERVISION 300AF+	5367210110P	1109	3
1	infocus projector in114	NA	15206	3

Quantity	Item Description	Model or Serial #	AUSD Asset #	Condition
1	infocus projector in114	BJCB21604222	10464	3
1	viewsonic projector pjd6251	RBU094200564	NA	3
1	hp laptop 840	NA	12236	3
1	hp laptop 650	NA	14774	3
1	hp laptop 440	NA	14996	3
1	hp laptop 440	NA	14993	3
1	hp laptop 820	NA	14679	3
1	Dell Latitude 5400	GY162R2	34728	3
1	dell laptop 5470	NA	18195	3
1	dell laptop 5470	NA	24447	3
1	dell laptop 5470	NA	18224	3
1	dell laptop 5470	NA	18130	3
1	dell laptop 5470	NA	30424	3
1	dell laptop 5470	NA	24498	3
1	dell laptop 5470	NA	18181	3
1	dell laptop 5470	NA	24468	3
1	dell laptop 5470	NA	18374	3
1	dell laptop 5470	NA	18287	3
1	dell laptop 5470	NA	18135	3
1	dell laptop e6410	NA	14039	3
1	dell laptop 5430	NA	22226	3
1	dell laptop 5480	NA	26759	3
1	dell laptop 5490	NA	33355	3
1	dell desktop 7010	NA	17232	3
1	DELL OPTIPLEX 760	FXYM84J	9318	3

Property Transfer/Retirement Form

Exhibit B

Type of request:

Transfer Waste Recycle

Current Location

District Office- Food Services

Property Item Type

Furniture/ Equipment

Item Details

Qty	Item Description	Model/Serial Number	Asset Tag	Condition
1	Wood kitchen Traulsen 3 door Freezer reach in	631310/T32549H06	05156	3 - Retire/Poor

Submitter Signature



Approvals

Site Admin Signature



Director Signature



Asst. Superintendent Signature



Submitted By: Assia, James

Date Submitted: 9/16/2024

Form #: 60250

Property Transfer/Retirement Form

Type of request:

Transfer Waste Recycle

Current Location

District Office- Food Services

Property Item Type

Furniture/ Equipment

Item Details

Qty	Item Description	Model/Serial Number	Asset Tag	Condition
1	Avantco Top Display Ice Cream Freezer	3601CFC6	N/A	3 - Retire/Poor

Submitter Signature



Approvals

Site Admin Signature



Director Signature



Asst. Superintendent Signature



Submitted By: Assia, James

Date Submitted: 9/16/2024

Form #: 60252

ALAMEDA UNIFIED SCHOOL DISTRICT
BOARD AGENDA ITEM

Item Title: Approval of Measure B Otis Elementary School Schematic Design (15 Mins/Action)

Item Type: Action

Background: AUSD staff and Quattrocchi Kwok Architects (QKA) will present the Measure B Otis Elementary School Project for Board approval. The schematic design follows the district's updated Facilities Master Plan, Measure B approved project list, critical facility needs identified per Measure I (prior Bond measure), as well as established priorities as acknowledged in 10 overall programming and design meetings, including six (6) site design committee meetings held on:

- January 31, 2024
- April 3, 2024
- April 16, 2024
- May 16, 2024
- May 23, 2024
- September 4, 2024

The Otis Elementary School project includes a new classroom building, a new administration/media center building, an academic quad, secure perimeter fencing, and minor upgrades to the remaining buildings (multi-purpose, existing classroom building), such as paint and fire alarm upgrades.

Following Board approval, QKA will prepare detailed designs for submission to the Division of the State Architect. Construction on this project is estimated to begin in the Summer of 2026.

AUSD LCAP Goals: 4. Ensure that all students have access to basic services.

Fund Codes: 21 Building – Bond Fund

Fiscal Analysis

Amount (Savings) (Cost): Proposed Schematic Design Cost: \$67,300,000.00.

Recommendation: Approve as submitted.

AUSD Guiding Principle: #5 - Accountability, transparency, and trust are necessary at all levels of the organization. | #6 - Allocation of funds must support our vision, mission, and guiding principles.

Submitted By: Shariq Khan, Assistant Superintendent of Business Services

ATTACHMENTS:

	Description	Upload Date	Type
□	Presentation	9/18/2024	Presentation

Measure B

Otis Elementary School Campus Modernization

Schematic Design

September 24, 2024



QUATTROCCHI KWOK
ARCHITECTS

ALAMEDA UNIFIED SCHOOL DISTRICT
Excellence & Equity For All Students

Otis Elementary School – Agenda

- **Measure B Master Plan**
 - Elements of Master Plan Incorporated
- **Programming and Schematic Design**
 - 10-Meetings - Design Committee, Principal, and District Staff
 - Guiding Principles
 - Program Confirmation
 - Schematic Design
 - Temporary Housing Strategy
- **Budget Analysis**
- **Milestone Schedule**
- **Board Discussion & Questions**
- **Schematic Design Approval**



Measure B Master Plan

Otis Elementary School – Master Plan Diagram: New Construction

Board Approved July 5, 2022

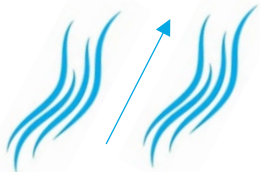


KEY

- NEW STRUCTURE
- REPURPOSED/ RECONFIGURED
- MODERNIZED
- MINOR MODERNIZATION
- NO WORK AT THESE BUILDINGS
- C CLASSROOM
- T TOILET

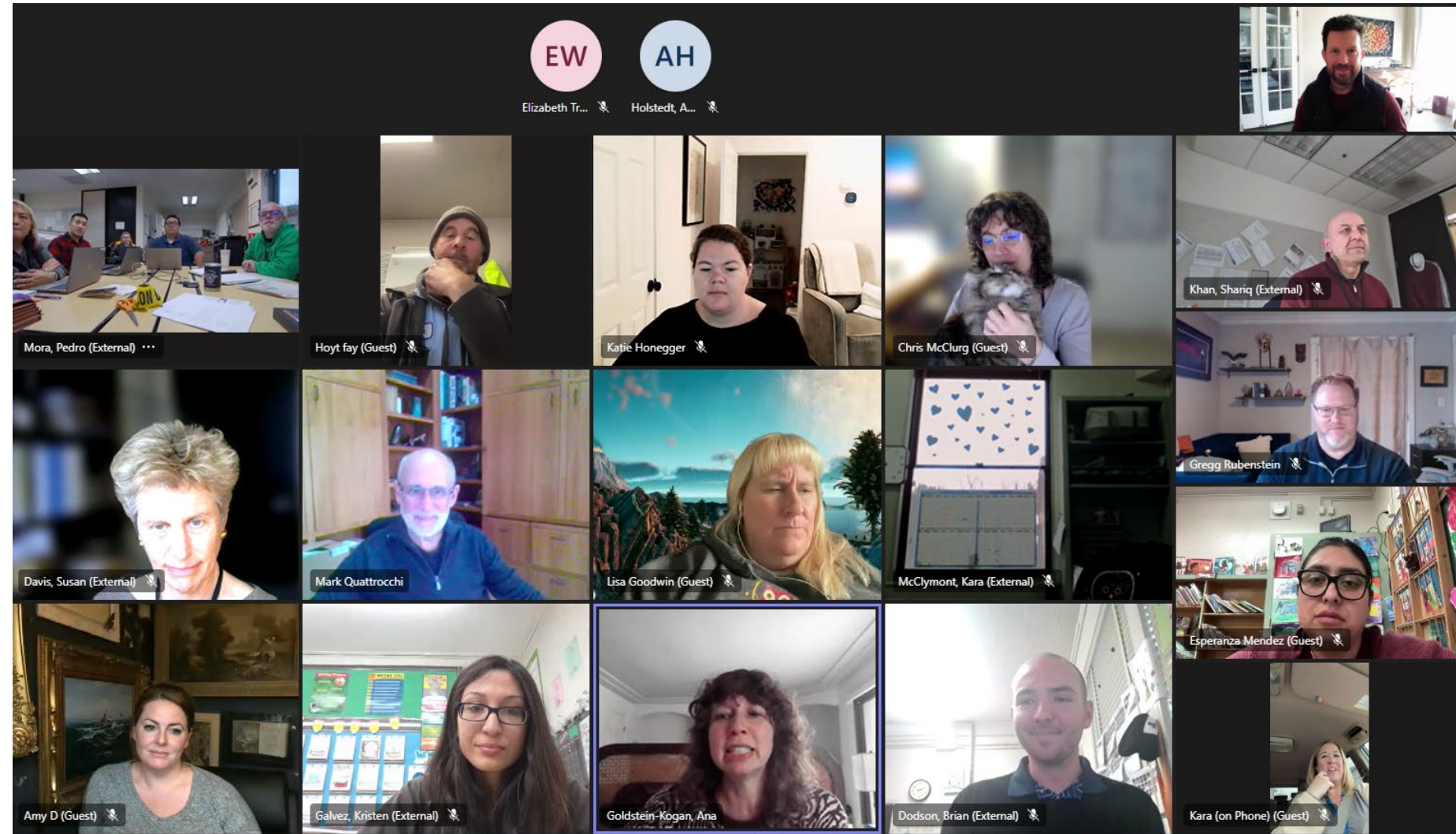


Otis Elementary School – Master Plan Diagram: New Construction



Programming

Otis Elementary School – Programming Process



- District Facilities Staff
- School Principal & Staff
- Parents
- Quattrocchi Kwok Architects

Otis Elementary School – Guiding Principles



Guiding Principles

- Safety & Security
- Supervision
- Communal Campus Feel
- Indoor / Outdoor Connections
- Onsite Play Area
- Appropriate grade-level separations
- Sensitivity to neighbors

Otis Elementary School – Program Confirmation

AUSD Otis ES - Preliminary Program

	Proposed	Loading	# Students	Unit Area	Subtotal Area	Notes
Main Classrooms				SF	SF	
Transitional Kindergarten	2	24	48	1350	2700	
Kindergarten	3	25	75	1350	4050	
1st Grade	3	25	75	960	2880	
2nd Grade	3	25	75	960	2880	
3rd Grade	3	25	75	960	2880	
4th Grade	2	32	64	960	1920	
5th Grade	2	32	64	960	1920	
4/5 Combo	1	32	32	960	960	
Flex Classroom	1	32	32	960	960	
Subtotal					21150	
Existing classrooms	6			960	5760	Area of existing classrooms to remain
New Classrooms	14				15390	Area of new construction to be provided
Special Day Class				SF	SF	
Special Needs	2	12	24	960	1920	
Flex	0	0				
					1920	
Loaded Subtotal		22		564	17310	Projected Enrollment = 575
Unloaded Learning Spaces				SF	SF	
MPR	1				0	existing to remain
Library	1			1920	1920	
STEAM Lab	1			1350	1350	
Music	1			1350	1350	
Art	0			1350	0	continue to push into classrooms

Otis Elementary School – Program Confirmation

Work Room	1	480	480	
Break Room	1	480	480	
Conference	1	200	200	
Intervention Lead	1	150	150	
Occupational Therapist	1	250	250	needs room for activity area (ball pit)
Psychologist	1	150	150	
CEC Counsellor	2	150	300	locate near SDC classrooms. Small groups of 2-5
Education Specialist	1	150	150	part of special education for general ed students. Small groups of 4-5
Speech Therapist	1	150	150	groups of 2-5
Math Interventionist	0	150	0	Not district funded
Reading Interventionist	0	150	0	Not district funded
PE Office	1	100	100	
	16		3135	

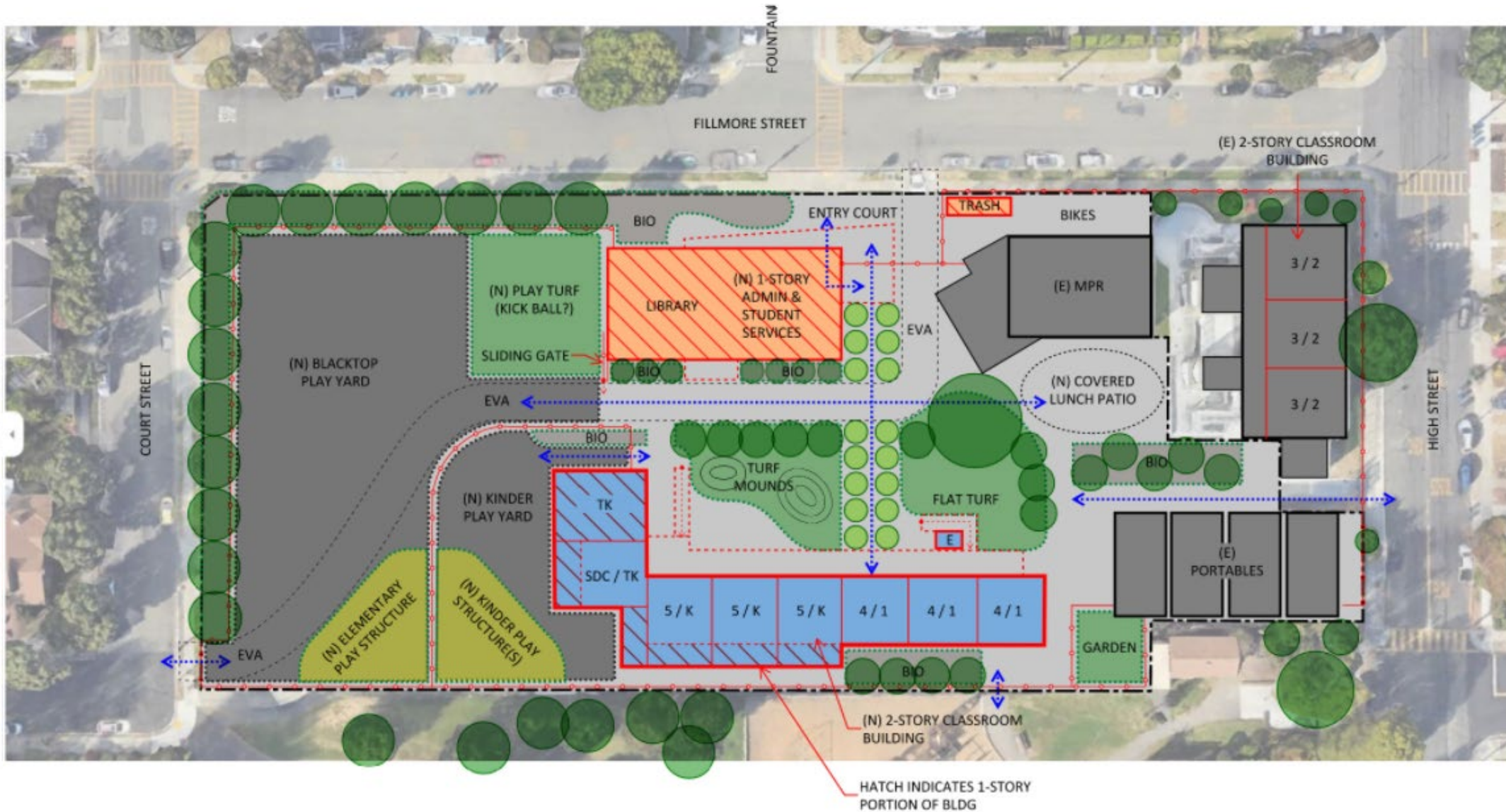
Admin offices	4		575	
Student Services offices	7		1150	
Other offices	1		100	
Existing offices	2	150	300	(2) existing in classroom bldg to remain
Admin & Student Services Subtotal	16		2835	

Project Subtotal	42				24765
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Miscellaneous Space		%	SF
Mechanical		1.5%	371
Electrical		1.5%	371
Elevator		1%	248
Restrooms		6%	1486
Storage		10%	2477
Office Circulation		2%	495
		22%	5448

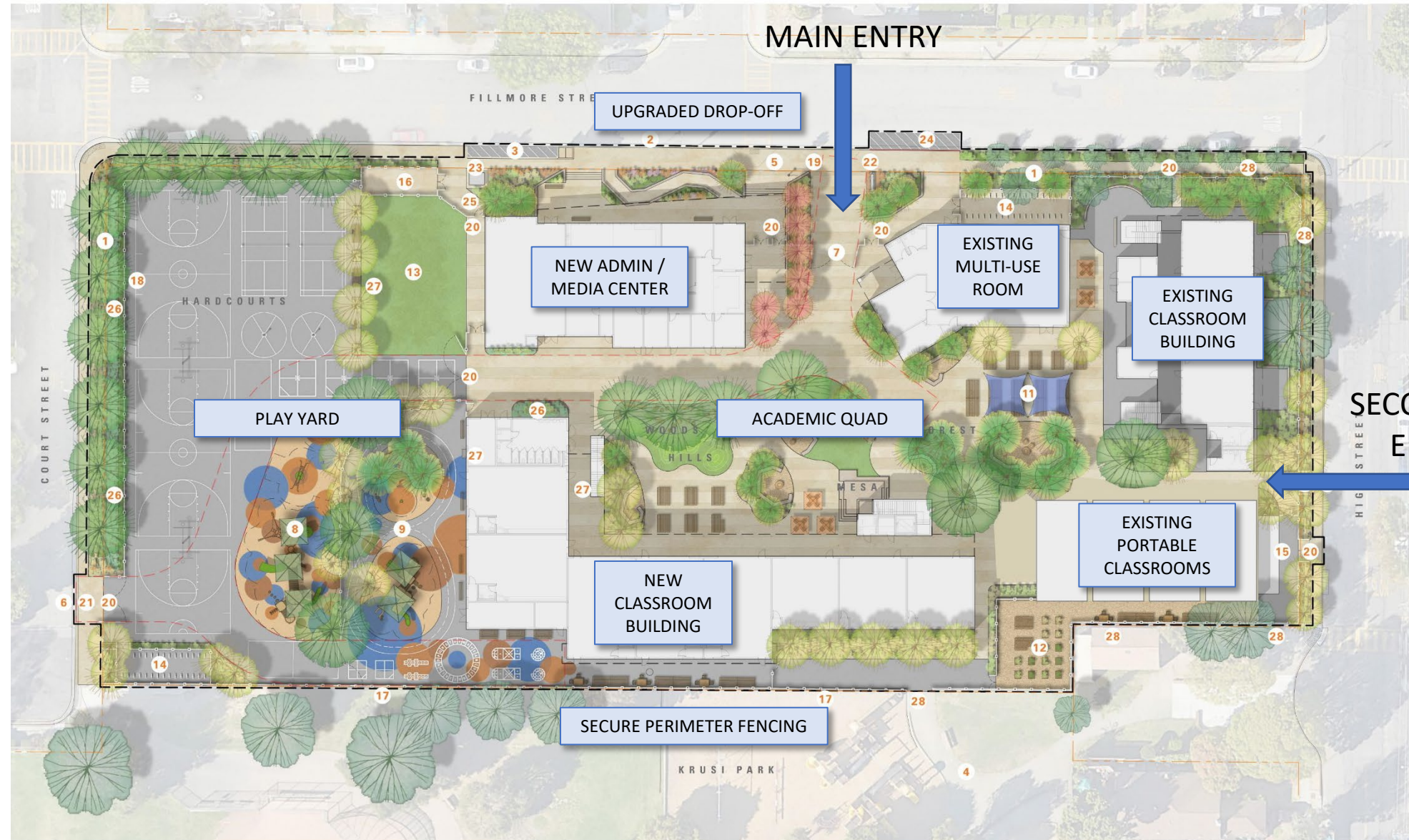
Grand Total					30213
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Otis Elementary School – Site Layout Options



Schematic Design

Otis Elementary School – Schematic Site Plan



LEGEND

- 1 EXISTING PROPERTY LINE
- 2 LIMIT OF WORK LINE
- 3 ACCESSIBLE DROP OFF AREA
- 4 COMMUNITY PARK
- 5 PRIMARY SCHOOL ENTRY
- 6 SECONDARY SCHOOL ENTRY
- 7 EMERGENCY VEHICLE ACCESS (EXISTING GATE TO BE REUSED)
- 8 ELEMENTARY SCHOOL PLAYGROUND
- 9 K/TK PLAYGROUND
- 10 SHARED CENTRAL STUDENT QUAD AREA
- 11 SHADED OUTDOOR LUNCH AREA
- 12 GARDEN WITH RAISED BEDS & SHED
- 13 SYNTHETIC TURF LAWN
- 14 SECURED BIKE PARKING (2 X 60 SPACES)
- 15 STORAGE
- 16 ELECTRICAL YARD
- 17 6' TALL CONCRETE WALL WITH 6' TALL ORNAMENTAL FENCE
- 18 6' TALL ORNAMENTAL FENCING
- 19 FLAG POLE
- 20 NEW SECURED CAMPUS GATES
- 21 PUBLIC ACCESS TO SCHOOL PLAY AREAS
- 22 SCHOOL MONUMENT SIGN
- 23 EXISTING TRANSFORMER TO BE REPLACED WITH NEW TRANSFORMER AT SAME LOCATION
- 24 BUS DROP OFF/PICKUP AREA
- 25 K/TK ENTRY GATE
- 26 BIOFILTRATION AREAS/RAIN GARDENS
- 27 DRINKING FOUNTAIN
- 28 EXISTING ORNAMENTAL FENCING AND GATES TO REMAIN

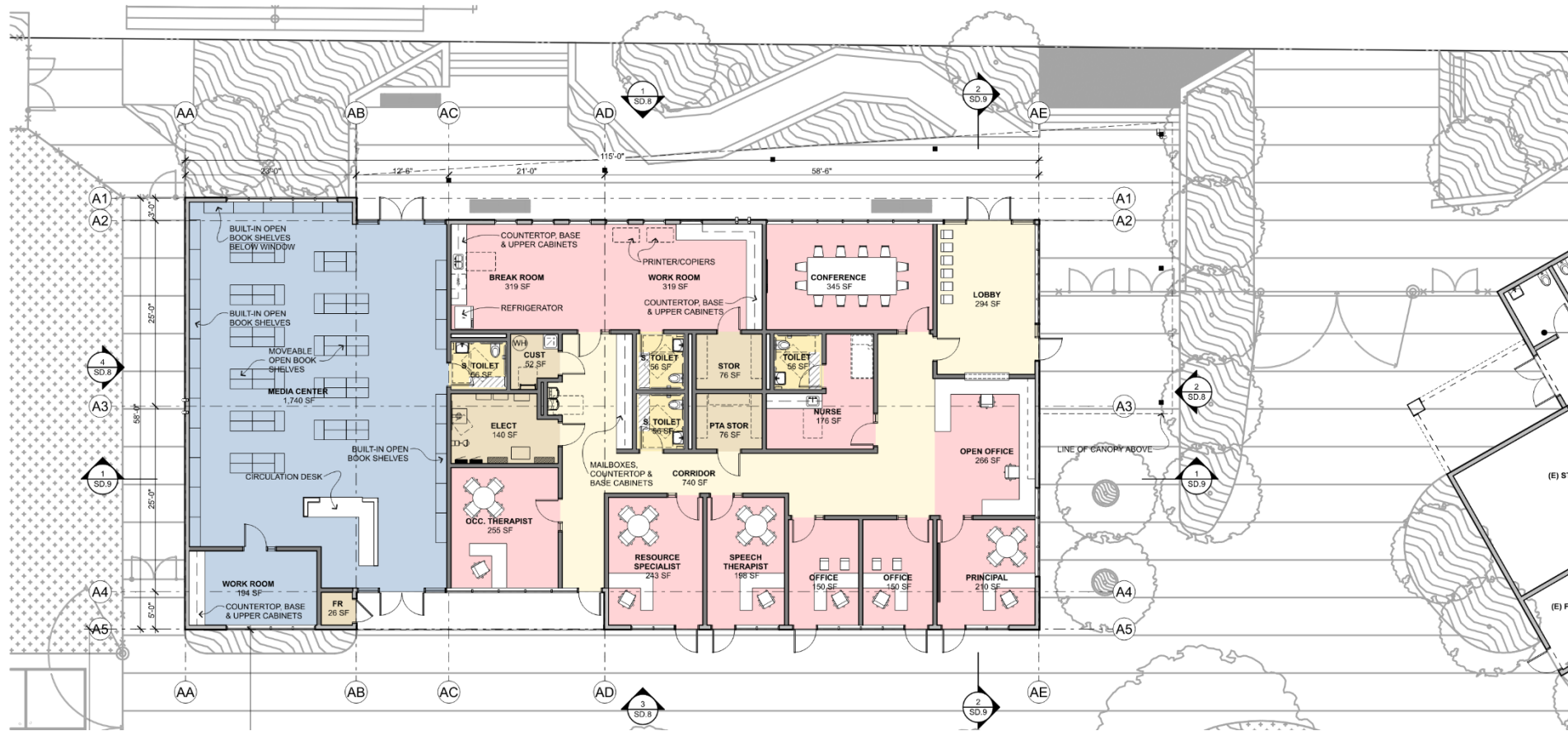
NOTES

- 1 SEE SCHEMATIC DESIGN PROJECT CRITERIA DOCUMENT FOR SITE LIGHTING.
- 2 SEE CIVIL PLANS FOR GRADING & DRAINAGE.

Otis Elementary School – Academic Quad



Otis Elementary School – Proposed Admin / Media Center Plan



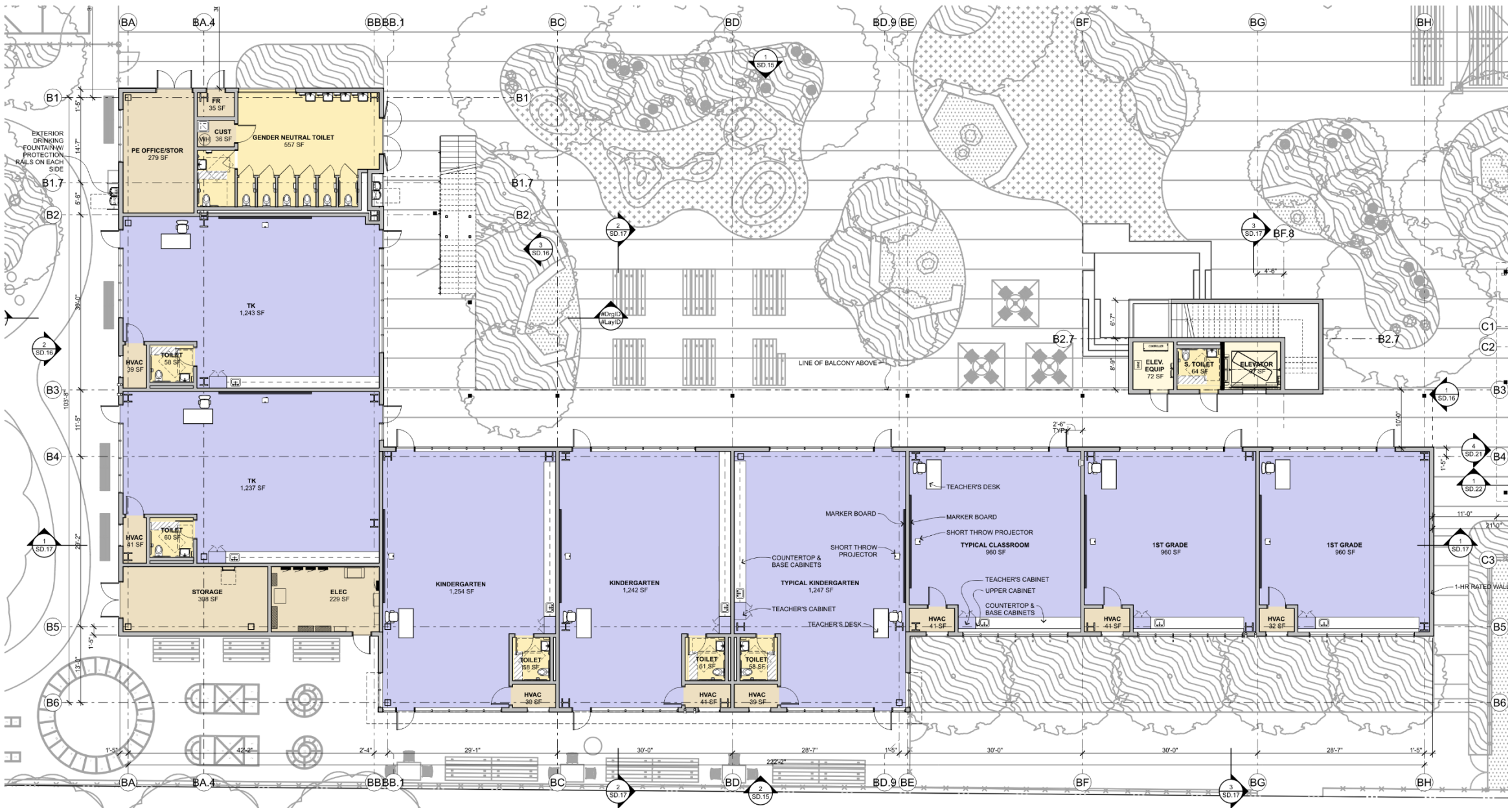
Otis Elementary School – Schematic Site Diagram



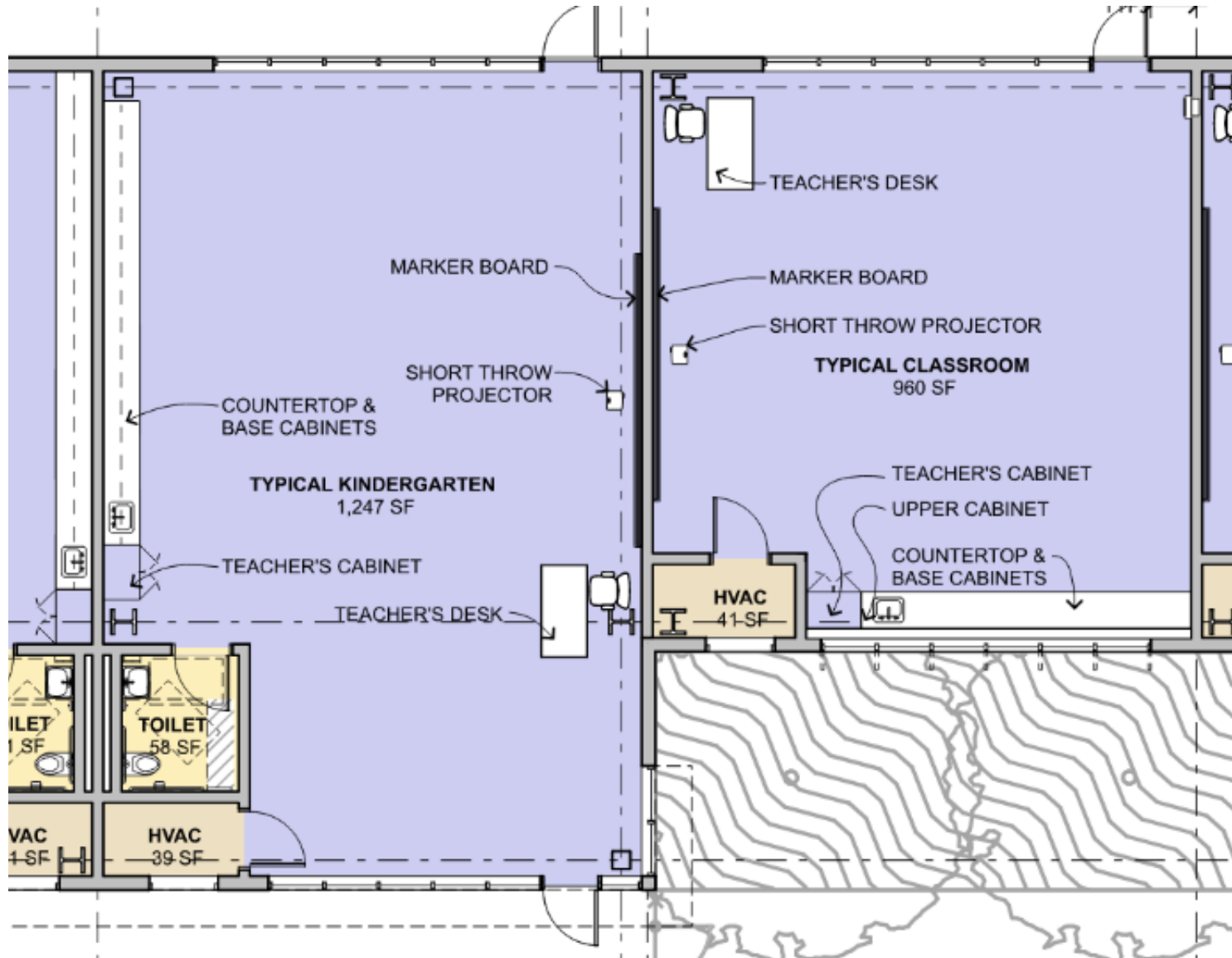
- LEGEND**
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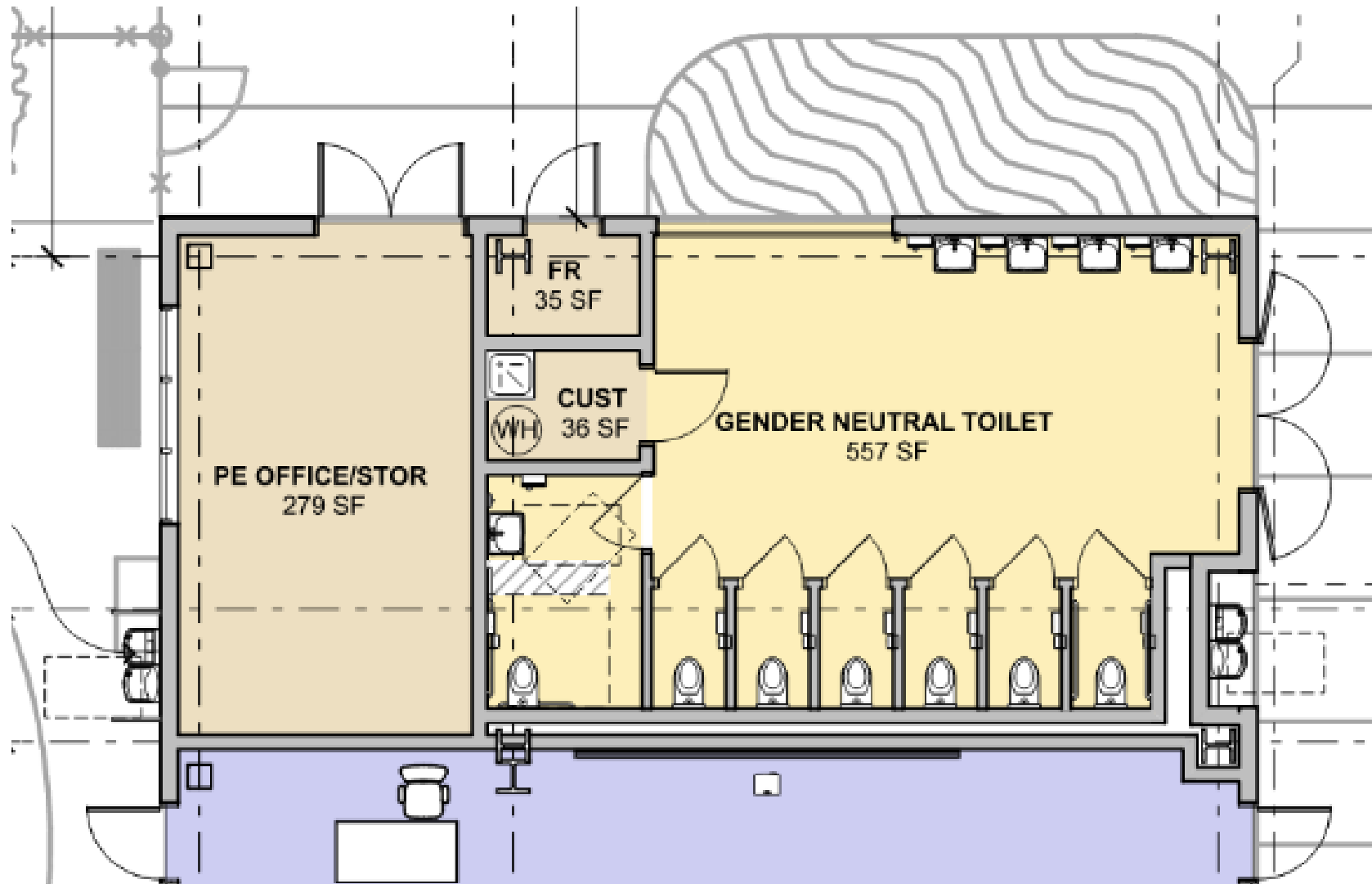
Otis Elementary School – Proposed Classroom Building – Level 1



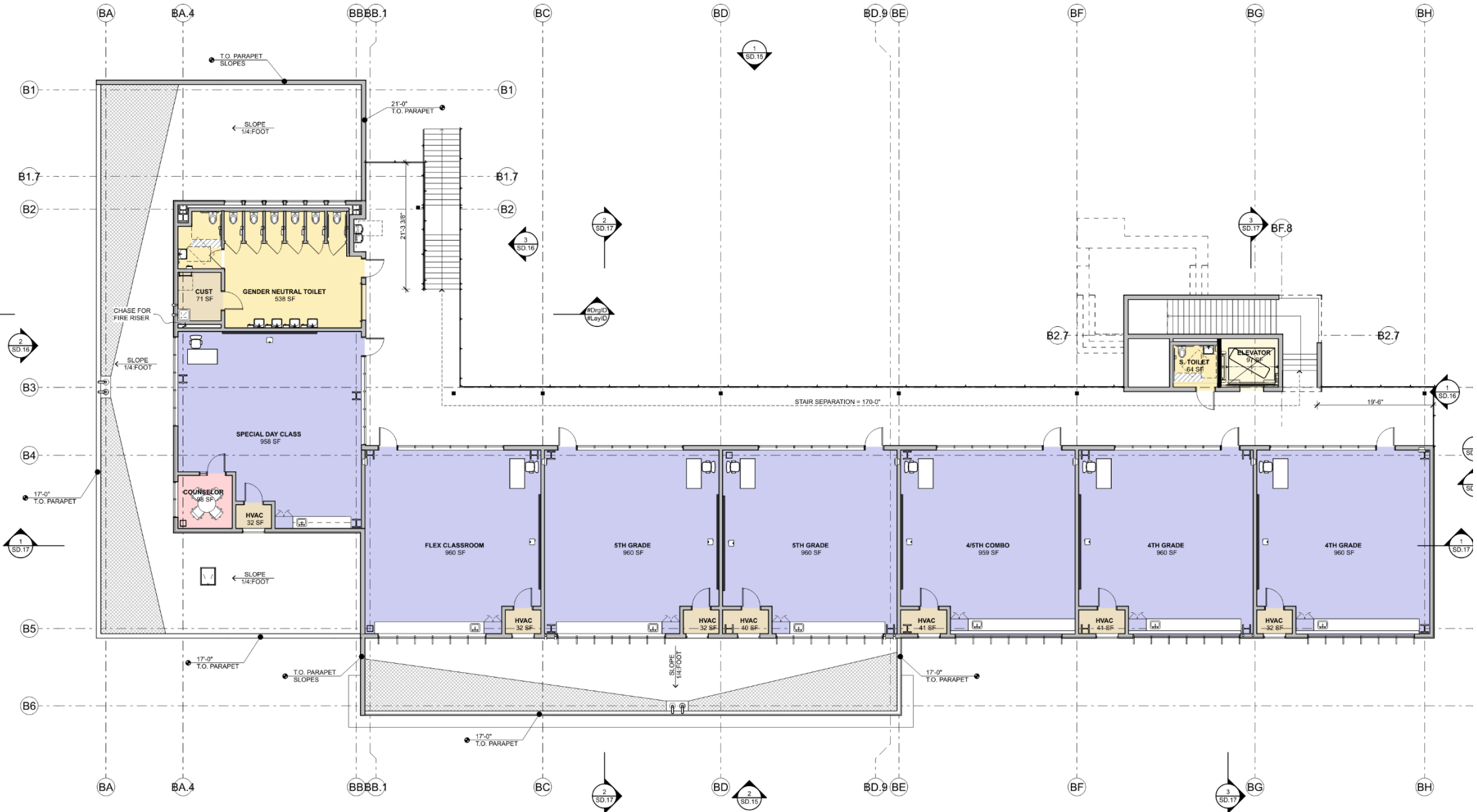
Otis Elementary School – Proposed Classroom Building – Classroom Features



Otis Elementary School – Proposed Classroom Building – Inclusive Restrooms



Otis Elementary School – Proposed Classroom Building – Level 2



Otis Elementary School – Conceptual Rendering: Campus Entry



Otis Elementary School – Conceptual Rendering: Academic Quad



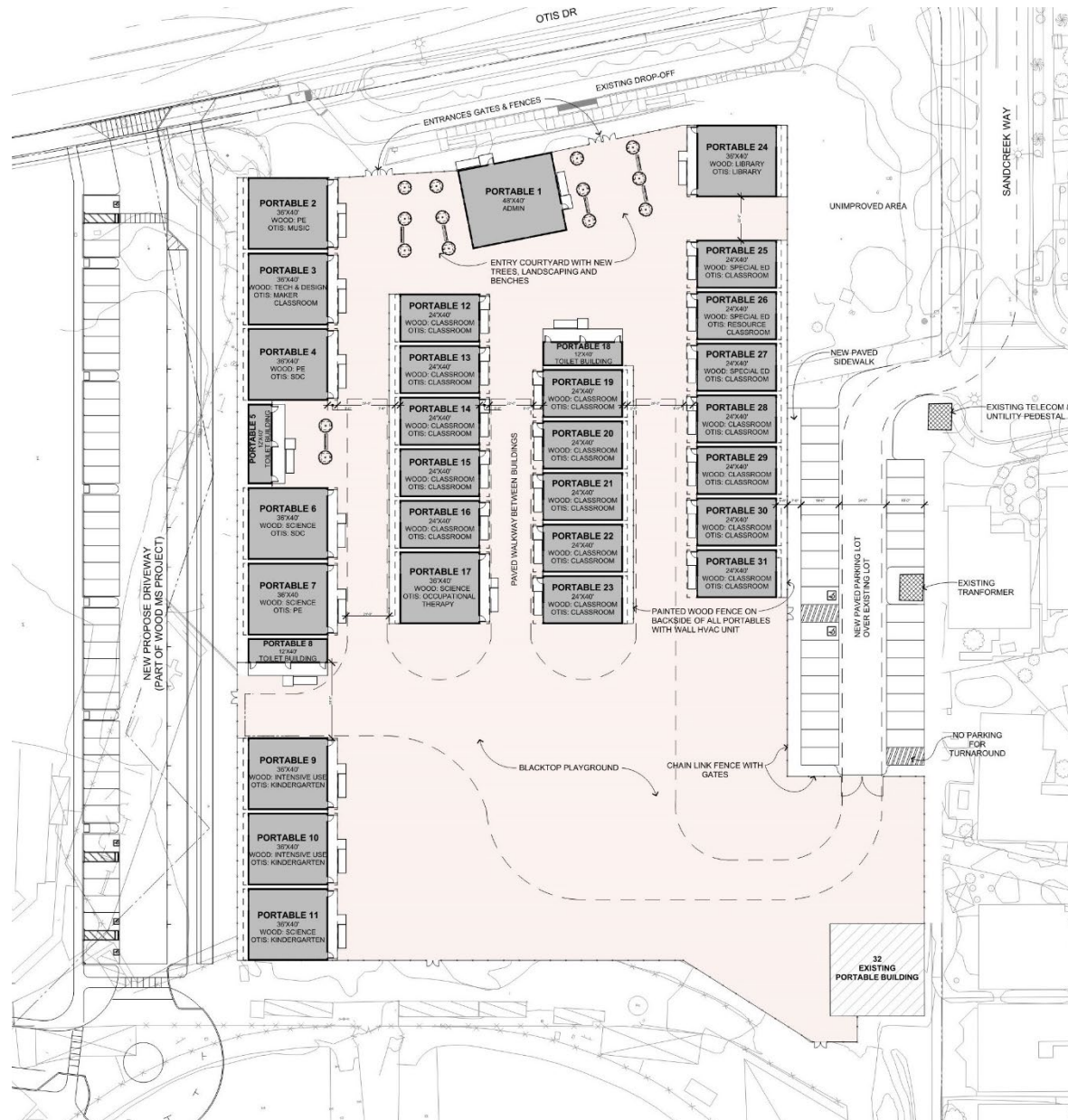
Otis Elementary School – Conceptual Rendering: Academic Quad



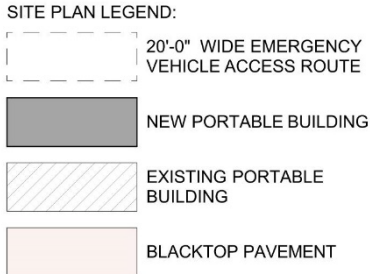
Otis Elementary School – Conceptual Rendering: Aerial View



Wood & Otis Schools - Temporary Housing Plan



- Meetings with Wood & Otis Principals
- Temporary Campus for Wood MS During Construction
- Current Lum School Demolished & Leased Portable Classrooms Installed
- Occupied by Otis Once Wood MS is Complete
- Enhanced Soils Preparation for Site's Liquefiable Soils
 - Foundations Suitable for These Soils



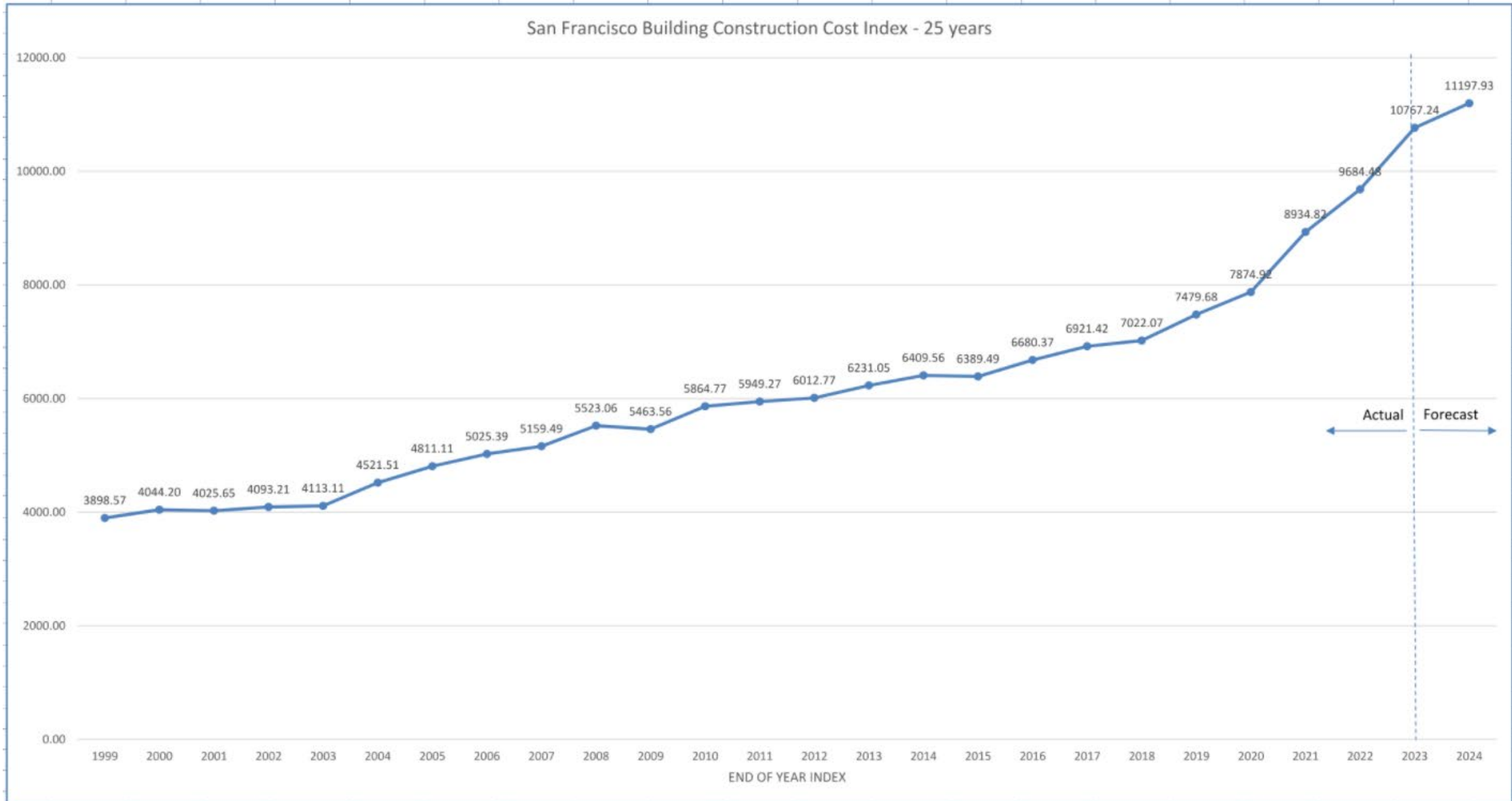
Milestone Schedule

Campus Modernization

- To DSA: June 2025
- Bidding: February 2026
- GMP Approval: June 2026
- Construction: July 2026 – June 2028
- Occupancy: Fall 2028

Budget Analysis

Otis Elementary School – Market Escalation



Otis Elementary School – Cost Analysis

Cost Analysis	Amount (Millions)
Covid-adjusted Projection	\$87.8
Actual Measure B Budget for Otis	\$62.5
Preliminary Design Estimate	\$75.3
Value Engineering	(\$8.0)
Proposed SD Cost	\$67.3

Board Discussion & Questions

ALAMEDA UNIFIED SCHOOL DISTRICT
BOARD AGENDA ITEM

Item Title: Enrollment Report: 20th Day of School (10 Mins/Information)

Item Type: Information

Background: Tonight staff present enrollment data for elementary, middle, and high schools. Enrollment is monitored daily for the first 10 days of school. Classes must be balanced by the 20th day to meet class size maximums per the Alameda Education Association contract.

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.| 4. Ensure that all students have access to basic services.

Fund Codes:

Fiscal Analysis

Amount (Savings) (Cost): N/A

Recommendation: This item is presented for information only.

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.| #5 - Accountability, transparency, and trust are necessary at all levels of the organization.| #6 - Allocation of funds must support our vision, mission, and guiding principles.

Submitted By: Kirsten Zazo, Assistant Superintendent of Educational Services

ATTACHMENTS:

Description	Upload Date	Type
□ Presentation: 20 Day Enrollment Report_9.24.24	9/17/2024	Presentation

20-Day Enrollment Report

**Kirsten Zazo, Assistant Superintendent
Educational Services**

September 24, 2024

Enrollment 2024-2025 – Day 20

Grade Level Comparisons - Totals (minus Pre school)

Grade	Actual Day 20 September 11, 2023 (TK- Adult Transition)	Actual Day 20 - September 12, 2024 (TK- Adult Transition)	Difference
TK-5	4,092	4,195	+103
6-8	1,905	1,984	+79
9-12	3,072	3,113	+41
Total	9,069	9,292	+223

Enrollment 2024-2025 – Day 20

Elementary Schools

Year	Bay Farm (K-5)	Earhart (TK-5)	Edison (K-5)	Franklin (K-5)	Love (TK-5)
23/24 9/11/23	485	573	463	290	470
24/25 9/12/24	491	574	474	291	496
Difference	+6	+1	+11	+1	+26

Enrollment 2024-2025 – Day 20

Elementary Schools

Year	Maya Lin (TK-5)	Otis (K-5)	Paden (TK-5)	Ruby Bridges (TK-5)
23/24 9/11/23	476	522	374	437
24/25 9/12/24	475	568	366	457
Difference	-1	+46	-8	+20

Enrollment 2024-2025 – Day 20

Middle Schools

Year	Lincoln (6-8)	Wood (6-8)	Jr. Jets (6-8)	Bay Farm (7-8)
23/24 9/11/23	918	607	288	38 (7) 46 (8) 84
24/25 9/12/24	969	615	354	38
Difference	+51	+8	+66	-46

Enrollment 2024-2025 – Day 20

High Schools

Year	Alameda (9-12)	ASTI (9-12)	Encinal (9-12)	Island (9-12)
23/24 9/11/23	1,864 (with adult transition)	168	931	92 (with Pathways)
24/25 9/12/24	1,863 (with adult transition)	212 (with adult transition)	931	87 (with Pathways)
Difference	-1	+44	0	-5

Enrollment 2024-2025 – Day 20

Elementary Schools – Redirection

	TK	K	1 st grade	2 nd grade	3 rd grade	4 th grade	5 th grade
Bay Farm	0	0	0	0	0	0	0
Earhart	0	0	0	0	0	1	0
Edison	0	0	0	0	0	0	0
Franklin	0	0	1	0	0	0	0
Love	0	0	0	0	0	0	0

Students who began at a school and had to be redirected away from their homeschool

Enrollment 2024-2025 – Day 20

Elementary Schools – Redirection

	TK	K	1 st grade	2 nd grade	3 rd grade	4 th grade	5 th grade
Maya Lin	0	3	0	0	0	0	0
Otis	0	0	1	0	0	0	0
Paden	0	0	0	0	0	0	0
Ruby Bridges	0	0	0	0	0	0	0

Students who began at a school and had to be redirected away from their homeschool

Enrollment 2024-2025 – Day 20

Elementary Schools – Over/Under Capacity

	TK	K	1 st grade	2 nd grade	3 rd grade	4 th grade	5 th grade
Bay Farm	11	2	1	1	1	1	0
Earhart	6	2	1	8	6	8	0
Edison	-	1	0	3	0	3	2
Franklin	-	1	2	6	2	0	6
Love	0	12	4	2	2	1	1

Green = space available.

Red = neighborhood students waiting to get back into their homeschool.

Enrollment 2024-2025 – Day 20

Elementary Schools – Under/Over Capacity

	TK	K	1 st grade	2 nd grade	3 rd grade	4 th grade	5 th grade
Maya Lin	-	7	1	3	6	2	2
Otis	2	0	7	3	12	1 2	6
Paden	2	6	1 2	3 2	18	3	2
Ruby Bridges	1	1	2	2	1	5	5

Green = space available.

Red = neighborhood students waiting to get back into their homeschool.

Grade Level Comparisons

Grade	23-24	24-25	Difference From 23-24
TK	234	266	32
K	610	678	68
1	596	628	32
2	626	615	-11
3	661	640	-21
4	679	678	-1
5	686	690	4
6	649	664	15
7	644	654	10
8	612	666	54
9	726	761	35
10	743	737	-6
11	807	753	-54
12	773	831	58
Grand Total	9,046	9,263	215

Next Grade Level Comparisons

Grade	22-23	23-24	Difference	Grade	23-24	24-25	Difference
TK	118	234	116	TK	234	266	32
K	563	610	47	K	610	678	68
1	614	596	33	1	596	628	18
2	664	626	12	2	626	615	19
3	666	661	-3	3	661	640	14
4	678	679	13	4	679	678	17
5	662	686	8	5	686	690	11
6	635	649	-13	6	649	664	-22
7	606	644	9	7	644	654	5
8	615	612	6	8	612	666	22
9	711	726	111	9	726	761	149
10	782	743	32	10	743	737	11
11	742	807	25	11	807	753	10
12	741	773	31	12	773	831	24
Total	8,797	9,046		Total	9,046	9,261	

Changes this year include: Full day Kindergarten, TK birthday extension and expanded aftercare options.

Affidavits and Interdistrict* Transfers

- Total Affidavits:
 - Total Affidavits that needed to be Renewed: **371**
 - Total Affidavits that were Renewed: **272**
 - Total Affidavit Tags Removed: **27**
 - Total Affidavits that were No Shows: **3**
 - Total Affidavits still Outstanding: **99**
- Currently we have **95** inter-district transfer students attending AUSD schools
- Out of the **95** inter-district transfers, **25** are employee's children
- **1,615** families enrolled for the 24/25 school year
- **38** new students with an IEP were enrolled
- **20** home checks completed in August and September (to date)

** Interdistrict Transfers are for students residing outside of Alameda who want to attend an AUSD school.*

Intradistrict* Transfers

We currently have **341** intra-district transfers students within AUSD:

- Total Requests for the 24/25 school year: **328**
- Total Approved for the 24/25 school year: **72**
- Total Priority 1 (Health and Safety) requests:
 - **2** approved
 - **1** not attending AUSD
- Total Priority 2 (sibling) requests:
 - **17** approved
- Total Priority 3 (all other) requests:
 - **52** approved

** Intradistrict Transfers are for Alameda resident students who want to attend a school outside their “home” zone.*

New Enrollments (February – August 2022)

Schools	0	1	2	3	4	5	6	7	8	9	10	11	12	PK	TK	Grand Total
Edison	64	9	2	4	1	5										85
Earhart	50	10	6	2	4	5									22	98
Franklin	33	9	2	1	1	2										48
Love	52	5	10	5	8	7									21	118
Ruby Bridges	44	16	9	6	7	6									20	108
Bay Farm	51	15	8	2	9	0			1							86
Otis	62	14	3	7	2	4										92
Paden	34	8	4	6	3	1										56
Wood							13	6	6							25
Lincoln							12	7	2							21
Encinal							10	3	1	48	6	4	5			81
Alameda										62	5	8	6			81
Island												1	0			1
ASTI										20						20
Maya Lin	56	6	6	4	0	8										80
Other																
Grand Total	446	92	48	37	35	38	35	16	10	130	11	13	11		63	983

New Enrollments (February – August 2023)

Schools	0	1	2	3	4	5	6	7	8	9	10	11	12	PK	TK	Grand Total
Edison	66	10	0	5	3	5										89
Earhart	55	1	0	5	2	0									48	111
Franklin	47	2	4	1	0	0										54
Love	59	3	3	6	3	0									48	122
Ruby Bridges	34	6	14	2	14	6									45	96
Bay Farm	60	12	6	2	3	4	0	0	3						48	138
Otis	57	10	0	2	2	2										73
Paden	40	8	8	8	7	5									46	122
Wood							22	21	22							65
Lincoln							16	7	5							28
Encinal							8	0	0	79	14	17	10			128
Alameda										50	16	13	7			86
Island										0	1	1	0			2
ASTI										15	0	0	0			15
Maya Lin	65	7	4	5	6	2										69
Other														28		28
Grand Total	483	59	39	36	40	24	46	28	30	144	31	31	17	28	235	1,271

New Enrollments (February – August 2024)

Schools	0	1	2	3	4	5	6	7	8	9	10	11	12	PK	TK	Grand Total
Edison	55	3	1	0	4	2										65
Earhart	60	5	0	2	0	0									40	107
Franklin	31	3	0	3	1	2										40
Love	41	8	23	5	8	7									48	140
Ruby Bridges	52	20	5	15	9	8									48	157
Bay Farm	41	3	5	3	7	7									36	102
Otis	76	1	2	0	0	1									46	126
Paden	37	4	4	8	3	2									46	104
Wood							33	7	13							53
Lincoln							23	8	10							41
Encinal							17	8	3	95	9	17	3			152
Alameda										78	8	12	7			105
Island										0	0	1	0			1
ASTI										22	2	0	1			25
Maya Lin	56	2	0	2	5	4										69
Other																
Grand Total	449	49	40	38	37	33	73	23	26	195	19	30	11		264	1,287

20-Day Enrollment Report

Board Discussion

ALAMEDA UNIFIED SCHOOL DISTRICT
BOARD AGENDA ITEM

Item Title: 2024-25 Three-Year Local Control and Accountability Plan (LCAP) Goal 1 (20 Mins/Information)

Item Type: Information

Background: The Local Control and Accountability Plan (LCAP) is a three-year plan that describes the goals, actions, services, and expenditures to support positive student outcomes that address state and local priorities. The LCAP provides an opportunity for local educational agencies (LEAs) to share their stories of how, what, and why programs and services are selected to meet their local needs.

AUSD's 2024-25 Three-Year Local Control and Accountability Plan was approved by the Board on June 25, 2024. Tonight's presentation will be focused around LCAP Goal 1 which is to:

Create and Improve the foundational education program where student's daily learning experiences are engaging, utilize multiple ways of learning, and feature lots of student talk. Student learning is driven by grade-level standards and tasks that support critical thinking, connections to real world concepts and developing healthy relationships.

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.

Fund Codes:

Fiscal Analysis

Amount (Savings) (Cost): N/A

Recommendation: This item is presented for information only.

AUSD Guiding Principle: #1 - All students have the ability to achieve academic and personal success.| #2 - Teachers must challenge and support all students to reach their highest academic and personal potential.| #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.| #6 - Allocation of funds must support our vision, mission, and guiding principles.| #7 - All employees must receive respectful treatment and professional support to achieve district goals.

Submitted By: Kirsten Zazo, Assistant Superintendent of Educational Services

ATTACHMENTS:

Description	Upload Date	Type
□ Presentation_LCAP Goal 1_9.24.24	9/18/2024	Presentation

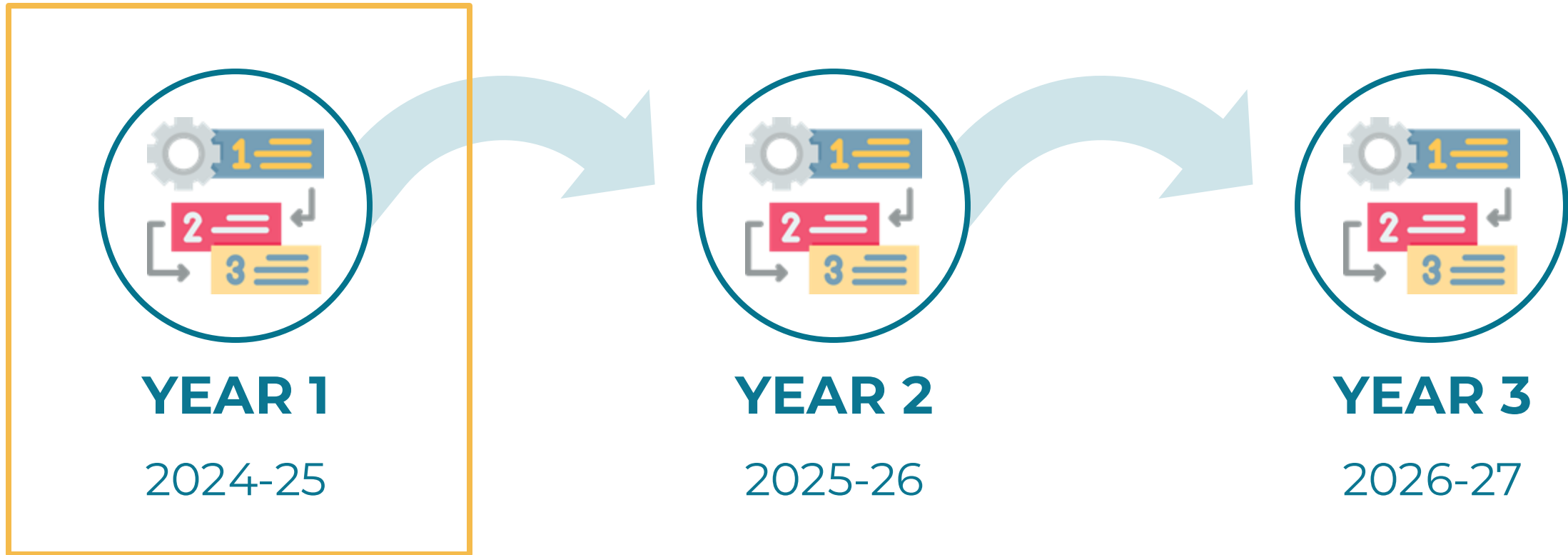


2024-25
THREE-YEAR LOCAL
CONTROL AND
ACCOUNTABILITY
PLAN (LCAP)
GOAL 1

SEPTEMBER 24, 2024

Welcome to the LCAP!

2024-25 will be Year 1 of the three-year plan

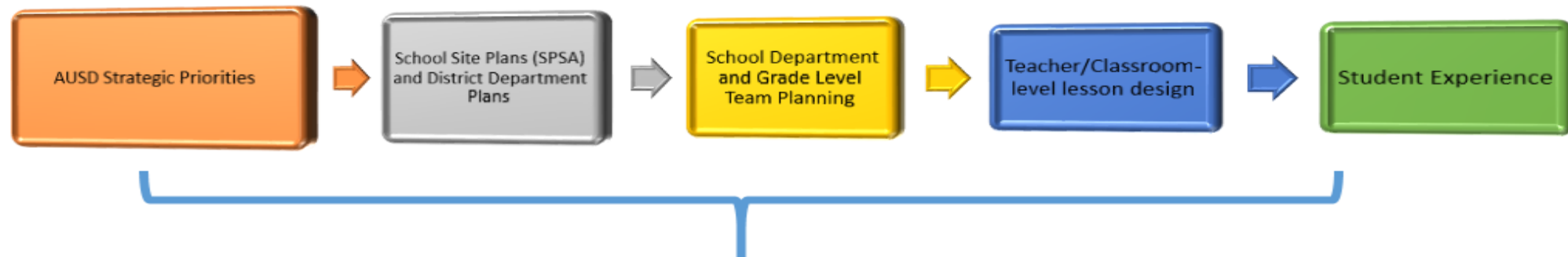


AUSD's Strategic Plan: Focal Areas

Focus Area 1: Foundational Program	Focus Area 2: Systems and Structures for Student Support	Focus Area 3: Resource, Talent Management, and Communications
<p>1.1 Student’s daily learning experiences are engaging, utilize multiple ways of learning, and feature lots of student talk</p> <p>1.2 Learning is aligned to and supported by grade-level standards and clear policies</p> <p>1.3 Relationships are built or improved to support learning and supportive environments</p>	<p>2.1 Every school and teacher provides the academic, social/emotional, and culturally responsive support each student needs</p> <p>2.2 Educators have time to collaborate and grow in service of student learning</p> <p>2.3 School teams consistently support equitable student outcomes</p> <p>2.4 School and student schedules create equitable access and learning opportunities</p>	<p>3.1 Finance: provide long-term financial stability necessary to maintain core programming and services</p> <p>3.2 Talent Management: Build a focused and diverse team where all positions are fully staffed with qualified personnel</p> <p>3.3 Communications: Use accurate, transparent, and engaging communications across multiple channels to support AUSD’s students, staff, and families.</p>

How All Plans Work Together

1. Strategic priorities should drive and influence each subsequent level of planning district-wide.
2. Those priorities gain sharper focus and detail the closer they move to the classroom.
3. The LCAP seeks to compile and account the investments, expenditures, and initiatives that support all levels of planning.



Local Control Accountability Plan (LCAP)

State-required, locally drafted plan that describes the goals, actions, services, and expenditures to support student outcomes.

LCAP District-wide Goals

Goal 1

Strategic Plan Goals 1.1, 1.2

Create and Improve the foundational education program where student's daily learning experiences are engaging, utilize multiple ways of learning, and feature lots of student talk. Student learning is driven by grade-level standards and tasks that support critical thinking, connections to real world concepts and developing healthy relationships.

Goal 2

Strategic Plan Goal 1.3

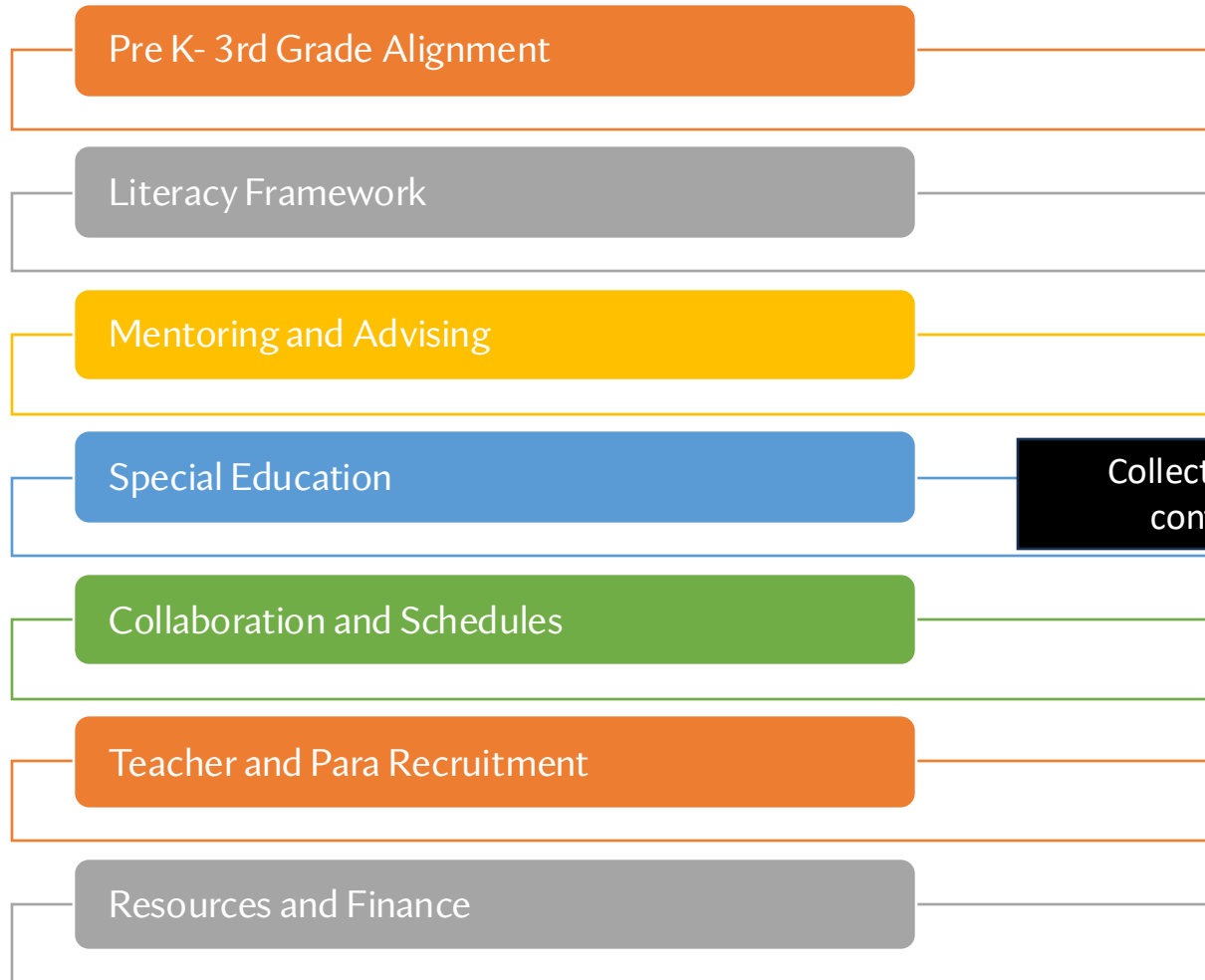
We work to build relationships between families, students, and staff to ensure schools are supportive, inclusive, and safe.

Goal 3

Strategic Plan Goal 2.1

Every school provides the academic, social/emotional, and culturally responsive support each student needs to reach their academic goals.

Focus of Our Work



GOAL: AUSD teams will repurpose and integrate appropriate bandwidth toward more focused student outcomes and individual students.



Intensively supporting all K-2 students struggling in reading and writing (Black or African-American students overrepresented in that group)



GOAL 1

LCAP District-wide Goals

Goal 1



Create and Improve the foundational education program where student's daily learning experiences are engaging, utilize multiple ways of learning, and feature lots of student talk. Student learning is driven by grade-level standards and tasks that support critical thinking, connections to real world concepts and developing healthy relationships.

Our goal is to work together as a community to develop or refine:

- A clear and coherent curriculum (what students learn)
- Dynamic lessons that incorporate many different modes and models of instruction (how students learn)
- More purposeful reading, writing, and student discourse across all subject areas (how students talk about what they're learning)
- A clear and family-friendly articulation of our standards and instructional strategies (how families understand what their children are learning)

We need to ensure equitable access to high-quality instruction for all our students to create a strong foundational program across all our school sites and classrooms. From that foundation, we can then build programs to provide differentiated instruction and support for children with differentiated needs, including those with disabilities, those who are English learners, and those who traditionally have been underserved in the educational system.

LCAP GOAL 1

Action	Title	Funding 24-25	Actions include...	What does it pay for?
1.1	Equitable grading	\$40,000.00	Continue monthly meetings with the Grading For Equity (Assessing Students Accurately) Workgroup. Provide Professional Development for all secondary staff on the technical implementation, equitable grading practices (i.e., setting up gradebooks). Contracting with Crescendo Education Group to build teacher capacity in understanding the pillars of equitable grading practices (Accuracy, Bias resistant, motivational). Continue to explore Board Policies that promote equitable grading practices. Provide Secondary teachers time and space to develop agreements on the following: Equitable Grading Practices including extra credit, retake re-dos, and grading individual work not group work.	<ul style="list-style-type: none"> • Teacher hourly to support after school professional learning • Professional services agreement for teacher professional learning
1.2	Literacy Framework PK - 12	\$41,250.00	Pilot a universal screener to identify potential reading delays (including dyslexia). Support the implementation and progress monitoring of the district's investment in a research-based reading intervention program. Offer family literacy nights that include a focus on reading practices and instruction within the classroom and school level, as well as ways to support reading at home. Pilot and adopt a research-based ELA/ELD program for grades P-K-5, 6-8, and 9-12. Offer ongoing professional development and coaching. Develop a resource guide that codifies best practices in literacy PK-12.	<ul style="list-style-type: none"> • Teacher hourly to support after school professional learning • Shifting the balance books

LCAP GOAL 1, cont...

Action	Title	Funding 24-25	Actions include...	What does it pay for?
1.3	Mathematics coaching and Professional Learning	\$327,918.00	Lead teachers and coaches will support the implementation of the new framework. Hold New math teacher orientations. Provide access to SVMII training to all secondary math teachers. Support the on-going collaboration and PLC's focused on the implementation of math new adopted math curriculum and provide ongoing training with the Carnegie Learning for The Middle School Math teachers. Teachers and coaches will choose focal students to follow based on students who have historically not performed well in math based on the SBACC performance data on the California dashboard. They will use STAR data to monitor growth throughout the year and district with monitor lag data included in the LCAP.	<ul style="list-style-type: none"> • 2 Math Coaches • Teacher Lead stipends • Hourly for after school professional learning
1.4	Professional Learning and Coaching	\$911,647.00	Coaches will support district wide professional learning and will be assigned to school sites to support the implementation of the learning. Coaches will model lessons, support lesson planning and delivery, coach and support on site best practices, provide additional support to students during RTI periods, and support the collection and identification of data that can help inform teachers on how to best support students.	<ul style="list-style-type: none"> • 9.5 FTE

LCAP GOAL 1, cont...

Action	Title	Funding 24-25	Actions include...	What does it pay for?
1.5	Teacher Leader Development and Collaboration	\$366,405.00	Provide Professional learning to support teachers and school teams with collaborative inquiry, data analysis, and reflection on practice to promote student learning and refine instruction.	<ul style="list-style-type: none"> • Teacher Lead stipends for Elementary and Middle School • Hourly for professional learning • Professional Services Agreement for Professional Learning
1.6	Attract and Retain High Quality Staff	\$1,000,000.00	Sustain the compensation increases that have been provided to all employee groups to attract and retain highly qualified staff. that create the collaborative and engaged personnel to deliver high-quality educational experiences to students with attention to attracting employees who are able to be successful with students who are English Learners, Low income, and Foster Youth, and/or unhoused or unaccompanied minors. This amount includes benefits and salaries for all employee groups including certified, classified, and management	<ul style="list-style-type: none"> • A portion of all salaries
1.7	Differentiated Professional Learning	\$368,272.00	Provide an extra day of professional learning for teachers to support the district priorities indicated in the districts strategic plan. Focused topics on improving outcomes for unduplicated count students and student groups with indicators in red on the state dashboard	<ul style="list-style-type: none"> • One of the four days of professional learning

LCAP GOAL 1, cont...

Action	Title	Funding 24-25	Actions include...	What does it pay for?
1.8	Site SPSA Goals and Actions Targeted Support	\$327,796.00	District will support school sites develop goals and actions in their SPSA's to address student groups with indicators in red on the state dashboard. (RTI) All elementary sites will develop master schedules that support inclusion and ensure students with IEP's, English learners or students who need Tier 2 supports have access to Tier1/ Core instruction and any additional supports are provided at a designated time, Designated ELD or RTI. Students will be clustered so that support teachers can push into classrooms during instruction to provide targeted support. All master schedules will have built in time for teachers to analyze data in their professional learning communities to determine how students are responding to interventions or to identify students needing additional support.	<ul style="list-style-type: none"> Additional site funding to support actions developed in their SPSA plans
1.9	Strategic Scheduling	\$165,156.00	Implement schedules and classes that are strategically designed to create access to equitable learning opportunities and prioritize support for students who need it most. (RTI) All elementary sites will develop master schedules that support inclusion and ensure students with IEP's, English learners or students who need Tier 2 supports have access to Tier1/ Core instruction and any additional supports are provided at a designated time, Designated ELD or RTI. Students will be clustered so that support teachers can push into classrooms during instruction to provide targeted support. All master schedules will have built in time for teachers to analyze data in their professional learning communities to determine how students are responding to interventions or to identify students needing additional support.	<ul style="list-style-type: none"> Additional specialist staff to support creating uninterrupted blocks of time for literacy and RTI

LCAP GOAL 1, cont...

Action	Title	Funding 24-25	Actions include...	What does it pay for?
1.10	Implement co-teaching	\$293,598.00	Implement co-teaching classes at all secondary sites for mathematics, English language arts. Implement co-teaching during literacy and math blocks at identified elementary schools beginning with grades 4 and 5. Provide time and professional learning for ed specialists and general education teachers to plan and support students with disabilities. In collaboration with the district's special education leadership team, sites select their co-teaching models for ELA and Mathematics and receive professional development on their selected models from Special Education Coordinators. Co-teachers, with support from site leadership, create a co-planning schedule for their respective subjects. Special education coordinators and TSAs provide ongoing feedback and coaching support to co-teachers when engaged in the act of co-teaching.	<ul style="list-style-type: none"> Additional sections to support Co-Teaching
1.11	Increase the learning rigor and engagement of students in ESN classes	\$311,157.00	Pilot, train and implement new curriculum and best practices for our ESN classes to increase rigor and student engagement. The district will work with teachers to explore the piloting and adoption of new Extensive Support Needs curriculum. Provide training and support on the curriculum with a focus on the modification of state standards and engagement. We will implement the newly Board adopted alternate education course syllabi in all core content areas in secondary (Ela, history, math, science) which will drive standards-based instruction for all ESN students. There will be professional development and coaching throughout the school year led by our district's ESN teacher on special assignment.	<ul style="list-style-type: none"> 1 FTE teacher on special assignment

LCAP GOAL 1, cont...

Action	Title	Funding 24-25	Actions include...	What does it pay for?
1.12	Data Driven Decision Making and Cycles of Continuous Improvement	\$260,702.00	Support the refinement, administration, and analysis of standards-aligned assessments to determine student learning and implications for teaching and site and district systems. Drive universal screening using both assessment data such as early literacy assessments in addition to attendance and behavior data to refine teaching and systems to ensure students are ready and able to learn.	<ul style="list-style-type: none"> • 1 FTE • Data System Infrastructure
1.13	Coordination and Support of English Language Learners	\$218,753.00	Maintain coordinator of language and literacy position to manage implementation of designated ELD and integrated ELD program. Coordinate work of instructional coaches to provide professional development in best language practices and curriculum implementation. Project management to ensure ELLs with IEPs are receiving language support aligned with disability Coordinate family and student engagement (family needs assessment, ELL-only field trips) Coordinate progress monitoring of RFEPs and current English Learners.	<ul style="list-style-type: none"> • 1 FTE for Coordinator of Language and Literacy • Sub release for professional Learning • Hourly for Professional Learning • EL specific materials
1.14	Inclusion for Students with Disabilities	\$73,332.00	Support school staff with professional learning and coaching on Inclusion practices for students with disabilities. Support Site administration, general education teachers and special education teachers on general best practices for inclusion. Work with all site coaches to support building out these identified researched based practices at school sites.	<ul style="list-style-type: none"> • .5 TSA for Special Education

Highlighting School Site Practice

How do LCAP goals and actions translate into school site goals and actions?

LCAP Action 1.8: Site SPSA Goals and Actions Targeted Support

LCAP Action 1.5: Teacher Leader Development and Collaboration

LCAP Action 1.9: Strategic Scheduling

Paden Elementary School

Instructional

If we continue to focus on **personalized teaching** by incorporating intentional **small group instruction and intervention in all classrooms**, then 80% of all students will show **academic growth** in English Language Arts as measured by multiple metrics.

Our how...
Approach/Application

Culture & Climate

If we consistently and **proactively teach social skills, procedures, and routines as developmentally appropriate** through **playful learning, the use of the Toolbox project and positive behavioral interventions and support**, then **we will improve the culture and climate of our school as measured by a reduction in suspension rate.**

Our what...
Practice

Our why...
Outcome

Paden's Progress



Carrying out the work

- Reviewed SPSA
- Observe practices
- Check in with grade level teams, school site council, and leadership team

Observe, evaluation, and design SPSA

- School Leadership Team walkthrough
- District walkthrough feedback
- Review 22/23 SPSA, reflect on site data, and design new goals

Professional Learning

- Site learning - observation of practice
- Refresh/refine teaching and learning strategies
- Summer learning at Universal Design for Learning

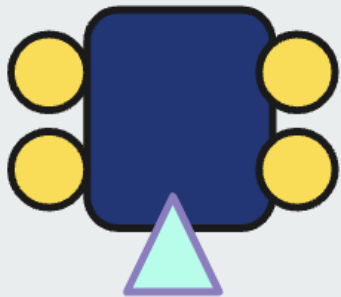
Current Work

- Application of 23/24 SPSA
- Observe practices
- Collect Data

Intervention Programs at Paden

Intervention with Gen. Ed Paraprofessional

- Push in/ Pull out services for grades K-5
- English Language Arts/ Math
- Students selected by classroom teacher ●

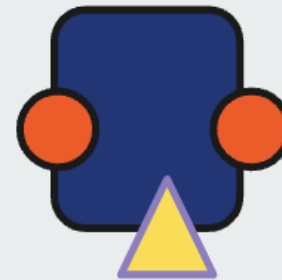


of students served: 31

Funding: Title 1/PTA

Intervention with Reading Interventionist

- Pull out services, specifically in grades 1-5
- Targeted services in reading, phonics, phonemic awareness, fluency, comprehension.
- Students far below grade level
- Focal students prioritization ●



of students served: 16

Funding: Title 1/PTA

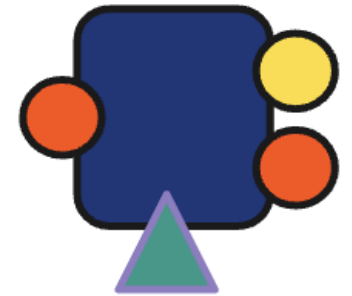
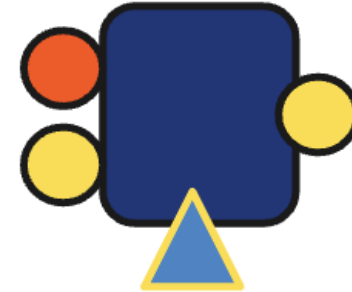
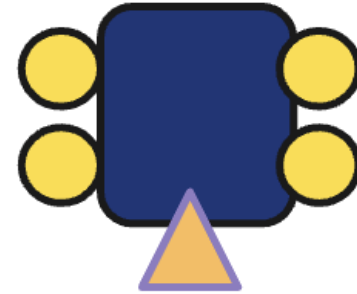
Beyond the school day Intervention

Paden Promise

- 4x a week
- Content areas: Reading and Math
- 2 morning sessions
- 2 afternoon sessions
- Cycle 1 - Grades 2-5 [Sept - Dec]
- Cycle 2 - Grades 1-4 [Jan - May]

of students served: 25

Funding: PTA



Classroom Intervention

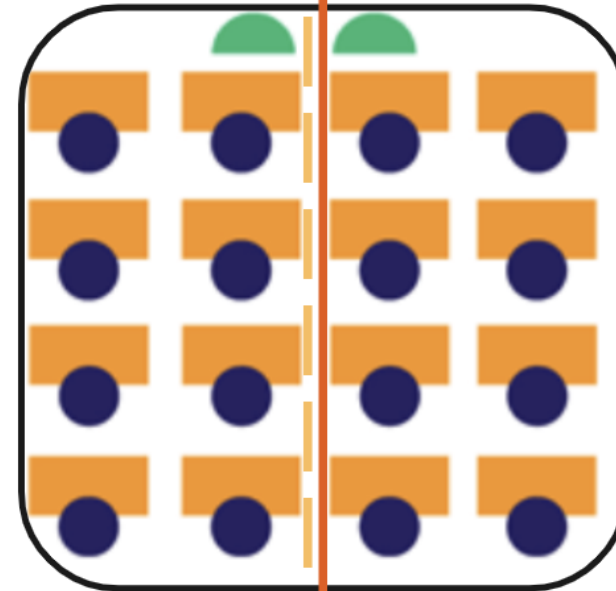
- All classrooms K-5
- Once a week, teachers will have $\frac{1}{2}$ of the class for targeted intervention
- Content designed by the teacher
- Data collection by the classroom teacher.

of students served: 317

Funding: District Funding + Prop 28

Art Class

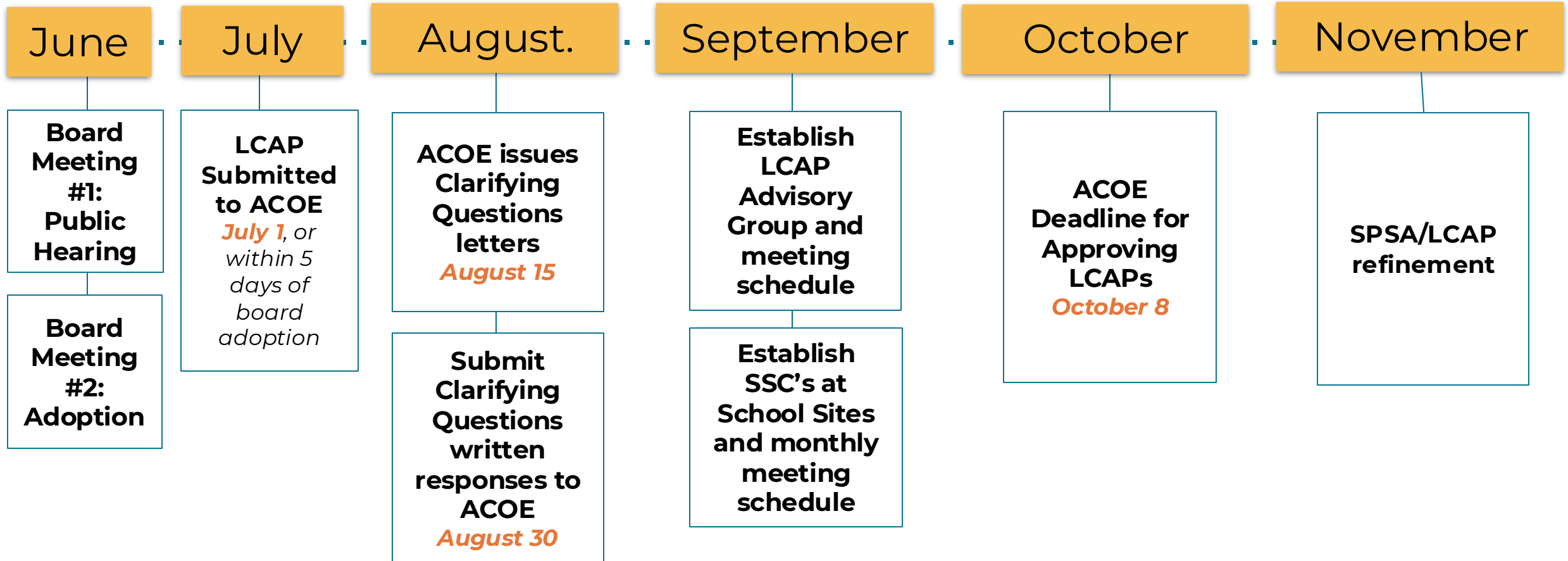
Intervention



Students rotate weekly everyone will have art and intervention

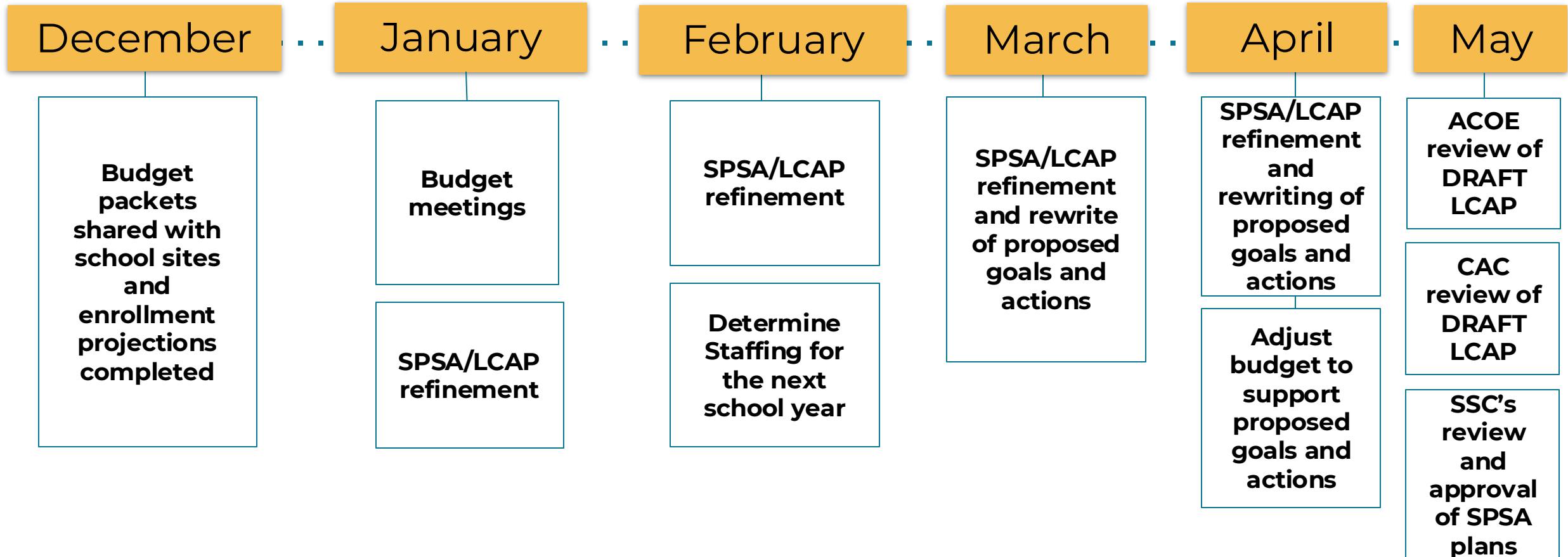
2024-25 LCAP: Statutory Deadlines

HIGH-LEVEL OVERVIEW



2024-25 LCAP: Statutory Deadlines

HIGH-LEVEL OVERVIEW



BOARD DISCUSSION

Kirsten Zazo



510.337.7000



KZAZO@ALAMEDAUNIFIED.ORG



www.alamedaunified.org



ALAMEDA UNIFIED SCHOOL DISTRICT
BOARD AGENDA ITEM

Item Title: Resolution No. 2024-2025.xx Certification of Requirement of Education Code Section 60119 for Pupil Textbooks and Instructional Materials for Grades K-12 for the 24-25 SY (5 Mins/Public Hearing/Information)

Item Type: Public Hearing/Information

Background: This Public Hearing and Board Resolution are a required routine annual review of textbook sufficiency in AUSD schools. School districts must ensure that they have fully complied with the requirements of Education Code Section 60119. In order to be eligible to receive funds available for the purposes of this article, districts must conduct an annual public hearing to determine whether each pupil in the district has sufficient textbooks or instructional materials, or both, that are aligned to the content standards adopted pursuant to Section 60605 in each of the following subjects, as appropriate, that are consistent with the content and cycles of the curriculum framework adopted by the state board:

- Mathematics
- Science
- History-social science
- English/language arts, including the English language development component of an adopted program

Resolution No. 2024-2025.xx certifies that the District has adhered to all laws and to all State Board of Education rules, regulations, and policies regarding the purchase of instructional materials. Staff will seek final approval of this Resolution at the October 8, 2024 Board of Education Meeting.

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.| 4. Ensure that all students have access to basic services.

Fund Codes:

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.| #2 - Teachers must challenge and support all students to reach their highest academic and personal potential.| #3 - Administrators must have the knowledge, leadership skills and ability to ensure student success.| #5 - Accountability, transparency, and trust are necessary at all levels of the organization.| #6 - Allocation of funds must support our vision, mission, and guiding principles.

Submitted By:

Kirsten Zazo, Assistant Superintendent of Educational Services

ATTACHMENTS:

	Description	Upload Date	Type
▣	Sufficiency of Instructional Materials_Notice of Public Hearing	9/16/2024	Backup Material
▣	Public Hearing_Resolution No. 2024-2025.xx Certification of Requirement of Sufficiency of Pupil Textbooks and Instructional Materials	9/16/2024	Backup Material



Public Hearing

Sufficiency of Instructional Materials

Annually the School Board must determine by [Resolution](#) as to whether each pupil in the District has sufficient instructional materials in English/Language Arts, Mathematics, Science and History-Social Science that are aligned to the academic content standards and are consistent with the content and cycles of the curriculum frameworks.

September 24, 2024
School Board of Education Meeting

Board Meeting Begins at 6:30 PM
(All Meetings are held at the Alameda City Hall located at
2263 Santa Clara Avenue, Alameda, CA 94501)

Email mnalamothu@alamedaunified.org with any questions.

ALAMEDA UNIFIED SCHOOL DISTRICT
Alameda, California
Resolution

October 8, 2024

Resolution No. 2024-2025.xx

**CERTIFICATION OF REQUIREMENT OF EDUCATION CODE SECTION 60119 FOR
SUFFICIENCY OF PUPIL TEXTBOOKS AND INSTRUCTIONAL MATERIALS
INCENTIVE PROGRAM**

WHEREAS, the Governing Board of Alameda City Unified School District, in order to comply with the requirements of Education Code section 60119, held a public hearing on September 24, 2024, at approximately 7:00 pm, which is on or before the eighth week of school and which did not take place during or immediately following school hours; and

WHEREAS, the Governing Board provided at least 10 day notice of the public hearing posted in at least three public places within the district that stated the time, place, and purpose of the hearing, and

WHEREAS, the Governing Board encouraged participation by parents, teachers, members of the community, and bargaining unit leaders in the public hearing; and

WHEREAS, information provided at the public hearing and to the Governing Board at the public meeting detailed the extent to which textbooks and instructional materials were provided to all students, including English learners, in the district/county office of education; and

WHEREAS, the definition of “sufficient textbooks or instructional materials” means that each pupil has textbook or instructional materials, or both, to use in class and to take home; and

WHEREAS, the definition of “sufficient textbooks or instructional materials” also means that all students who are enrolled in the same course within the Alameda Unified School District have standards-aligned textbooks or instructional materials from the same adoption cycle; and

WHEREAS, sufficient textbooks and instructional materials were provided to each student, including English Learners, which are aligned to the academic content standards and consistent with the cycles and content of the curriculum frameworks within the following subjects:

- Mathematics
- Science
- History-Social Science
- English/Language arts, including the English Language Development component of an adopted program; and

WHEREAS, sufficient textbooks or instructional materials were provided to each pupil enrolled in foreign language or health classes; and

WHEREAS, laboratory science equipment was available for science laboratory classes offered in grades 9-12, inclusive;

NOW, THEREFORE, BE IT RESOLVED, that for the 2024-2025 school year, the Alameda Unified School District has provided each pupil with sufficient textbooks and instructional materials aligned to the academic content standards and consistent with the cycles and content of the curriculum frameworks.

PASSED AND ADOPTED by the following votes on this 8th day of October, 2024.

AYES: _____ MEMBERS: _____

NOES: _____ MEMBERS: _____

ABSENT: _____ MEMBERS: _____

Jennifer Williams, President
Board of Education
Alameda Unified School District
Alameda County, State of California

ATTEST:

By: _____
Pasquale Scuderi, Secretary
Board of Education
Alameda Unified School District
Alameda County, State of California

ALAMEDA UNIFIED SCHOOL DISTRICT
BOARD AGENDA ITEM

Item Title: Resolution No. 2024-2025.12 Providing Authorization to Hire on Provisional Internship Permits (PIP) (5 Mins/Action)

Item Type: Action

Background: The California Commission on Teacher Credentialing created Provisional Internship Permit (PIP) to allow an employing agency to fill an immediate staffing need by hiring an individual who has not yet met the subject matter competence requirement needed to enter in an intern program. A District may request a PIP only after a diligent search has been conducted. The PIP is issued for one year, and all requests for a PIP must be presented to the Governing Board of a public school district for approval. Every PIP request that is submitted to the Commission on Teacher Credentialing must include verification that a notice of intent to employ the named applicant has been made public.

AUSD LCAP Goals:

Fund Codes:

Fiscal Analysis

Amount (Savings) (Cost):

Recommendation: Approve as submitted.

AUSD Guiding Principle: #2 - Teachers must challenge and support all students to reach their highest academic and personal potential. | #3 - Administrators must have the knowledge, leadership skills and ability to ensure student success. | #5 - Accountability, transparency, and trust are necessary at all levels of the organization.

Submitted By: Timothy Erwin, Assistant Superintendent, Human Resources

ATTACHMENTS:

	Description	Upload Date	Type
□	Resolution Providing Authorization to Hire on Provisional Internship	9/16/2024	Backup Material

ALAMEDA UNIFIED SCHOOL DISTRICT
Alameda, California
Resolution

September 27, 2024

Resolution No. 2024-2025.12

Resolution Providing Authorization to Hire on Provisional Internship Permits (PIP)

WHEREAS, The California Commission on Teacher Credentialing authorizes the issuance of a Provisional Internship Permit (PIP) to an individual who meets the following requirements: 1) possession of a baccalaureate degree or higher from a regionally-accredited college or university; 2) satisfaction of the basic skills requirement; and 3) successful completion of course work for the permit type. The individual(s) below need additional time to meet the subject matter competency to enter an internship program; and

WHEREAS, after reviewing the requirements needed to qualify for a Provisional Internship Permit, the following teacher(s) meet the qualifications identified by the Commission on Teacher Credentialing.

NOW, THEREFORE, BE IT RESOLVED that the following individuals are authorized to apply for a PIP to complete their assignment for the 2023-2024 school year in the Alameda Unified School District.:

Name: Aiyana Beck
Assignment: Mild Moderate Support Needs
Site/Grade Level: Maya Lin School / Grades K-2

Name: Nameera Muhammad Dawood
Assignment: Mathematics
Site/Grade Level: Alameda High/Grades 9-12

Name: Edward Ware
Assignment: Extensive Support Needs
Site/Grade Level: Wood Middle School/Grades 6-8

Name: Carlos Williams
Assignment: Mathematics
Site/Grade Level: Wood Middle School/Grades 6-8

PASSED AND ADOPTED by the following vote this 24th day of September 2024.

AYES: _____ MEMBERS: _____

NOES: _____ MEMBERS: _____

ABSENT: _____ MEMBERS: _____

Jennifer Williams, President
Board of Education
Alameda Unified School District
Alameda County, State of California

ATTEST:
By: _____
Pasquale Scuderi, Secretary
Board of Education
Alameda Unified School District
Alameda County, State of California