

BOARD OF EDUCATION AGENDA

SPECIAL MEETING
January 7, 2025 - 4:00 PM

Board Policy Subcommittee Meeting

Marina Conference Room - Niel Tam Educational Center - 2060 Challenger Drive - Alameda, CA 94501

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

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

IF YOU WISH TO ADDRESS THE BOARD OF EDUCATION

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

A. CALL TO ORDER

1. Call to Order - 4:00pm - Marina Conference Room, Niel Tam Educational Center
2. Introduction of Board Members and Staff

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order of business including, but not limited to, an announcement that an agenda item will be considered out of order, withdrawn, postponed, or rescheduled.

C. APPROVAL OF MINUTES

1. Minutes from the September 12, 2024 Board Policy Subcommittee Meeting will be considered (5 Mins/Action)

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

1. CSBA Recommended Updates to Board Policies Reflecting Changes made to Legislative Laws (10 Mins/Action)
2. Review of Board Policy/Administrative Regulation 6172.1: Concurrent Enrollment in College Classes (10 Mins/Action)

3. Review of Board Policy 5131.8: Mobile Communication Devices (10 Mins/Action)
4. Review of Board Bylaws: BB 9010 Public Statements and BB 9012 Board Member Electronic Communications (10 Mins/Action)

E. ADJOURNMENT

ALAMEDA UNIFIED SCHOOL DISTRICT
SPECIAL AGENDA ITEM

Item Title: Minutes from the September 12, 2024 Board Policy Subcommittee Meeting will be considered (5 Mins/Action)

Item Type: Action

Background: Staff has prepared minutes following Board Bylaw 9324 – Minutes and Recordings:
In order to ensure that the minutes are focused on Board action, the minutes shall include only a brief summary of the Board's discussion, but shall not include a verbatim record of the Board's discussion on each agenda topic or the names of Board members who made specific points during the discussion.

AUSD LCAP Goals:

Fiscal Analysis

Amount (Savings) (Cost):

Recommendation: Approve as submitted.

AUSD Guiding Principle:

Submitted By: Meira Nalamothu, Executive Assistant, Educational Services

ATTACHMENTS:

Description	Upload Date	Type
□ Unadopted Minutes_September 12, 2024	11/26/2024	Backup Material

BOARD POLICY SUBCOMMITTEE MEETING

Date: September 12, 2024
Marina Conference Room
2060 Challenger Drive, Alameda

UNADOPTED MINUTES

SPECIAL MEETING: A Special Meeting of the Board of Education was held on the date and place mentioned above.

A. CALL TO ORDER: The meeting was called to order at 4:00 PM.

1. Introduction of Board Members and Staff:

Board of Education Members present: Ryan LaLonde, Gary Lym

Student Board Member present: Lianna Lau (ASTI)

Cabinet Members present: Superintendent Pasquale Scuderi, Sr. Manager of Communications Susan Davis, and Director of Classified Personnel Humera Khalil

Additional: Executive Asst. of Educational Services Meira Nalamothu

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

C. APPROVAL OF MINUTES:

1. Approval of Minutes:

Minutes from the June 20, 2024, Subcommittee Meeting were considered.

Motion to approve the minutes of the June 20, 2024, Board Policy Subcommittee Meeting.

MOTION: Lym

SECONDED: LaLonde

STUDENT BOARD MEMBER (PREFERENTIAL) VOTES

AYES:

NOES:

ABSTAINING: Lau

BOARD MEMBER VOTES:

AYES: LaLonde and Lym

NOES:

ABSTAINING:

MOTION APPROVED

D. BUSINESS:

1. CSBA Recommended Updates to Board Policies Reflecting Changes made to Legislative Laws (Action):

The following policies had been reviewed by Executive Cabinet and were being brought to the subcommittee with a recommendation for direct approval to the consent calendar at a subsequent regular Board meeting.

- | | |
|------------------------------|----------------------------------|
| • 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 |

Board Members present brought the following to the attention of staff in regard to BB 9220: Selection of Option 2 (Candidate statement paid by Candidate) to be changed to Option 1 (Candidate statement paid by District).

Aside from this, all the above policies were ready for approval on consent at the next regular board meeting.

Motion to move all the policies listed to the consent calendar for approval at the next regularly scheduled Board of Education meeting.

MOTION: Lym

SECONDED: LaLonde

STUDENT BOARD MEMBER (PREFERENTIAL) VOTES

AYES: Lau

NOES:

ABSTAINING:

BOARD MEMBER VOTES:

AYES: LaLonde and Lym

NOES:

ABSTAINING:

MOTION APPROVED

Asst. Superintendent of Educational Services Kirsten Zazo joined the meeting at 4:15 pm.

2. Board Policy/Administrative Regulation 6172.1 Concurrent Enrollment in College Classes (Action):

These policies were being brought to the committee on request from Board Member Gary Lym.

Member Lym referenced the chart in the Administrative Regulation. The chart was created in an attempt to gather up and articulate what is reflected in other policies. With the introduction of more classes and courses, there may be a need to update this table. Member Lym suggested that this policy be brought back to the next subcommittee meeting with edits to the table for further review and discussion.

Ms. Zazo suggested reviewing the college's rules around concurrent enrollment. Anything in the college catalog could fulfil elective credits, not necessarily graduation credits. She also mentioned the need to differentiate between dual enrollment and concurrent enrollment, and an effort be made to bring more dual enrollment classes to the high schools.

Motion to bring back BP/AR 6172.1 Concurrent Enrollment in College Classes to the committee on December 12 with an updated table in the AR for further review and discussion.

MOTION: LaLonde

SECONDED: Lym

STUDENT BOARD MEMBER (PREFERENTIAL) VOTES

AYES: Lau

NOES:

ABSTAINING:

BOARD MEMBER VOTES:

AYES: Lym and LaLonde

NOES:

ABSTAINING:

MOTION APPROVED

3. Board Policy/Administrative Regulation 6115 Ceremonies and Observances (Action):

The committee has been working on updating this policy and regulation in regard to how and when flags, other than those of the United States and State of California, can be displayed at school campuses. Edits made by staff were presented for review by the committee.

Member LaLonde pointed out that some language was missing in the AR. This was noted by the Executive Assistant. Aside from this, the policies were ready to be presented to the full board for approval on consent at the next regular meeting.

Motion to place BP/AR 6115 Ceremonies and Observances on the consent calendar as a stand along item for approval at the next regularly scheduled Board of Education meeting.

MOTION: LaLonde

SECONDED: Lym

STUDENT BOARD MEMBER (PREFERENTIAL) VOTES

AYES: Lau

NOES:

ABSTAINING:

BOARD MEMBER VOTES:

AYES: Lym and LaLonde

NOES:

ABSTAINING:

MOTION APPROVED

4. Board Policy/Administrative Regulation 5145.9 Hate-Motivated Behavior (Action):

At the June 20th subcommittee meeting, committee members had determined that specific language regarding hate speech and the use of slurs needed to be added to the board policy in addition to creating a new administrative regulation that would specify unacceptable language and behavior and steps that would be taken to curb the usage of slurs.

Staff presented their edits to the policy and a draft of the proposed regulation for review by the committee.

Ms. Zazo noted that among the policies listed above under agenda item 1, BP 5145.7 Sex Discrimination and Sex-Based Harassment already had some major changes made with regard to the use of pronouns. She would look at the administrative regulation related to this topic and if needed make necessary changes in alignment with the policy and share that with Board members via the weekly update.

Motion to place BP/AR 6145.9 Hate Motivated Behavior on the consent calendar as a stand along item for approval at the next regularly scheduled Board of Education meeting.

MOTION: Lym

SECONDED: Lau

STUDENT BOARD MEMBER (PREFERENTIAL) VOTES

AYES: Lau

NOES:

ABSTAINING:

BOARD MEMBER VOTES:

AYES: Lym and LaLonde

NOES:

ABSTAINING:

MOTION APPROVED

- E. ADJOURNMENT:** The meeting was adjourned at 4:46 pm with appreciation for those in attendance.

ALAMEDA UNIFIED SCHOOL DISTRICT
SPECIAL AGENDA ITEM

Item Title: CSBA Recommended Updates to Board Policies Reflecting Changes made to Legislative Laws (10 Mins/Action)

Item Type: Action

Background: The following policies only reflect changes made to legislative laws and are in keeping with education codes. They have been reviewed by members of the Executive Cabinet. No substantive changes have been made to these policies. These policies are being recommended by staff for direct approval to the consent calendar at a subsequent regular Board meeting.

- BP 0510 School Accountability Report Card
- BP 1114 District Sponsored Social Media
- BP 1313 Civility
- BP 4040 Employee Use of Technology
- BP 5144.1 Suspension and Expulsion/Due Process
- BP 5146 Married/Pregnant/Parenting Students
- BP 5147 Dropout Prevention
- BP 6112 School Day
- BP 6142.92 Mathematics Instruction
- BP 6152.2 Placement in Mathematics Course
- BP 6163.4 Student Use of Technology
- BP 6177 Summer Learning Programs
- BB 9124 Attorney
- BB 9223 Filling Vacancies
- BB 9320 Meetings and Notices
- BB 9321 Closed Session
- BB 9323.2 Actions by the Board

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

Fiscal Analysis

Amount (Savings) (Cost): N/A

Recommendation: Approve as submitted.

AUSD Guiding Principle: #1 - All students have the ability to achieve academic and personal success.| #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
BP 0510_School Accountability Report Card	11/27/2024	Backup Material
BP 1114_District Sponsored Social Media	11/27/2024	Backup Material
BP 1313_Civility NEW	11/27/2024	Backup Material
BP 4040_Employee Use of Technology	12/6/2024	Backup Material
BP 5144.1_Suspension and Expulsion_Due Process	11/27/2024	Backup Material
BP 5146_Married_Pregnant_Parenting Students	11/27/2024	Backup Material
BP 5147_Dropout Prevention	11/27/2024	Backup Material
BP 6112_School Day	11/27/2024	Backup Material
BP 6142.92_Mathematics Instruction	11/27/2024	Backup Material
BP 6152.1_Placement in Mathematics Courses	11/27/2024	Backup Material
BP 6163.4_Student Use of Technology	12/6/2024	Backup Material
BP 6177_Summer Learning Programs	11/27/2024	Backup Material
BB 9124 Attorney	11/27/2024	Backup Material
BB 9223_Filling Vacancies	11/27/2024	Backup Material
BB 9320_Meetings and Notices	11/27/2024	Backup Material
BB 9321_Closed Session	11/27/2024	Backup Material
BB 9323.2_Actions by the Board	11/27/2024	Backup Material

Policy 0510: School Accountability Report Card

Status: ADOPTED

Original Adopted Date: ~~08/25/2009~~11/01/2003 | **Last Revised Date:** 09/01/2024 | **Last Reviewed Date:** ~~08/25/2009~~09/01/2024

The Governing ~~Board of Education~~ recognizes its responsibility to inform parents/guardians and the community about the conditions, needs, and progress at each district school and to provide data by which parents/guardians can make meaningful comparisons between schools. The process of gathering and analyzing data also provides opportunities for school and district staff to review achievements and identify areas for improvement.

The Board shall annually issue a school accountability report card (SARC) for each school site. (Education Code 35256)

In preparing the district's report cards, the Superintendent or designee may choose to use or adapt the model template provided by the California Department of Education. If the model template is not used, the Superintendent or designee shall ensure that data are~~is~~ reported in a manner that is consistent with the definitions for school conditions as provided in the template. At least every three years, the Board shall compare the content of the district's ~~report cards~~SARCs to the state's model template, recognizing that variances are allowed by law as necessary to meet local needs. (Education Code 33126.1, 35256)

The Board shall annually approve the SARCs for all district schools and shall evaluate the data contained in the SARCs as part of the Board's regular review of the effectiveness of the district's programs, personnel, and fiscal operations.

The Superintendent or designee shall develop strategies for communicating the information contained in the SARCs to all stakeholders, including opportunities for staff and the community to discuss their content.

Notification and Dissemination of SARCs

Annually, on or before February 1 of each year, the Superintendent or designee shall publicize the issuance of the SARCs, make the SARCs available on the district's website, and notify parents/guardians that a hard copy shall be provided upon request. (Education Code 33126,

35256, 35258)

Additionally, when 15 percent or more of a school's students speak a single primary language other than English, the SARC shall be translated into that other language. (Education Code 48985)

In addition, the SARC shall be provided in an understandable and uniform format and, to the extent practicable, provided in a language that parents/guardians can understand. (Education Code 33126, 35256; 20 USC 6311)

Notification and Dissemination of SARCs

~~The Superintendent or designee shall annually publicize the issuance of the SARCs and notify parents/guardians that a paper copy will be provided upon request. On or before February 1 of each year, the Superintendent or designee shall make the SARCs available in paper copy and on the Internet. (Education Code 35256)~~

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 16, Section 8.5(e)	Allocations to State School Fund
Ed. Code 1240	County superintendent of schools; duties
Ed. Code 17002	State School Building Lease-Purchase Law, including definition of good repair
Ed. Code 17014	Plan for building maintenance
Ed. Code 17032.5	Portable classroom maintenance
Ed. Code 17070.15	School Facilities Act; definitions
Ed. Code 17089	Portable classroom maintenance
Ed. Code 33126	School accountability report card
Ed. Code 33126.1	School Accountability Report Card model template
Ed. Code 33126.15	School Accountability Report Card template
Ed. Code 33126.2	Secretary of Education school accountability report card study
Ed. Code 35256	School Accountability Report Card
Ed. Code 35256.1	Information required in the School Accountability Report Card

Policy 0510: School Accountability Report Card

Status: ADOPTED

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

The Governing Board recognizes its responsibility to inform parents/guardians and the community about the conditions, needs, and progress at each district school and to provide data by which parents/guardians can make meaningful comparisons between schools. The process of gathering and analyzing data also provides opportunities for school and district staff to review achievements and identify areas for improvement.

The Board shall annually issue a school accountability report card (SARC) for each school site. (Education Code 35256)

In preparing the district's report cards, the Superintendent or designee may choose to use or adapt the model template provided by the California Department of Education. If the model template is not used, the Superintendent or designee shall ensure that data is reported in a manner that is consistent with the definitions for school conditions as provided in the template. At least every three years, the Board shall compare the content of the district's SARCs to the state's model template, recognizing that variances are allowed by law as necessary to meet local needs. (Education Code 33126.1, 35256)

The Board shall annually approve the SARCs for all district schools and shall evaluate the data contained in the SARCs as part of the Board's regular review of the effectiveness of the district's programs, personnel, and fiscal operations.

The Superintendent or designee shall develop strategies for communicating the information contained in the SARCs to all stakeholders, including opportunities for staff and the community to discuss their content.

Notification and Dissemination of SARCs

Annually, on or before February 1 of each year, the Superintendent or designee shall publicize the issuance of the SARCs, make the SARCs available on the district's website, and notify parents/guardians that a hard copy shall be provided upon request. (Education Code 33126, 35256, 35258)

Additionally, when 15 percent or more of a school's students speak a single primary language other than English, the SARC shall be translated into that other language. (Education Code 48985)

In addition, the SARC shall be provided in an understandable and uniform format and, to the extent practicable, provided in a language that parents/guardians can understand. (Education Code 33126, 35256; 20 USC 6311)

Policy 1114: District-Sponsored Social Media

Status: ADOPTED

Original Adopted Date: ~~06/26/2012~~07/01/2011 | Last Revised Date: 09/01/2024 | Last Reviewed Date: ~~06/26/2012~~09/01/2024

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

The Superintendent or designee shall ensure that the content posted by the district on an official district social media account is accessible to individuals with disabilities.

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

Guidelines for Content

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

on any of the official district social media accounts even if one or more features on the account that permit interaction with and between members of the public are enabled.

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

, and any other user expectations or conditions as specified in the accompanying administrative regulation.

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

Staff or students who post prohibited content or otherwise engage with an official district social media account in a manner that violates board policies and administrative regulations shall be subject to discipline in accordance with districts such applicable policies and administrative regulations. ~~Each school site shall also post this statement on their individual social media sites to advise users of this policy language.~~

Users of official district social media platforms accounts, and anyone who posts, replies, or otherwise leaves a digital footprint on an official district social media account, should be aware of the public nature and accessibility of social media and that such information posted or left on an official district social media account may be considered a public record subject to disclosure under the Public Records Act. ~~The Board expects users to conduct themselves in a respectful, courteous, and professional manner. Each school site shall also post this statement on their individual social media sites to advise users of this policy language.~~

Privacy

~~The~~

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

Board policy pertaining accounts.

As it pertains to the posting of student photographs and the privacy of telephone numbers, home addresses, and email addresses, as specified official district social media accounts shall operate in accordance with Board Policy 1113 - District and School Web Sites, shall also apply to official district social media platforms.

Websites.

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

Policy Reference Disclaimer:

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

State

Ed. Code 32260-32262

Ed. Code 35182.5

Ed. Code 48900

Description

[Interagency School Safety Demonstration Act of 1985](#)

[Contracts for advertising](#)

[Grounds for suspension or expulsion](#)

Policy 1114: District-Sponsored Social Media

Status: ADOPTED

Original Adopted Date: 06/26/2012 | **Last Revised Date:** | **Last Reviewed Date:**

The Governing Board recognizes the value of social media to share district information with families and the community and promote community involvement and collaboration in district decisions. The purpose of any official district social media account shall be to further the district's vision and mission, to support student learning and staff professional development, and to enhance communication and engagement with students, families, staff, and community members. The Superintendent or designee shall ensure that the content posted by the district on an official district social media account is accessible to individuals with disabilities.

The Superintendent or designee shall develop content guidelines and protocols for official district social media accounts to ensure public access, appropriate and responsible use, and compliance with law, board policy, and administrative regulation.

Guidelines for Content

Official district social media accounts shall be used only for their stated purposes and in a manner consistent with this policy and administrative regulation. This policy is not intended to create an open public forum or otherwise guarantee an individual's right to free speech on any of the official district social media accounts even if one or more features on the account that permit interaction with and between members of the public are enabled.

The Superintendent or designee shall ensure that the limited purpose of official district social media accounts is clearly communicated to users. Each account shall contain a statement specifying the purposes of the account, that the account shall only be used for such purposes, and any other user expectations or conditions as specified in the accompanying administrative regulation.

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

Staff or students who post prohibited content or otherwise engage with an official district social media account in a manner that violates board policies and administrative regulations shall be subject to discipline in accordance with such applicable policies and regulations.

Users of official district social media accounts, and anyone who posts, replies, or otherwise leaves a digital footprint on an official district social media account, should be aware of the public nature and accessibility of social media and that such information posted or left on an official district social media account may be considered a public record subject to disclosure under the Public Records Act.

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

As it pertains to the posting of student photographs and the privacy of telephone numbers, home addresses, and email addresses, official district social media accounts shall operate in accordance with Board Policy 1113 - District and School Websites.

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

Policy Reference Disclaimer:

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

State	Description
Ed. Code 32260-32262	<u>Interagency School Safety Demonstration Act of 1985</u>
Ed. Code 35182.5	<u>Contracts for advertising</u>
Ed. Code 48900	<u>Grounds for suspension or expulsion</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 49061	<u>Definitions; directory information</u>
Ed. Code 49073	<u>Release of directory information</u>
Ed. Code 60048	<u>Commercial brand names, contracts or logos</u>
Gov. Code 3307.5	<u>Publishing identity of public safety officers</u>
Gov. Code 54952.2	<u>Brown Act; definition of meeting</u>
Gov. Code 7920.000-7930.215	<u>California Public Records Act</u>
Federal	Description
17 USC 101-1101	Federal copyright law
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
29 USC 157	Employee rights to engage in concerted, protected activity
29 USC 794	Rehabilitation Act of 1973; Section 504

Policy 1313: Civility

Status: ADOPTED

Original Adopted Date: TBD | Last Reviewed Date:

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

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

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

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

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

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

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

Policy 4040: Employee Use Of Technology

Status: ADOPTED

Original Adopted Date: 05/28/200207/01/2001 | **Last Revised Date:** 02/23/201609/01/2024 |
Last Reviewed Date: 02/23/201609/01/2024

The Governing Board recognizes that technological resources enhance employee performance by offering effective tools to assist in providing a quality instructional program; facilitating communications with parents/guardians, students, and the community; supporting district and school operations; ~~and improving access to and exchange of information. The Board expects all employees to learn to use the available technological resources that will assist them in the performance of their job responsibilities. As needed, employees shall receive professional development in the appropriate use of these resources.~~

~~Employees shall be responsible for the appropriate use of technology and shall use district technology primarily for purposes related to their employment.~~

~~District technology includes, but is not limited to, computers, the district's computer network including servers and wireless computer networking technology (wi-fi), the Internet, email, USB drives, wireless access points (routers), tablet computers, smartphones and smart devices, telephones, cellular telephones, personal digital assistants, pagers, MP3 players, wearable technology, any wireless communication device including emergency radios, and/or future technological innovations, whether accessed on or off site or through district-owned or personally owned equipment or devices.~~

~~improving access to and exchange of information; enriching curriculum; and enhancing student learning.~~

~~District technology includes, but is not limited to, computer hardware, software, or software as a service provided or paid for by the district, whether accessed on or off site or through district-owned or personally owned equipment or devices, including tablets and laptops; computer servers, wireless access points (routers), and wireless computer networking technology (wi-fi); the Internet; email; applications (apps), including artificial intelligence (AI) apps; telephones, cellular or mobile telephones, smartphones, smart devices, and wearable technology; or any wireless communication device, including radios.~~

~~Employees shall review the prohibited and permitted uses of technology as specified in Board Policy 5131.9 - Academic Honesty, be responsible for the appropriate use of technology, and use district technology primarily for purposes related to their employment consistent with board policies and administrative regulations.~~

~~An employee may use technology, including AI apps, to assist the employee in the performance of the employee's professional duties, including, but not limited to, the following specific tasks: developing syllabi, creating curriculum, reviewing student work, suggesting instructional strategies, and researching academic content or instructional techniques. Any employee using technology, including AI, shall review and be responsible for any final product or document; not share confidential student records with a third party, such as an AI app, except as permitted by law; use~~

the technology in accordance with Board Policy 6162.6 - Use of Copyrighted Materials, and in a manner otherwise consistent with law, board policies, and administrative regulations. If an employee is unsure about the appropriate use of technology, the employee shall confer with the Superintendent or designee before using.

The Board expects all employees to learn to use the available technological resources that will assist them in the performance of their job responsibilities. As determined by the Superintendent or designee, employees shall receive professional development in the appropriate use of these resources, including in the use of AI apps.

The Superintendent or designee shall establish an Acceptable Use Agreement which outlines employee obligations and responsibilities related to the use of district technology, including the use of third party apps AI apps. Upon employment and whenever significant changes are made to the district's Acceptable Use Agreement, employees shall be required to acknowledge in writing that they have read and agreed to the Acceptable Use Agreement.

Employees shall not use district technology to access, post, submit, publish, ~~or display,~~ or otherwise engage with harmful or inappropriate matter that is threatening, obscene, disruptive, sexually explicit, or unethical or that promotes any activity prohibited by law, ~~Board~~ board policy, or administrative regulations.

Harmful matter includes matter, taken as a whole, which to the average person, applying contemporary statewide standards, appeals to the prurient interest and is matter which depicts or describes, in a patently offensive way, sexual conduct and which lacks serious literary, artistic, political, or scientific value for minors. (Penal Code 313)

The Superintendent or designee shall take reasonable measures to ensure that all district computers with Internet access have a technology protection measure that protects against access to visual depictions that are obscene, child pornography, or harmful to minors and that the operation of such measures is enforced. The Superintendent or designee may disable the technology protection measure during use by an adult to enable access for bona fide research or other lawful purpose. ~~(20 USC 6777; 47 USC 254)~~

(20 USC 7131; 47 USC 254)

~~The Superintendent or designee shall regularly review current guidance regarding cybersecurity, data privacy, and digital media awareness and incorporate recommended practices into the district's processes and procedures related to the protection of the district's network infrastructure, the monitoring and response to cyberattacks, ensuring data privacy, and managing suspicious and/or threatening digital media content, in accordance with Board Policy 3580 - District Records.~~

The Superintendent or designee shall annually notify employees in writing that they have no reasonable expectation of privacy in the use of any ~~equipment or other technological resources provided by or maintained by the district, including, but not limited to, computer files, email, text,~~

~~messages, instant messaging, and other electronic communications, even when provided their own password.~~ district technology, as defined above, even when using their personal devices. To ensure proper use, the Superintendent or designee may monitor employee usage of district technology at any time without advance notice or consent and for any reason allowed by law.

In addition, employees shall be notified that records, including communications, maintained on any personal device accounts or ~~messages sent or received on a personal device that is being devices~~ used to conduct district business ~~may beare~~ subject to disclosure, at the district's request, and pursuant to a subpoena or other lawful request. Therefore, employees are reminded to use district issued devices, applications and communications platforms.

Employees shall report any security problem or misuse of district technology to the Superintendent or designee.

Inappropriate use of district technology may result in a cancellation of the employee's user privileges, disciplinary action, and/or legal action in accordance with law, ~~Board policy, and administrative regulation.~~ board policy, and administrative regulation.

~~Employees may access their mobile or other communications device if there is a need to seek emergency assistance, assess the safety of a situation, or communicate with a person to confirm the person's safety. (Labor Code 1139)~~

~~In the event that the use of an electronic resource affects the working conditions of one or more.~~

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
Gov. Code 11549.3	Cybersecurity
Gov. Code 3543.1	Rights of employee organizations
Gov. Code 7920.000-7930.170	California Public Records Act
Labor Code 1139	Emergency assistance
Pen. Code 502	Computer crimes; remedies
Pen. Code 632	Eavesdropping on or recording confidential communications

Policy 4040: Employee Use Of Technology

Status: ADOPTED

Original Adopted Date: 05/28/2002 | **Last Revised Date:** | **Last Reviewed Date:**

The Governing Board recognizes that technological resources enhance employee performance by offering effective tools to assist in providing a quality instructional program; facilitating communications with parents/guardians, students, and the community; supporting district and school operations; improving access to and exchange of information; enriching curriculum; and enhancing student learning.

District technology includes, but is not limited to, computer hardware, software, or software as a service provided or paid for by the district, whether accessed on or off site or through district-owned or personally owned equipment or devices, including tablets and laptops; computer servers, wireless access points (routers), and wireless computer networking technology (wi-fi); the Internet; email; applications (apps), including artificial intelligence (AI) apps; telephones, cellular or mobile telephones, smartphones, smart devices, and wearable technology; or any wireless communication device, including radios.

Employees shall review the prohibited and permitted uses of technology as specified in Board Policy 5131.9 - Academic Honesty, be responsible for the appropriate use of technology, and use district technology primarily for purposes related to their employment consistent with board policies and administrative regulations.

An employee may use technology, to assist the employee in the performance of the employee's professional duties, including, but not limited to, the following specific tasks: developing syllabi, creating curriculum, reviewing student work, suggesting instructional strategies, and researching academic content or instructional techniques. Any employee using technology, including AI, shall review and be responsible for any final product or document; not share confidential student records with a third party, except as permitted by law; use the technology in accordance with Board Policy 6162.6 - Use of Copyrighted Materials, and in a manner otherwise consistent with law, board policies, and administrative regulations. If an employee is unsure about the appropriate use of technology, the employee shall confer with the Superintendent or designee before using.

The Board expects all employees to learn to use the available technological resources that will assist them in the performance of their job responsibilities. As determined by the Superintendent or designee, employees shall receive professional development in the appropriate use of these resources.

The Superintendent or designee shall establish an Acceptable Use Agreement which outlines employee obligations and responsibilities related to the use of district technology, including the use of third-party apps. Upon employment and whenever significant changes are made to the district's Acceptable Use Agreement, employees shall be required to acknowledge in writing that they have

read and agreed to the Acceptable Use Agreement.

Employees shall not use district technology to access, post, submit, publish, display, or otherwise engage with harmful or inappropriate matter that is threatening, obscene, disruptive, sexually explicit, or unethical or that promotes any activity prohibited by law, board policy, or administrative regulations.

Harmful matter includes matter, taken as a whole, which to the average person, applying contemporary statewide standards, appeals to the prurient interest and is matter which depicts or describes, in a patently offensive way, sexual conduct and which lacks serious literary, artistic, political, or scientific value for minors. (Penal Code 313)

The Superintendent or designee shall take reasonable measures to ensure that all district computers with Internet access have a technology protection measure that protects against access to visual depictions that are obscene, child pornography, or harmful to minors and that the operation of such measures is enforced. The Superintendent or designee may disable the technology protection measure during use by an adult to enable access for bona fide research or other lawful purpose. (20 USC 7131; 47 USC 254)

The Superintendent or designee shall annually notify employees in writing that they have no reasonable expectation of privacy in the use of any district technology, as defined above, even when using their personal devices. To ensure proper use, the Superintendent or designee may monitor employee usage of district technology at any time without advance notice or consent and for any reason allowed by law.

In addition, employees shall be notified that records, including communications, maintained on any personal accounts or devices used to conduct district business are subject to disclosure at the district's request, and pursuant to a subpoena or other lawful request. Therefore, employees are reminded to use district issued devices, applications and communications platforms.

Employees shall report any security problem or misuse of district technology to the Superintendent or designee.

Inappropriate use of district technology may result in a cancellation of the employee's user privileges, disciplinary action, and/or legal action in accordance with law, board policy, and administrative regulation.

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.

Policy 5144.1: Suspension And Expulsion/Due Process

Status: ADOPTED

Original Adopted Date: 08/25/2009 | Last Revised Date: 04/23/2019 | Last Reviewed Date:
04/23/2019

The Governing Board desires to provide district students access to educational opportunities in a positive an orderly school environment that protects their safety and security, ensures their welfare and well-being and promotes their learning and development. The Board shall develop rules and regulations setting the standards of behavior expected of district students and the disciplinary processes and procedures for addressing violations of those standards, including suspension and/or expulsion.

The Board does not support a zero tolerance approach to discipline. The Board recognizes the importance of providing school-wide positive supports, using discipline strategies and practices that keep students in school and in the classroom, and supporting students in learning to behave appropriately and solve conflicts in a peaceful way.

In response to serious or repeated violations of established policies and standards, it may be necessary to suspend or expel a student from regular classroom instruction.

Before subjecting a student to disciplinary sanctions that result in a loss of instructional time, the Superintendent or designee shall, to the extent allowed by law, first use alternative strategies as described in AR 5144 - Discipline. Except where suspension for a first offense is permitted by 48900.5, as further described in AR 5144.1, in-school and out-of-school suspension shall be imposed only when other means of correction fail to bring about proper conduct or the student's presence causes a danger to persons. (Education Code 48900.5) Expulsion is an action taken by the Board only for severe breaches of discipline by a student.

The grounds for suspension and expulsion and the procedures for considering, recommending, and/or implementing suspension and expulsion shall be only those specified in law, in this policy, and in the accompanying administrative regulation.

Except when otherwise permitted by law, a student may be suspended or expelled only when his/her the behavior is related to a school activity or school attendance occurring within any district school or another school district, regardless of when it occurs, including, but not limited to, the following: (Education Code 48900(s))

1. While on school grounds
2. While going to or coming from school
3. During the lunch period, whether on or off the school campus
4. During, going to, or coming from a school-sponsored activity

District staff shall enforce the rules concerning suspension and expulsion of students fairly, consistently, equally, and in accordance with the district's nondiscrimination policies.

Appropriate Use of Suspension Authority

Except when a student's act violates Education Code 48900(a)-(e), as listed in items #1-5 under "Grounds for Suspension and Expulsion: Grades K-12" of the accompanying administrative regulation, or when his/her presence causes a danger to others, suspension shall be used only when other means of correction have failed to bring about proper conduct. (Education Code 48900.5, 48900.6)

A student's parents/guardians shall be notified as soon as possible when there is an escalating pattern of misbehavior that could lead to on-campus or off-campus suspension.

Effective July 1, 2019, no student enrolled in grades T-Kindergarten through twelve (TK-12) grades may be suspended or expelled for disrupting school activities or willfully defying the authority of school personnel. The Board will review data regarding suspensions for defiance in Grades 4 through 12 in August and January. If based on review of the data it appears further steps should be undertaken to meet the goal of eliminating suspensions for disruption and willful defiance by July 1, 2019, the Board will direct the Superintendent to implement such additional measures to achieve the goal of no suspensions for disruption and willful defiance by July 1, 2020.

The grounds for suspension and expulsion and the procedures for considering, recommending, and/or implementing suspension and expulsion shall be specified by administrative regulation and must be consistent with the requirements set forth here.

Students shall not be suspended or expelled for truancy, tardiness, or absenteeism from assigned school activities. Student may lose privileges or be placed on exclusion lists for extracurricular activities for poor attendance.

A teacher may suspend any pupil from class, for any of the acts enumerated in Section 48900, for the day of the suspension and the day following.

On-Campus Suspension

To ensure the proper supervision and ongoing learning of students who are suspended for any of the reasons enumerated in Education Code 48900 and 48900.2, but who pose no imminent danger or threat to anyone at school and for whom expulsion proceedings have not been initiated, the Superintendent or designee shall establish a supervised suspension classroom program which meets the requirements of law.

Except where a supervised suspension is permitted by law for a student's first offense, supervised suspension shall be imposed only when other means of correction have failed to bring about proper conduct. (Education Code 48900.5)

Authority to Expel

A student may be expelled only by the Board. (Education Code 48918(j))

As required by law, the Superintendent or principal shall recommend expulsion and the Board shall expel any student found to have committed any of the following "mandatory recommendation and mandatory expulsion" acts at school or at a school activity off school grounds: (Education Code 48915)

1. Possessing, ~~as a firearm which is not an imitation firearm as~~ verified by a ~~district-certificated~~ employee, ~~selling, or otherwise furnishing a firearm,~~ unless the student had obtained prior written permission to possess the ~~firearm-item~~ from a certificated school employee, with the principal or designee's concurrence

~~Possession of an imitation firearm, as defined in Education Code 48900(m), shall not be~~ 2

~~regarded as an offense requiring a mandatory recommendation for expulsion and mandatory expulsion. However, an administrator shall have discretion on a case-by-case basis to recommend expulsion for the possession of an imitation firearm.~~

2. Selling or otherwise furnishing a firearm
3. Brandishing a knife at another person
4. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
5. Committing or attempting to commit a sexual assault as defined in Penal Code 261, 266c, 286, ~~287~~, 288, ~~288a~~, or 289, or ~~former 288a~~, or committing a sexual battery as defined in Penal Code 243.4
6. Possessing an explosive as defined in 18 USC 921

For all other violations listed in the accompanying administrative ~~regulation under "Grounds for Suspension and Expulsion: Grades K-12" and "Additional Grounds for Suspension and Expulsion: Grades 4-12,"~~ the Superintendent or principal shall have the discretion to recommend expulsion of a student. If expulsion is recommended, the Board shall order the student expelled only if it makes a finding of either or both of the following: (Education Code 48915(b) and (e))

1. That other means of correction are not feasible or have repeatedly failed to bring about proper conduct
2. That due to the nature of the violation the presence of the student causes a continuing danger to the physical safety of the student or others

A vote to expel a student (**final action**) shall be taken in an open session of a Board meeting. (Education Code ~~35146~~**48918(i)**.) However, any consideration by the Board of disciplinary action against a student shall be conducted in closed session unless otherwise requested by the pupil and/or the pupil's guardian as specified in Education Code 35146 and 48912.

The Board may vote to suspend the enforcement of the expulsion order pursuant to the requirements of law and the accompanying administrative regulation. (Education Code 48917)

No student shall be expelled for disruption or willful defiance. (Education Code 48900)

No child enrolled in a preschool program shall be expelled or unenrolled except under limited circumstances in accordance with Education code 8489.1 and as specified in Administrative Regulation 5148.3 - Preschool/Early Childhood Education.

Due Process

The Board shall provide for the fair and equitable treatment of students facing suspension and/or expulsion by affording ~~them their~~ the students due process rights under the law. ~~The~~

The Superintendent or designee shall comply with procedures for notices, hearings, and appeals as specified in law and administrative regulation. (Education Code 48911, 48915, 48915.5, 48918)

Expansion of Restorative Practices, Positive Behavior Intervention Supports, and other restorative and youth development approaches

The Board recognizes that the District has made progress toward creating a positive school culture through various means, including through the use of Restorative Practices and Positive Behavioral

Interventions and Supports. The Board believes that the continued expansion of such programs is central to the creation of safe, healthy, and supportive school environments for all students in the District. The Board supports and will prioritize funding for Restorative Practices and PBIS programs to successfully implement these practices at all school sites across the district.

On-Campus Suspension

On-campus suspension shall be imposed only when other means of correction have failed to bring about proper conduct. (Education Code 48900.5)

The Board recognizes that students who are suspended from school often have no supervision or guidance during the school hours when they are off campus and may fall behind in the coursework. The Board believes that, in many cases, it would be better to manage the student's behavior by keeping the student at school and providing him/her with supervision that is separated from the regular classroom.

To ensure the proper supervision and ongoing learning of students who are suspended for any of the reasons enumerated in Education Code 48900 and 48900.2, but who pose no imminent danger or threat to anyone at school and for whom expulsion proceedings have not been initiated, the Superintendent or designee shall establish a supervised suspension classroom program which meets the requirements of law.

Decision Not to Enforce Expulsion Order

On a case-by-case basis, the enforcement of an expulsion order may be suspended by the Board pursuant to the requirements of law and administrative regulation. (Education Code 48917)

Expungement of Student Disciplinary Records

As provided in Board Policy 5144.3, a student, parent, guardian, appointed advocate on behalf of the student, or Superintendent on behalf of a student may apply for expungement of student disciplines record which meet the criteria set forth in BP 5144.3.

Maintenance and Monitoring of Outcome Data

The Superintendent or designee shall maintain outcome data related to student suspensions and expulsions in accordance with Education Code 48900.8 and 48916.1, including, but not limited to, the number of students recommended for expulsion, the grounds for each recommended expulsion, the actions taken by the Board, the types of referral made after each expulsion, and the disposition of the students after the expulsion period. For any expulsion that involves the possession of a firearm, such data shall include the name of the school and the type of firearm involved, as required pursuant to 20 USC 7961. Suspension and expulsion data shall be reported to the Board annually and to the California Department of Education when so required.

In presenting the report to the Board, the Superintendent or designee shall disaggregate data on suspensions and expulsions by school and by numerically significant student subgroups, including, but not limited to, ethnic subgroups, socioeconomically disadvantaged students, English learners, long-term English learners, students with disabilities, foster youth, and homeless students. Based on the data, the Board shall address any identified disparities in the imposition of student discipline and shall determine whether and how the district is meeting its goals for improving school climate as specified in its local control and accountability plan.

Policy 5144.1: Suspension And Expulsion/Due Process

Status: ADOPTED

Original Adopted Date: 08/25/2009 | **Last Revised Date:** 04/23/2019 | **Last Reviewed Date:** 04/23/2019

The Governing Board desires to provide district students access to educational opportunities in an orderly school environment that protects their safety and security, ensures their welfare and well-being and promotes their learning and development. The Board shall develop rules and regulations setting the standards of behavior expected of district students and the disciplinary processes and procedures for addressing violations of those standards, including suspension and/or expulsion.

The Board does not support a zero tolerance approach to discipline. The Board recognizes the importance of providing school-wide positive supports, using discipline strategies and practices that keep students in school and in the classroom, and supporting students in learning to behave appropriately and solve conflicts in a peaceful way.

In response to serious or repeated violations of established policies and standards, it may be necessary to suspend or expel a student from regular classroom instruction.

Before subjecting a student to disciplinary sanctions that result in a loss of instructional time, the Superintendent or designee shall, to the extent allowed by law, first use alternative strategies as described in AR 5144 - Discipline. Except where suspension for a first offense is permitted by 48900.5, as further described in AR 5144.1, in-school and out-of-school suspension shall be imposed only when other means of correction fail to bring about proper conduct or the student's presence causes a danger to persons. (Education Code 48900.5) Expulsion is an action taken by the Board only for severe breaches of discipline by a student.

The grounds for suspension and expulsion and the procedures for considering, recommending, and/or implementing suspension and expulsion shall be only those specified in law, in this policy, and in the accompanying administrative regulation.

Except when otherwise permitted by law, a student may be suspended or expelled only when the behavior is related to a school activity or school attendance occurring within any district school or another school district, regardless of when it occurs, including, but not limited to, the following: (Education Code 48900(s))

1. While on school grounds
2. While going to or coming from school
3. During the lunch period, whether on or off the school campus
4. During, going to, or coming from a school-sponsored activity

District staff shall enforce the rules concerning suspension and expulsion of students fairly, consistently, equally, and in accordance with the district's nondiscrimination policies.

Appropriate Use of Suspension Authority

Except when a student's act violates Education Code 48900(a)-(e), as listed in items #1-5 under "Grounds for Suspension and Expulsion: Grades K-12" of the accompanying administrative regulation, or when his/her presence causes a danger to others, suspension shall be used only when other means of correction have failed to bring about proper conduct. (Education Code 48900.5, 48900.6)

A student's parents/guardians shall be notified as soon as possible when there is an escalating pattern of misbehavior that could lead to on-campus or off-campus suspension.

On-Campus Suspension

To ensure the proper supervision and ongoing learning of students who are suspended for any of the reasons enumerated in Education Code 48900 and 48900.2, but who pose no imminent danger or threat to anyone at school and for whom expulsion proceedings have not been initiated, the Superintendent or designee shall establish a supervised suspension classroom program which meets the requirements of law.

Except where a supervised suspension is permitted by law for a student's first offense, supervised suspension shall be imposed only when other means of correction have failed to bring about proper conduct. (Education Code 48900.5)

Authority to Expel

A student may be expelled only by the Board. (Education Code 48918(j))

As required by law, the Superintendent or principal shall recommend expulsion and the Board shall expel any student found to have committed any of the following "mandatory recommendation and mandatory expulsion" acts at school or at a school activity off school grounds: (Education Code 48915)

1. Possessing, a firearm which is not an imitation firearm as verified by a certificated employee, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence
2. Selling or otherwise furnishing a firearm
3. Brandishing a knife at another person
4. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
5. Committing or attempting to commit a sexual assault as defined in Penal Code 261, 266c, 286, 287, 288, , or 289, or former 288a, or committing a sexual battery as defined in Penal Code 243.4
6. Possessing an explosive as defined in 18 USC 921

For all other violations listed in the accompanying administrative the Superintendent or principal shall have the discretion to recommend expulsion of a student. If expulsion is recommended, the Board shall order the student expelled only if it makes a finding of either or both of the following: (Education Code 48915(b) and (e))

1. That other means of correction are not feasible or have repeatedly failed to bring about proper conduct

2. That due to the nature of the violation the presence of the student causes a continuing danger to the physical safety of the student or others

A vote to expel a student (final action) shall be taken in an open session of a Board meeting. (Education Code 48918(i).)

The Board may vote to suspend the enforcement of the expulsion order pursuant to the requirements of law and the accompanying administrative regulation. (Education Code 48917)

No student shall be expelled for disruption or willful defiance. (Education Code 48900)

No child enrolled in a preschool program shall be expelled or unenrolled except under limited circumstances in accordance with Education code 8489.1 and as specified in Administrative Regulation 5148.3 - Preschool/Early Childhood Education.

Due Process

The Board shall provide for the fair and equitable treatment of students facing suspension and/or expulsion by affording the students due process rights under the law.

The Superintendent or designee shall comply with procedures for notices, hearings, and appeals as specified in law and administrative regulation. (Education Code 48911, 48915, 48915.5, 48918)

Expansion of Restorative Practices, Positive Behavior Intervention Supports, and other restorative and youth development approaches

The Board recognizes that the District has made progress toward creating a positive school culture through various means, including through the use of Restorative Practices and Positive Behavioral Interventions and Supports. The Board believes that the continued expansion of such programs is central to the creation of safe, healthy, and supportive school environments for all students in the District. The Board supports and will prioritize funding for Restorative Practices and PBIS programs to successfully implement these practices at all school sites across the district.

Maintenance and Monitoring of Outcome Data

The Superintendent or designee shall maintain outcome data related to student suspensions and expulsions in accordance with Education Code 48900.8 and 48916.1, including, but not limited to, the number of students recommended for expulsion, the grounds for each recommended expulsion, the actions taken by the Board, the types of referral made after each expulsion, and the disposition of the students after the expulsion period. For any expulsion that involves the possession of a firearm, such data shall include the name of the school and the type of firearm involved, as required pursuant to 20 USC 7961. Suspension and expulsion data shall be reported to the Board annually and to the California Department of Education when so required.

In presenting the report to the Board, the Superintendent or designee shall disaggregate data on suspensions and expulsions by school and by numerically significant student subgroups, including, but not limited to, ethnic subgroups, socioeconomically disadvantaged students, English learners, long-term English learners, students with disabilities, foster youth, and homeless students. Based on the data, the Board shall address any identified disparities in the imposition of student discipline and shall determine whether and how the district is meeting its goals for improving school climate as specified in its local control and accountability plan.

Policy 5146: Married/Pregnant/Parenting Students

Status: ADOPTED

Original Adopted Date: ~~11/15/2016~~12/01/2013 | **Last Revised Date:** ~~03/26/2019~~07/01/2024 |
Last Reviewed Date: ~~03/26/2019~~07/01/2024

The Governing Board recognizes that responsibilities ~~related~~pertaining to marriage, pregnancy, or parenting ~~and, including~~ related ~~responsibilities~~obligations, medical conditions, or recovery, may disrupt a student's education and increase the chance of a student dropping out of school. The Board ~~therefore~~ desires to ~~support~~minimize interruption to such students' educational progress by supporting married, pregnant, and parenting students ~~to continue~~in their continued education, assisting them to attain strong academic and parenting skills, and ~~promote~~promoting the healthy development of their ~~children~~.

child(ren).

The district shall not exclude or deny any student from any educational program or activity, including any class or extracurricular activity, solely on the basis of the student's current, potential, or past pregnancy, childbirth, false pregnancy, termination of pregnancy, lactation, or related medical conditions or recovery. In addition, the district shall not adopt any rule concerning a student's actual ~~or~~, potential, or past parental, family, or marital status that discriminates against and/or treats ~~students~~a student differently on the basis of sex. (Education Code 221.51, 230; 5 CCR 4950; 34 CFR 106.40)

The Superintendent or designee shall annually notify parents/guardians at the beginning of the school year of the rights and options available to pregnant and parenting students under the law. In addition, pregnant and parenting students shall be notified of the rights and options available ~~to them under the law through annual school year welcome packets and through independent study packets. (Education Code 222.5, 48980)~~under the law through annual school year welcome packets and through independent study packets. (Education Code 222.5, 48980)

Any employee who is informed by a student, or a person who has a legal right to act on behalf of a student, of a student's pregnancy or related conditions shall provide that person with the Title IX Coordinator's contact information and inform the person that the Title IX Coordinator can coordinate specific acts to prevent sex discrimination, including sex-based harassment, and ensure the student's equal access to the district's education program or activity. (34 CFR 106.8)

When notified of a student's pregnancy or related conditions, the Title IX Coordinator shall provide the student, and if applicable the person who has a legal right to act on behalf of the student and₁

who notified the Title IX Coordinator of the student's pregnancy or related conditions, with the district's notice of nondiscrimination, as specified in Administrative Regulation 5145.3 - Nondiscrimination/Harassment and Exhibit (1) 5145.71 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures. The Title IX Coordinator shall also coordinate actions specified in 34 CFR 106.40 to prevent discrimination against, and ensure equal access to, the student, including the following: (34 CFR 106.44)

1. Notifying the student that the district is required to not discriminate in its education program or activity against any student based on the student's current, potential, or past pregnancy or related conditions

However, a student's voluntary participation in a separate portion of the district's education program or activity does not constitute prohibited discrimination if the district ensures that the separate portion is comparable to that offered to students who are not pregnant and do not have related conditions.

2. To the extent consistent with 34 CFR 106.40(b)(3), ensuring that pregnancy or related conditions are treated in the same manner and under the same policies as any other temporary medical condition with respect to any medical or hospital benefit, service, plan, or policy the district administers, operates, offers, or participates in with respect to students admitted to the district's education program or activity
3. Informing the student that the district may not require the student who is pregnant or has related conditions to provide certification from a healthcare provider or any other person verifying that the student is physically able to participate in the district's class, program, or extracurricular activity unless the certified level of physical ability of health is necessary for participation in the class, program, or extracurricular activity; the district requires such certification of all participating students; and, the information obtained is not used as a basis for Title IX discrimination

For school-related purposes, a student under the age of 18 years who enters into a valid marriage shall have all the rights and privileges of students who are 18 years ~~old~~of age or older, even if the marriage has been dissolved. (Family Code 7002)

Education and Support Services for Pregnant and Parenting Students

Pregnant and parenting students shall retain the right to participate in the regular education program or an alternative education program. The classroom setting shall be the preferred instructional strategy unless an alternative is necessary to meet the needs of the student and/or the student's child.

Any alternative education program, activity, or course that is offered separately to pregnant or parenting students, including any class or extracurricular activity, shall be equal to that offered to other district students. A student's participation in such programs shall be voluntary. (Education Code 221.51; 5 CCR 4950)

~~If required for students with any other temporary disabling condition, the~~

The Superintendent or designee may shall not require a student, based on pregnancy, childbirth, false pregnancy, termination of pregnancy, lactation, or related medical conditions or recovery, to obtain certification from a physician or nurse practitioner indicating that the student is physically and emotionally able to continue participation in the regular district's education program or activity, including an extracurricular activity, unless the certified level of physical ability is necessary for participation and such certification is required of all students. (Education Code 221.51; 5 CCR 4950; 34 CFR 106.40)

To the extent feasible, the district shall provide educational and related support services, either directly or in collaboration with community agencies and organizations, to meet the needs of pregnant and parenting students and their children. ~~Site administrators will work with the students to develop a personalized plan to support the students and inform them of services available to them during and after the pregnancy.~~ Such services may include, but are not limited to:

1. Child care and development services for the children of parenting students on or near school site(s) during the school day and during school-sponsored activities
2. Parenting education and life skills instruction
-
3. Special school nutrition supplements for pregnant and lactating students pursuant to Education Code 49553, 42 USC 1786, and 7 CFR 246.1-246.28
4. Health care services, including prenatal care
-
5. Tobacco, alcohol, and/or drug prevention and intervention services
6. Academic and personal counseling
7. Supplemental instruction to assist students in achieving grade-level academic standards and progressing toward graduation

As appropriate, teachers, administrators, and/or other personnel who work with pregnant and parenting students shall receive related professional development.

Absences

Pregnant or parenting students may be excused for absences for medical appointments and other purposes specified in BP/AR 5113 - Absences and Excuses.

A student shall be excused for absences to care for a sick child for whom the student is the custodial parent. A note from a physician shall not be required for such an absence. (Education Code 48205)

Parental Leave

A

~~A student who is pregnant or parenting student, or has a related condition, shall be entitled to eight weeks of parental leave in order to protect the health of the student who gives or expects to give birth and/or the infant, and to allow the pregnant or parenting student to care for and bond with the infant. The period of the leave shall be the greater of eight weeks, or the length of time deemed medically necessary by the student's healthcare provider, or, if the district has a leave policy for which the student qualifies, the amount of time provided for in such policy. Such leave may be taken before the birth of the student's infant if there is a medical necessity and after childbirth during the school year in which the birth takes place, inclusive of any mandatory summer instruction. The Superintendent or designee may grant parental leave beyond eight weeks if deemed medically necessary by the student's physician.~~ (Education Code 46015; 34 CFR 106.40)

The student, if age 18 years or older, or the student's parent/guardian shall notify the school of the student's intent to take parental leave. (Education Code 46015)

No student shall be required to take all or part of the parental leave. (Education Code 46015)

; 34 CFR 106.40)

When a student takes parental leave, the attendance supervisor shall ensure that absences from the regular school program are excused until the student is able to return to the regular school program or an alternative education program. ~~AA student who is pregnant or parenting student, or has related conditions,~~ shall not be required to complete academic work or other school requirements during the period of the parental leave. (Education Code 46015)

Following the leave, a ~~student who is pregnant or parenting student, or has related conditions,~~ may elect to return to the school and the course of study in which the student was enrolled before taking parental leave or to an alternative education option provided by the district. (Education Code 46015; 34 CFR 106.40)

Upon return to school, a pregnant or parenting student shall have opportunities to make up work missed during the leave, including, but not limited to, makeup work plans and reenrollment in courses. (Education Code 46015)

When necessary to complete high school graduation requirements, the student may remain enrolled

in school for a fifth year of instruction, unless the Superintendent or designee makes a finding that the student is reasonably able to complete district graduation requirements in time to graduate by the end of the fourth year of high school. ~~(Education Code 46015)~~ (Education Code 46015)

Accommodations

When necessary, the district shall provide reasonable accommodations to enable a student who is pregnant or parenting, or with related conditions, to access the educational program. The district shall consult with the student when identifying potential modifications. Any modification accepted by the student shall be implemented. Any proposed modification that would fundamentally alter the nature of the district's education program or activity shall not be implemented. (34 CFR 106.40)

Reasonable modifications may include, but are not limited to: (34 CFR 106.40)

Accommodations

~~When necessary, the district shall provide accommodations to enable a pregnant or parenting student to access the educational program.~~

1. Breaks during class to express breast milk, breastfeed, or attend to health needs associated with pregnancy or related conditions, including eating, drinking, or using the restroom
2. Intermittent absences to attend medical appointments
3. Access to online or homebound education
4. Changes in schedule or course sequence
5. Extensions of time for coursework and rescheduling of tests and examinations
6. Allowing a student to sit or stand, or carry or keep water nearby
7. Counseling
8. Changes in physical space or supplies, such as access to a larger desk or a footrest
9. Elevator access
10. Any other change to policies, practices, or procedures

A ~~pregnant~~ student who is pregnant or who has a related condition shall have access to any services available to other students with temporary ~~disabilities or~~ medical conditions. (34 CFR 106.40)

The school shall provide reasonable accommodations to any lactating student to express breast milk, breastfeed an infant child, or address other needs related to breastfeeding. A student shall not incur an academic penalty for using any of these reasonable accommodations, and shall be provided

the opportunity to make up any work missed due to such use. Reasonable accommodations include, but are not limited to: (Education Code 222); [34 CFR 106.40](#))

1. Access to a private and secure room, other than a restroom, [that is clean, shielded from view, and free from intrusion by others](#) to express breast milk or breastfeed an infant child
2. Permission to bring onto a school campus a breast pump and any other equipment used to express breast milk
3. Access to a power source for a breast pump or any other equipment used to express breast milk
4. Access to a place to store expressed breast milk safely
5. A reasonable amount of time to accommodate the student's need to express breast milk or breastfeed an infant child

Complaints

Any complaint alleging discrimination on the basis of [a student's current, potential, or past pregnancy, family, or marital or parental status](#), district noncompliance with the requirements of Education Code 46015 [or 34 CFR 106.40](#), or district noncompliance with the requirement to provide reasonable accommodations for lactating students, shall be ~~addressed through the district's uniform complaint procedures investigated and resolved~~ in accordance with ~~5 CCR 4600-4670 and BP/AR 1312.3 - Uniform~~ [the Title IX grievance procedures as specified in 34 CFR 106.44 and 106.45 and Administrative Regulation 5145.71 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures](#). ~~A complainant who is not satisfied with the district's decision may appeal the decision to the California Department of Education (CDE). If the district or CDE finds merit in an appeal, the district shall provide a remedy to the affected student.~~ (Education Code 222, 46015; 5 CCR 4600- 4670)

[; 34 CFR 106.44, 106.45](#))

Program Evaluation

The Superintendent or designee shall periodically report to the Board regarding the effectiveness of district strategies to support [current, potential, and past](#) married, pregnant, and parenting students, which may include data on student participation in district programs and services, academic achievement, school attendance, graduation rate, and/or student feedback on district programs and services.

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.

Policy 5146: Married/Pregnant/Parenting Students

Status: ADOPTED

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

The Governing Board recognizes that responsibilities pertaining to marriage, pregnancy, or parenting, including related obligations, medical conditions, or recovery, may disrupt a student's education and increase the chance of a student dropping out of school. The Board desires to minimize interruption to such students' educational progress by supporting married, pregnant, and parenting students in their continued education, assisting them to attain strong academic and parenting skills, and promoting the healthy development of their child(ren).

The district shall not exclude or deny any student from any educational program or activity, including any class or extracurricular activity, solely on the basis of the student's current, potential, or past pregnancy, childbirth, false pregnancy, termination of pregnancy, lactation, or related medical conditions or recovery. In addition, the district shall not adopt any rule concerning a student's actual, potential, or past parental, family, or marital status that discriminates against and/or treats a student differently on the basis of sex. (Education Code 221.51, 230; 5 CCR 4950; 34 CFR 106.40)

The Superintendent or designee shall annually notify parents/guardians at the beginning of the school year of the rights and options available to pregnant and parenting students under the law. In addition, pregnant and parenting students shall be notified of the rights and options available under the law through annual school year welcome packets and through independent study packets. (Education Code 222.5, 48980)

Any employee who is informed by a student, or a person who has a legal right to act on behalf of a student, of a student's pregnancy or related conditions shall provide that person with the Title IX Coordinator's contact information and inform the person that the Title IX Coordinator can coordinate specific acts to prevent sex discrimination, including sex-based harassment, and ensure the student's equal access to the district's education program or activity. (34 CFR 106.8)

When notified of a student's pregnancy or related conditions, the Title IX Coordinator shall provide the student, and if applicable the person who has a legal right to act on behalf of the student and who notified the Title IX Coordinator of the student's pregnancy or related conditions, with the district's notice of nondiscrimination, as specified in Administrative Regulation 5145.3 - Nondiscrimination/Harassment and Exhibit (1) 5145.71 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures. The Title IX Coordinator shall also coordinate actions specified in 34 CFR 106.40 to prevent discrimination against, and ensure equal access to, the student, including the following: (34 CFR 106.44)

1. Notifying the student that the district is required to not discriminate in its education program or activity against any student based on the student's current, potential, or past pregnancy or related conditions

However, a student's voluntary participation in a separate portion of the district's education program or activity does not constitute prohibited discrimination if the district ensures that the separate portion is comparable to that offered to students who are not pregnant and do not have related conditions.

2. To the extent consistent with 34 CFR 106.40(b)(3), ensuring that pregnancy or related conditions are treated in the same manner and under the same policies as any other temporary medical condition with respect to any medical or hospital benefit, service, plan, or policy the district administers, operates, offers, or participates in with respect to students admitted to the district's education program or activity
3. Informing the student that the district may not require the student who is pregnant or has related conditions to provide certification from a healthcare provider or any other person verifying that the student is physically able to participate in the district's class, program, or extracurricular activity unless the certified level of physical ability of health is necessary for participation in the class, program, or extracurricular activity; the district requires such certification of all participating students; and, the information obtained is not used as a basis for Title IX discrimination

For school-related purposes, a student under the age of 18 years who enters into a valid marriage shall have all the rights and privileges of students who are 18 years of age or older, even if the marriage has been dissolved. (Family Code 7002)

Education and Support Services for Pregnant and Parenting Students

Pregnant and parenting students shall retain the right to participate in the regular education program or an alternative education program. The classroom setting shall be the preferred instructional strategy unless an alternative is necessary to meet the needs of the student and/or the student's child.

Any alternative education program, activity, or course that is offered separately to pregnant or parenting students, including any class or extracurricular activity, shall be equal to that offered to other district students. A student's participation in such programs shall be voluntary. (Education Code 221.51; 5 CCR 4950)

The Superintendent or designee shall not require a student, based on pregnancy, childbirth, false pregnancy, termination of pregnancy, lactation, or related medical conditions or recovery, to obtain certification from a physician or nurse practitioner indicating that the student is physically and emotionally able to continue participation in the district's education program or activity, including an extracurricular activity, unless the certified level of physical ability is necessary for participation and such certification is required of all students. (Education Code 221.51; 5 CCR 4950; 34 CFR 106.40)

To the extent feasible, the district shall provide educational and related support services, either directly or in collaboration with community agencies and organizations, to meet the needs of pregnant and parenting students and their children. Such services may include, but are not limited to:

1. Child care and development services for the children of parenting students on or near school site(s) during the school day and during school-sponsored activities
2. Parenting education and life skills instruction
3. Special school nutrition supplements for pregnant and lactating students pursuant to Education Code 49553, 42 USC 1786, and 7 CFR 246.1-246.28
4. Health care services, including prenatal care
5. Tobacco, alcohol, and/or drug prevention and intervention services
6. Academic and personal counseling
7. Supplemental instruction to assist students in achieving grade-level academic standards and progressing toward graduation

As appropriate, teachers, administrators, and/or other personnel who work with pregnant and parenting students shall receive related professional development.

Absences

Pregnant or parenting students may be excused for absences for medical appointments and other purposes specified in BP/AR 5113 - Absences and Excuses.

A student shall be excused for absences to care for a sick child for whom the student is the custodial parent. A note from a physician shall not be required for such an absence. (Education Code 48205)

Parental Leave

A student who is pregnant or parenting, or has a related condition, shall be entitled to parental leave in order to protect the health of the student and/or the infant, and to allow the student to care for and bond with the infant. The period of the leave shall be the greater of eight weeks, or the length of time deemed medically necessary by the student's healthcare provider, or, if the district has a leave policy for which the student qualifies, the amount of time provided for in such policy. Such leave may be taken before the birth of the student's infant if there is a medical necessity and after childbirth during the school year in which the birth takes place, inclusive of any mandatory summer instruction. (Education Code 46015; 34 CFR 106.40)

The student, if age 18 years or older, or the student's parent/guardian shall notify the school of the student's intent to take parental leave. (Education Code 46015)

No student shall be required to take all or part of the parental leave. (Education Code 46015; 34 CFR 106.40)

When a student takes parental leave, the attendance supervisor shall ensure that absences from the regular school program are excused until the student is able to return to the regular school program or an alternative education program. A student who is pregnant or parenting, or has related

conditions, shall not be required to complete academic work or other school requirements during the period of the parental leave. (Education Code 46015)

Following the leave, a student who is pregnant or parenting, or has related conditions, may elect to return to the school and the course of study in which the student was enrolled before taking parental leave or to an alternative education option provided by the district. (Education Code 46015; 34 CFR 106.40)

Upon return to school, a pregnant or parenting student shall have opportunities to make up work missed during the leave, including, but not limited to, makeup work plans and reenrollment in courses. (Education Code 46015)

When necessary to complete high school graduation requirements, the student may remain enrolled in school for a fifth year of instruction, unless the Superintendent or designee makes a finding that the student is reasonably able to complete district graduation requirements in time to graduate by the end of the fourth year of high school. (Education Code 46015)

Accommodations

When necessary, the district shall provide reasonable accommodations to enable a student who is pregnant or parenting, or with related conditions, to access the educational program. The district shall consult with the student when identifying potential modifications. Any modification accepted by the student shall be implemented. Any proposed modification that would fundamentally alter the nature of the district's education program or activity shall not be implemented. (34 CFR 106.40)

Reasonable modifications may include, but are not limited to: (34 CFR 106.40)

1. Breaks during class to express breast milk, breastfeed, or attend to health needs associated with pregnancy or related conditions, including eating, drinking, or using the restroom
2. Intermittent absences to attend medical appointments
3. Access to online or homebound education
4. Changes in schedule or course sequence
5. Extensions of time for coursework and rescheduling of tests and examinations
6. Allowing a student to sit or stand, or carry or keep water nearby
7. Counseling
8. Changes in physical space or supplies, such as access to a larger desk or a footrest
9. Elevator access
10. Any other change to policies, practices, or procedures

A student who is pregnant or who has a related condition shall have access to any services available to other students with temporary medical conditions. (34 CFR 106.40)

The school shall provide reasonable accommodations to any lactating student to express breast milk, breastfeed an infant child, or address other needs related to breastfeeding. A student shall not incur an academic penalty for using any of these reasonable accommodations, and shall be provided the opportunity to make up any work missed due to such use. Reasonable accommodations include, but are not limited to: (Education Code 222; 34 CFR 106.40)

1. Access to a private and secure room, other than a restroom, that is clean, shielded from view, and free from intrusion by others to express breast milk or breastfeed an infant child
2. Permission to bring onto a school campus a breast pump and any other equipment used to express breast milk
3. Access to a power source for a breast pump or any other equipment used to express breast milk
4. Access to a place to store expressed breast milk safely
5. A reasonable amount of time to accommodate the student's need to express breast milk or breastfeed an infant child

Complaints

Any complaint alleging discrimination on the basis of a student's current, potential, or past pregnancy, family, or marital status, district noncompliance with the requirements of Education Code 46015 or 34 CFR 106.40, or district noncompliance with the requirement to provide reasonable accommodations for lactating students, shall be investigated and resolved in accordance with the Title IX grievance procedures as specified in 34 CFR 106.44 and 106.45 and Administrative Regulation 5145.71 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures. (Education Code 222, 46015; 5 CCR 4600- 4670; 34 CFR 106.44, 106.45)

Program Evaluation

The Superintendent or designee shall periodically report to the Board regarding the effectiveness of district strategies to support current, potential, and past married, pregnant, and parenting students, which may include data on student participation in district programs and services, academic achievement, school attendance, graduation rate, and/or student feedback on district programs and services.

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
22 CCR 101151-101239.2	General requirements; licensed child care centers
22 CCR 101351-101439.1	Infant care centers
5 CCR 4600-4670	Uniform complaint procedures

Policy 5147: Dropout Prevention

Status: ADOPTED

Original Adopted Date: ~~08/25/2009~~07/01/2005 | Last Revised Date: ~~06/09/2015~~01/2024 |
Last Reviewed Date: ~~06/09/2015~~01/2024

The Governing Board expects all students to remain in school until graduation in order to acquire critical knowledge and skills and be prepared for postsecondary education and/or employment. The Superintendent or designee shall identify factors that impede student success in school and shall implement integrated, systemic support and strategies that address dropout prevention and promote timely intervention and recovery.

The Superintendent or designee, in collaboration with parents/guardians, school staff, and community agencies and organizations as appropriate, shall develop districtwide and schoolwide strategies that support regular school attendance for all students. Dropout prevention strategies shall include efforts to provide a safe and positive learning environment that engages and motivates students, encourages students' connectedness to the schools, offers meaningful educational opportunities, and promotes student health and well-being.

In order to make up lost instructional time and offset absences, the district may implement attendance recovery programs. Any attendance recovery program shall be provided as a voluntary, limited-term option for a classroom-based, regular education program for students in grades TK-12 in accordance with Education Code 46211.

In addition, the Superintendent or designee shall develop strategies to provide targeted support to individual students who are at risk of dropping out of school. Students may be identified based on indicators such as chronic absenteeism, truancy, or tardiness; below-grade-level academic achievement as evidenced by student assessment results and/or teacher evaluations; and personal, social, health, or economic circumstances that may affect student performance and behavior in school.

Strategies to support students at risk of dropping out of school may include, but are not limited to:

1. Meetings and/or home visits with the student and parent/guardian to identify and address barriers to the student's success and inform them of the state's compulsory education law
2. Individualized instruction that responds to the needs and unique learning styles of students

3. Supplemental instruction during or outside the school day that is designed to help students overcome academic deficiencies, including attendance recovery programs
4. Enrollment in alternative or specialized educational programs
5. Assistance locating employment or work-based learning opportunities which link classroom learning with real-world experiences
6. Academic guidance and personal counseling services
7. Referral to a student success team, school attendance review board, or other team that addresses persistent attendance problems
-
8. Referral to school and/or community support services, such as a student assistance program; substance abuse program; health services; or school nurse; school social worker or social services; ~~a substance abuse program~~; school counselor, school psychologist or other student support personnel for case management and counseling; and other resources
9. Continued monitoring of student attendance, including tracking student attendance and identifying students with attendance problems as early as possible, so the school may provide appropriate support services and interventions
10. Employment of qualified outreach consultants to perform duties related to dropout identification, prevention, intervention, and recovery as assigned
11. Creating small, personalized learning communities to facilitate monitoring and support
-
12. Offering courses or programs that connect schoolwork with college and career success, including career technical education

The strategies may be incorporated into the district's local control and accountability plan and linked to district goals for student engagement, school climate, and student achievement.

The Superintendent or designee shall ensure that employees are trained to support at-risk students and are prepared to implement intervention strategies or to make appropriate referrals to support services.

When a student leaves school prior to the end of a school year, or when a student successfully completed the prior school year but did not begin attending the next grade or school that he/she/the student was expected to attend or had pre-registered to attend, the Superintendent or designee shall make efforts to determine whether the student has dropped out or has transferred to another educational setting. The Superintendent or designee may contact the student's parents/guardians to verify school enrollment and, if necessary, shall implement intervention and recovery efforts.

The Superintendent or designee shall maintain required documentation for students who transfer from or otherwise withdraw from a school in the district. (20 USC 6311)

The Superintendent or designee shall annually report to the Board on measures of student engagement, including school attendance rates, chronic absenteeism rates, middle school and high school dropout rates, and high school graduation rates. The Board shall monitor district progress in increasing student retention in school and may require revisions in district plans and strategies as needed.

Policy Reference Disclaimer:

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

State	Description
Ed. Code 35160	<u>Authority of governing boards</u>
Ed. Code 46211	Attendance recovery programs
Ed. Code 48200	<u>Compulsory education</u>
Ed. Code 48260-48273	<u>Truancy</u>
Ed. Code 48400-48403	<u>Compulsory continuation education</u>
Ed. Code 48430-48438	<u>Continuation education</u>
Ed. Code 48660-48666	<u>Community day schools</u>
Ed. Code 49600-49604	<u>Educational counseling</u>
Ed. Code 51260-51269	<u>Gang and substance abuse prevention curriculum</u>
Ed. Code 51745	<u>Independent study</u>
Ed. Code 52059.5-52077	<u>Local control and accountability plan</u>
Ed. Code 52300-52462	<u>Career technical education</u>
Ed. Code 54690-54697	<u>Partnership academies</u>
Ed. Code 60900-60901	<u>California Longitudinal Pupil Achievement Data System</u>
Ed. Code 64001	<u>School plan for student achievement; consolidated application programs</u>
W&I Code 18986.40-18986.46	<u>Interagency children's services programs</u>
Federal	Description
20 USC 6301-6322	Title I programs
Management Resources	Description

Policy 5147: Dropout Prevention

Status: ADOPTED

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

The Governing Board expects all students to remain in school until graduation in order to acquire critical knowledge and skills and be prepared for postsecondary education and/or employment. The Superintendent or designee shall identify factors that impede student success in school and shall implement integrated, systemic support and strategies that address dropout prevention and promote timely intervention and recovery.

The Superintendent or designee, in collaboration with parents/guardians, school staff, and community agencies and organizations as appropriate, shall develop districtwide and schoolwide strategies that support regular school attendance for all students. Dropout prevention strategies shall include efforts to provide a safe and positive learning environment that engages and motivates students, encourages students' connectedness to the schools, offers meaningful educational opportunities, and promotes student health and well-being.

In order to make up lost instructional time and offset absences, the district may implement attendance recovery programs. Any attendance recovery program shall be provided as a voluntary, limited-term option for a classroom-based, regular education program for students in grades TK-12 in accordance with Education Code 46211.

In addition, the Superintendent or designee shall develop strategies to provide targeted support to individual students who are at risk of dropping out of school. Students may be identified based on indicators such as chronic absenteeism, truancy, or tardiness; below-grade-level academic achievement as evidenced by student assessment results and/or teacher evaluations; and personal, social, health, or economic circumstances that may affect student performance and behavior in school.

Strategies to support students at risk of dropping out of school may include, but are not limited to:

1. Meetings and/or home visits with the student and parent/guardian to identify and address barriers to the student's success and inform them of the state's compulsory education law
2. Individualized instruction that responds to the needs and unique learning styles of students
3. Supplemental instruction during or outside the school day that is designed to help students overcome academic deficiencies, including attendance recovery programs
4. Enrollment in alternative or specialized educational programs
5. Assistance locating employment or work-based learning opportunities which link classroom learning with real-world experiences
6. Academic guidance and personal counseling services

7. Referral to a student success team, school attendance review board, or other team that addresses persistent attendance problems
8. Referral to school and/or community support services, such as a student assistance program; substance abuse program; health services or school nurse; school social worker or social services; school counselor, school psychologist or other student support personnel for case management and counseling; and other resources
9. Continued monitoring of student attendance, including tracking student attendance and identifying students with attendance problems as early as possible, so the school may provide appropriate support services and interventions
10. Employment of qualified outreach consultants to perform duties related to dropout identification, prevention, intervention, and recovery as assigned
11. Creating small, personalized learning communities to facilitate monitoring and support
12. Offering courses or programs that connect schoolwork with college and career success, including career technical education

The strategies may be incorporated into the district's local control and accountability plan and linked to district goals for student engagement, school climate, and student achievement.

The Superintendent or designee shall ensure that employees are trained to support at-risk students and are prepared to implement intervention strategies or to make appropriate referrals to support services.

When a student leaves school prior to the end of a school year, or when a student successfully completed the prior school year but did not begin attending the next grade or school that the student was expected to attend or had pre-registered to attend, the Superintendent or designee shall make efforts to determine whether the student has dropped out or has transferred to another educational setting. The Superintendent or designee may contact the student's parents/guardians to verify school enrollment and, if necessary, shall implement intervention and recovery efforts.

The Superintendent or designee shall maintain required documentation for students who transfer from or otherwise withdraw from a school in the district. (20 USC 6311)

The Superintendent or designee shall annually report to the Board on measures of student engagement, including school attendance rates, chronic absenteeism rates, middle school and high school dropout rates, and high school graduation rates. The Board shall monitor district progress in increasing student retention in school and may require revisions in district plans and strategies as needed.

Policy Reference Disclaimer:

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

State

Ed. Code 35160

Description

[Authority of governing boards](#)

Policy 6112: School Day

Status: ADOPTED

Original Adopted Date: ~~08/25/2009~~09/01/1988 | **Last Revised Date:** ~~09/01/09~~2024 | **Last Reviewed Date:** ~~09/01/09~~2024

The Governing Board shall fix the length of the school day in accordance with law. ~~—~~ (Education Code 46100)

At each school, the length of the school day shall be ~~the~~ same for all students, except as otherwise permitted by law. For any student with a disability, the length of the school day shall be as specified ~~in the~~ student's individualized education program or Section 504 plan.

~~The~~

~~Unless there is a field trip or other educational program, the~~ daily schedule for ~~elementary schools~~ grades K-6 shall include at least one ~~period or more periods~~ of recess of at least ~~20~~30 minutes, ~~during which on regular instructional days and 15 minutes on early release days. During this time,~~ students shall be provided supervised opportunities, outdoors when weather and air quality permit unless space is not sufficient in which case recess may be held indoors, to engage in unstructured physical activity, play, organized games, and/or social engagement with peers, and may be provided a snack. (Education Code 49056)

Educational Program means the entire school-sponsored offering for students, including in-class and out-of-class activities. (Education Code 49056)

In establishing the daily instructional schedule for each secondary school, the Superintendent or designee shall give consideration to course requirements and curricular demands, availability of school facilities and equipment, and applicable legal requirements.

The Board encourages flexibility in scheduling so as to provide longer time blocks or class periods when appropriate and desirable to support student learning, provide more intensive study of core academic subjects or extended exploration of complex topics, and reduce transition time between classes.

Prior to implementing a block or alternative schedule that will allow secondary students to attend school for fewer school days than the total number of school days for which the school is in session, the Board shall consult in good faith, in an effort to reach agreement with the certificated and classified employees of the school, parents/guardians of the students who would be affected by the change, and the community at large. ~~Such consultation shall include at least one public hearing for which the Board shall give adequate notice to the employees and to the parents/guardians of affected students.—~~ (Education Code 46162)

Policy 6112: School Day

Status: ADOPTED

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

The Governing Board shall fix the length of the school day in accordance with law. (Education Code 46100)

At each school, the length of the school day shall be the same for all students, except as otherwise permitted by law. For any student with a disability, the length of the school day shall be as specified in the student's individualized education program or Section 504 plan.

Unless there is a field trip or other educational program, the daily schedule for grades K-6 shall include at least one or more periods of recess of at least 30 minutes on regular instructional days and 15 minutes on early release days. During this time, students shall be provided supervised opportunities, outdoors when weather and air quality permit unless space is not sufficient in which case recess may be held indoors, to engage in unstructured physical activity, play, organized games, and/or social engagement with peers, and may be provided a snack. (Education Code 49056)

Educational Program means the entire school-sponsored offering for students, including in-class and out-of-class activities. (Education Code 49056)

In establishing the daily instructional schedule for each secondary school, the Superintendent or designee shall give consideration to course requirements and curricular demands, availability of school facilities and equipment, and applicable legal requirements.

The Board encourages flexibility in scheduling so as to provide longer time blocks or class periods when appropriate and desirable to support student learning, provide more intensive study of core academic subjects or extended exploration of complex topics, and reduce transition time between classes.

Prior to implementing a block or alternative schedule that will allow secondary students to attend school for fewer school days than the total number of school days for which the school is in session, the Board shall consult in good faith, in an effort to reach agreement with the certificated and classified employees of the school, parents/guardians of the students who would be affected by the change, and the community at large. Such consultation shall include at least one public hearing for which the Board shall give adequate notice to the employees and to the parents/guardians of affected students. (Education Code 46162)

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.

Policy 6142.92: Mathematics Instruction

Status: ADOPTED

Original Adopted Date: ~~11/26/1996~~10/01/1995 | **Last Revised Date:** ~~03/10/2015~~09/01/2024 |
Last Reviewed Date: ~~03/10/2015~~09/01/2024

The Governing Board desires to offer a rigorous mathematics program that progressively develops the knowledge and skills students will need to succeed in college and career. The district's mathematics program shall be designed to teach mathematical concepts in the context of real-world situations and to help students gain a strong conceptual understanding, a high degree of procedural skill and fluency, and ability to apply mathematics to solve problems.

The district's mathematics program shall also incorporate recognized principles, concepts, and research-based strategies to meet the needs of all students and provide equal access to learning through lessons that are relevant to students. Instructional resources adopted for use in district schools shall provide guidance to support a diverse student population, including students who are English learners, at-promise, advanced learners, and students with learning disabilities.

For each grade level, the Board shall adopt academic standards for mathematics that meet or exceed the Common Core State Standards. The Superintendent or designee shall develop or select curricula that are aligned with these standards and the state curriculum framework.

The district's mathematics program shall address the following standards for mathematical practices which are the basis for mathematics instruction and learning:

1. Overarching habits of mind of a productive mathematical thinker: Making sense of problems and persevering in solving them; attending to precision
2. Reasoning and explaining: Reasoning abstractly and quantitatively; constructing viable arguments and critiquing the reasoning of others
3. Modeling and using tools: Modeling with mathematics; using appropriate tools strategically
4. Seeing structure and generalizing: Looking for and making use of structure; looking for and expressing regularity in repeated reasoning

In addition, the district's mathematics program shall be aligned with grade-level standards for mathematics content.

For grades K-8, mathematics content shall address, at appropriate grade levels, counting and cardinality, operations and algebraic thinking, number and operations in base ten, fractions, measurement and data, geometry, ratios and proportional relationships, functions, expression and equations, the number system, and statistics and probability. Students shall learn the concepts and skills that prepare them for the rigor of higher mathematics.

For higher mathematics, the district shall offer ~~a pathway~~alternative pathways of courses through which students shall be taught concepts that address number and quantity, algebra, functions, modeling, geometry, and statistics and probability.

Any pathway offered by the district shall be designed in a manner that provides maximum opportunities for students to access advanced mathematics courses during high school.

The Superintendent or designee shall ensure that students are appropriately placed in mathematics courses and are not required to repeat a course that they have successfully completed in an earlier grade level. Placement decisions shall be based on consistent protocols and multiple academic measures.

The Superintendent or designee shall ensure that certificated staff have opportunities to participate in professional development activities designed to increase their knowledge and skills in effective mathematics teaching practices.

The Superintendent or designee shall ensure that students have access to sufficient instructional materials, including manipulatives and technology, to support a balanced, standards-aligned mathematics program.

The Superintendent or designee shall provide the Board with data from state and district mathematics assessments and program evaluations to enable the Board to monitor program effectiveness.

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 51002	Common state curriculum
Ed. Code 51210	<u>Course of study for grades 1-6</u>
Ed. Code 51220	<u>Course of study for grades 7-12</u>

Policy 6142.92: Mathematics Instruction

Status: ADOPTED

Original Adopted Date: 11/26/1996 | **Last Revised Date:** | **Last Reviewed Date:**

The Governing Board desires to offer a rigorous mathematics program that progressively develops the knowledge and skills students will need to succeed in college and career. The district's mathematics program shall be designed to teach mathematical concepts in the context of real-world situations and to help students gain a strong conceptual understanding, a high degree of procedural skill and fluency, and ability to apply mathematics to solve problems.

The district's mathematics program shall also incorporate recognized principles, concepts, and research-based strategies to meet the needs of all students and provide equal access to learning through lessons that are relevant to students. Instructional resources adopted for use in district schools shall provide guidance to support a diverse student population, including students who are English learners, at-risk, advanced learners, and students with learning disabilities.

For each grade level, the Board shall adopt academic standards for mathematics that meet or exceed the Common Core State Standards. The Superintendent or designee shall develop or select curricula that are aligned with these standards and the state curriculum framework.

The district's mathematics program shall address the following standards for mathematical practices which are the basis for mathematics instruction and learning:

1. Overarching habits of mind of a productive mathematical thinker: Making sense of problems and persevering in solving them; attending to precision
2. Reasoning and explaining: Reasoning abstractly and quantitatively; constructing viable arguments and critiquing the reasoning of others
3. Modeling and using tools: Modeling with mathematics; using appropriate tools strategically
4. Seeing structure and generalizing: Looking for and making use of structure; looking for and expressing regularity in repeated reasoning

In addition, the district's mathematics program shall be aligned with grade-level standards for mathematics content.

For grades K-8, mathematics content shall address, at appropriate grade levels, counting and cardinality, operations and algebraic thinking, number and operations in base ten, fractions, measurement and data, geometry, ratios and proportional relationships, functions, expression and equations, the number system, and statistics and probability. Students shall learn the concepts and skills that prepare them for the rigor of higher mathematics.

For higher mathematics, the district shall offer alternative pathways of courses through which students shall be taught concepts that address number and quantity, algebra, functions, modeling,

geometry, and statistics and probability. Any pathway offered by the district shall be designed in a manner that provides maximum opportunities for students to access advanced mathematics courses during high school.

The Superintendent or designee shall ensure that students are appropriately placed in mathematics courses and are not required to repeat a course that they have successfully completed in an earlier grade level. Placement decisions shall be based on consistent protocols and multiple academic measures.

The Superintendent or designee shall ensure that certificated staff have opportunities to participate in professional development activities designed to increase their knowledge and skills in effective mathematics teaching practices.

The Superintendent or designee shall ensure that students have access to sufficient instructional materials, including manipulatives and technology, to support a balanced, standards-aligned mathematics program.

The Superintendent or designee shall provide the Board with data from state and district mathematics assessments and program evaluations to enable the Board to monitor program effectiveness.

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 51002

Description

Common state curriculum

Ed. Code 51210

[Course of study for grades 1-6](#)

Ed. Code 51220

[Course of study for grades 7-12](#)

Ed. Code 51224.5

[Algebra in course of study for grades 7-12](#)

Ed. Code 51224.7

[California Mathematics Placement Act of 2015](#)

Ed. Code 51225.3

[High school graduation requirements](#)

Ed. Code 51284

[Financial literacy](#)

Ed. Code 60605

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

Ed. Code 60605.8

[Common Core standards](#)

Management Resources

California Department of Education
Publication

Description

[2023 Mathematics Framework for California Public Schools: Kindergarten Through Grade Twelve, June 2023](#)

Policy 6152.1: Placement In Mathematics Courses

Status: ADOPTED

Original Adopted Date: ~~12/13/2018~~08/01/2015 | Last Revised Date: 09/01/2024 | Last Reviewed Date: ~~12/13/2018~~09/01/2024

The Governing Board believes that a sound educational program must include the study of subjects that prepare students for admission to higher education and/or fulfilling careers. District students shall be provided an opportunity to complete a sequence of mathematics courses recommended for admission into the University of California (UC) and California State University (CSU) systems.

The district shall offer alternative pathways of courses designed in a manner that provides maximum opportunities for students to access advanced mathematics courses during high school.

The Superintendent or designee shall work with district teachers, counselors, and administrators and the representatives of feeder schools to develop a well-articulated sequence of mathematics courses and consistent protocols for placing students in mathematics courses offered at district high schools.

Such placement protocols shall systematically take into consideration multiple objective academic measures that may include, but are not limited to, statewide mathematics assessments, including state interim and summative assessments; placement tests that are aligned to state-adopted content standards in mathematics; classroom assignment and grades; and report cards. (Education Code 51224.7)

District staff shall implement the placement protocols uniformly and without regard to students' socioeconomic background or any characteristic specified in BP Board Policy 0410 - Nondiscrimination ~~in~~In District Programs ~~and~~And Activities, including, but not limited to, race, sex, gender, nationality, and ethnicity.

The placement protocols shall provide for at least one reevaluation within the first month of the school year to ensure that students are appropriately placed in mathematics courses and shall specify the criteria the district will use to make this determination. Any student found to be misplaced shall be promptly placed in the appropriate mathematics course.

If a student or parent/guardian questions the student's placement, [he/she/the student or the student's parent/guardian](#) may appeal the decision to the Superintendent or designee. The decision of the Superintendent or designee shall be final.

The Superintendent or designee shall ensure that all teachers, counselors, and other district staff responsible for determining students' placement in mathematics courses receive training on the placement protocols.

The Board and the Superintendent or designee shall annually review student data related to placement in mathematics courses offered at district high schools to ensure that students who are qualified to progress in mathematics courses based on their performance on objective academic measures are not being held back in a disproportionate manner on the basis of any subjective or discriminatory basis, and shall develop strategies for removing any identified barriers to students' access to mathematics courses. The Superintendent or designee shall also report on the percentage of district students who have successfully completed mathematics courses that satisfy the requirements for entrance to the [University of California and the California State University, UC and CSU systems](#).

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 200-270	Prohibition of discrimination
Ed. Code 48070.5	Promotion and retention of students
Ed. Code 51220	Course of study for grades 7-12
Ed. Code 51224.5	Algebra in course of study for grades 7-12
Ed. Code 51224.7	California Mathematics Placement Act of 2015
Ed. Code 51225.3	High school graduation requirements
Ed. Code 51284	Financial literacy
Ed. Code 52059.5-52077	Local control and accountability plan
Ed. Code 60605	State-adopted content and performance standards in core curricular areas
Ed. Code 60605.8	Common Core standards

Policy 6152.1: Placement In Mathematics Courses

Status: ADOPTED

Original Adopted Date: 12/13/2018 | **Last Revised Date:** | **Last Reviewed Date:**

The Governing Board believes that a sound educational program must include the study of subjects that prepare students for admission to higher education and/or fulfilling careers. District students shall be provided an opportunity to complete a sequence of mathematics courses recommended for admission into the University of California (UC) and California State University (CSU) systems.

The district shall offer alternative pathways of courses designed in a manner that provides maximum opportunities for students to access advanced mathematics courses during high school.

The Superintendent or designee shall work with district teachers, counselors, and administrators and the representatives of feeder schools to develop a well-articulated sequence of mathematics courses and consistent protocols for placing students in mathematics courses offered at district high schools.

Such placement protocols shall systematically take into consideration multiple objective academic measures that may include, but are not limited to, statewide mathematics assessments, including state interim and summative assessments; placement tests that are aligned to state-adopted content standards in mathematics; classroom assignment and grades; and report cards. (Education Code 51224.7)

District staff shall implement the placement protocols uniformly and without regard to students' socioeconomic background or any characteristic specified in Board Policy 0410 - Nondiscrimination In District Programs And Activities, including, but not limited to, race, sex, gender, nationality, and ethnicity.

The placement protocols shall provide for at least one reevaluation within the first month of the school year to ensure that students are appropriately placed in mathematics courses and shall specify the criteria the district will use to make this determination. Any student found to be misplaced shall be promptly placed in the appropriate mathematics course.

If a student or parent/guardian questions the student's placement, the student or the student's parent/guardian may appeal the decision to the Superintendent or designee. The decision of the Superintendent or designee shall be final.

The Superintendent or designee shall ensure that all teachers, counselors, and other district staff responsible for determining students' placement in mathematics courses receive training on the placement protocols.

The Board and the Superintendent or designee shall annually review student data related to placement in mathematics courses offered at district high schools to ensure that students who are qualified to progress in mathematics courses based on their performance on objective academic ³

measures are not being held back in a disproportionate manner on the basis of any subjective or discriminatory basis, and shall develop strategies for removing any identified barriers to students' access to mathematics courses. The Superintendent or designee shall also report on the percentage of district students who have successfully completed mathematics courses that satisfy the requirements for entrance to the UC and CSU systems.

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 200-270	<u>Prohibition of discrimination</u>
Ed. Code 48070.5	<u>Promotion and retention of students</u>
Ed. Code 51220	<u>Course of study for grades 7-12</u>
Ed. Code 51224.5	<u>Algebra in course of study for grades 7-12</u>
Ed. Code 51224.7	<u>California Mathematics Placement Act of 2015</u>
Ed. Code 51225.3	<u>High school graduation requirements</u>
Ed. Code 51284	<u>Financial literacy</u>
Ed. Code 52059.5-52077	<u>Local control and accountability plan</u>
Ed. Code 60605	<u>State-adopted content and performance standards in core curricular areas</u>
Ed. Code 60605.8	<u>Common Core standards</u>
Ed. Code 60640-60648.5	<u>California Assessment of Student Performance and Progress</u>
Management Resources	Description
California Department of Education Publication	<u>California Common Core State Standards: Mathematics, January 2013</u>
California Department of Education Publication	<u>2023 Mathematics Framework for California Public Schools: Kindergarten Through Grade Twelve, June 2023</u>
California School Board Association Publication	<u>Disproportionality in Math Placement</u>
Common Core State Standards Initiative Publication	<u>Appendix A: Designing High School Mathematics Courses Based on the Common Core State Standards</u>
CSBA Publication	<u>Math Misplacement, Governance Brief, September 2015</u>

Policy 6163.4: Student Use Of Technology

Status: ADOPTED

Original Adopted Date: ~~05/28/2002~~07/01/2007 | **Last Revised Date:** ~~08/25/2009~~09/01/2024 |
Last Reviewed Date: ~~08/25/2009~~09/01/2024

~~The Board of Education intends that technological resources provided by the district be used in a responsible and proper manner in support of the instructional program and for the advancement of student learning.~~

~~The Superintendent or designee shall notify students and parents/guardians about authorized uses of district computers and consequences for unauthorized use and/or unlawful activities.~~

~~On-Line Services/Internet Access~~

~~The Superintendent or designee shall ensure that all district computers with Internet access have a technology protection measure that blocks or filters Internet access to visual depictions that are obscene, child pornography, or harmful to minors, and that the operation of such measures is enforced. (20 USC 6777, 47 USC 254)~~

~~The Board desires to protect students from access to harmful matter on the Internet or other on-line services. The Superintendent or designee shall implement rules and procedures designed to restrict students' access to harmful or inappropriate matter on the Internet. He/she also shall establish regulations to address the safety and security of students when using electronic mail, chat rooms and other forms of direct electronic communication.~~

~~Disclosure, use and dissemination of personal identification information regarding students is prohibited.~~

~~Staff shall supervise students while they are using on-line services and may ask teacher aides and student aides to assist in this supervision.~~

~~Before using the district's on-line resources, each student and his/her parent/guardian shall sign and return an Acceptable Use Agreement specifying user obligations and responsibilities. In that agreement, the student and his/her parent/guardian shall agree to not hold the district responsible and shall agree to indemnify and hold harmless the district and all district personnel for the failure of any technology protection measures, violations of copyright restrictions, users' mistakes or negligence, or any costs incurred by users.~~

~~In order to help ensure that the district adapts to changing technologies and circumstances, the Superintendent or designee shall regularly review this policy, the accompanying administrative regulation and other procedures. He/she shall also monitor the district's filtering software to help ensure its effectiveness.~~

The Governing Board believes that effective use of technology is integral to the education and development of students. In order to promote digital citizenship, the Board recognizes that students must have access to the latest digital tools and receive instruction that allows students to positively

engage with technology in ways that respect human rights and avoids Internet dangers. Technological resources provided to students, including technology based on artificial intelligence (AI), shall be aligned to district goals, objectives, and academic standards. The use of technology shall augment the use of Board adopted instructional materials.

The Board intends that technological resources provided by the district be used in a safe and responsible manner in support of the instructional program and for the advancement of student learning. Students shall be allowed to use such technology, including AI technology, in accordance with district policies, including, but not limited to, policies on academic honesty, data privacy, nondiscrimination, and copyright protections. All students using these resources shall receive instruction in the proper and appropriate use of technology. Such instruction shall incorporate students' responsibilities regarding academic honesty, honoring copyright provisions, assessing the reliability and accuracy of information, protecting personal data, and the potential for biases and errors in artificially generated content.

In accordance with district policy, all necessary technological resources for school activities are provided by the district, and students are not required to use personal devices. Students who choose to bring personal devices to school do so at their own risk. The district assumes no responsibility or liability for any loss, theft, or damage to such personal devices.

District technology includes, but is not limited to, computer hardware, software, or software as a service provided or paid for by the district, whether accessed on or off site or through district-owned or personally owned equipment or devices, including tablets and laptops; computer servers, wireless access points (routers), and wireless computer networking technology (wi-fi); the Internet; email; applications (apps), including AI apps; telephones, cellular telephones, smartphones, smart devices, and wearable technology; or any wireless communication device, including radios.

Teachers, administrators, and/or library media specialists are expected to review the technological resources and online sites that will be used in the classroom or assigned to students in order to ensure that they are appropriate for the intended purpose and the age of the students.

The Superintendent or designee shall notify students and parents/guardians about authorized uses of district technology, user obligations and responsibilities, and consequences for unauthorized use and/or unlawful activities in accordance with this board policy and the district's Acceptable Use Agreement.

Before a student is authorized to use district technology, the student and the student's parent/guardian shall review annually during Data Confirmation ~~sign and return~~ the Acceptable Use Agreement. Use of any district technology, named above, constitutes acceptance of the terms by the student and the student's parent/guardian. In that agreement, the student and parent/guardian also agree not to hold the district or any district staff responsible for the failure of any technology protection measures or user mistakes or negligence and shall agree to indemnify and hold harmless the district and district staff for any damages or costs incurred.

The district reserves the right to monitor student use of technology within the jurisdiction of the district without advance notice or consent. Students shall be informed that the use of district technology, as defined above, is not private and may be accessed by the district for the purpose of ensuring proper use. Students have no reasonable expectation of privacy in the use of district technology. Students' personally owned devices shall not be searched except in cases where there is a reasonable suspicion, based on specific and objective facts, that the search will uncover evidence of a violation of law, district policy, or school rules.

The Superintendent or designee may gather and maintain information pertaining directly to school safety or student safety from the social media activity of any district student in accordance with Education Code 49073.6 and Board Policy/Administrative Regulation 5125 - Student Records.

Whenever a student is found to have violated board policy or the district's Acceptable Use Agreement, the principal or designee may cancel or limit a student's user privileges or increase supervision of the student's use of the district's equipment and other technological resources, as appropriate. Inappropriate use also may result in disciplinary action and/or legal action in accordance with law and board policy.

The Superintendent or designee, with input from students and appropriate staff, shall regularly review and update procedures to enhance the safety and security of students using district technology and to help ensure that the district adapts to changing technologies and circumstances.

Internet Safety

The Superintendent or designee ~~shall~~ will make reasonable effort to ensure that all district computers with Internet access have a technology protection measure that protects against access to visual depictions that are obscene, child pornography, or harmful to minors and that the operation of such measures is enforced. (20 USC 7131; 47 USC 254; 47 CFR 54.520)

To reinforce these measures, the Superintendent or designee shall implement rules and procedures designed to restrict students' access to harmful or inappropriate matter on the Internet and to ensure that students do not engage in unauthorized or unlawful online activities.

Harmful matter includes matter, taken as a whole, which to the average person, applying contemporary statewide standards, appeals to the prurient interest and is matter which depicts or describes, in a patently offensive way, sexual conduct and which lacks serious literary, artistic, political, or scientific value for minors. (Penal Code 313)

The district's Acceptable Use Agreement shall establish expectations for appropriate student conduct when using the Internet or other forms of electronic communication, including, but not limited to, prohibitions against:

1. Accessing, posting, submitting, publishing, or displaying harmful or inappropriate matter that is threatening, obscene, disruptive, or sexually explicit, or that could be construed as

harassment or disparagement of others based on their race/ethnicity, national origin, sex, gender, sexual orientation, age, disability, religion, or political beliefs

2. Intentionally uploading, downloading, or creating computer viruses and/or maliciously attempting to harm or destroy district equipment or materials, ~~or~~ manipulate the data of any other user, or bypass filters, including so-called "hacking" of any device or user account.
3. Distributing personal identification information, including the name, address, telephone number, Social Security number, or other personally identifiable information, of another student, staff member, or other person with the intent to threaten, intimidate, harass, or ridicule that person

The Superintendent or designee shall regularly review current guidance regarding cybersecurity, data privacy, and digital media awareness and incorporate recommended practices into the district's processes and procedures related to the protection of the district's network infrastructure, the monitoring and response to cyberattacks, ensuring data privacy, and monitoring suspicious and/or threatening digital media content, in accordance with Board Policy 5125 – Student Records.

The Superintendent or designee shall provide age-appropriate instruction regarding safe and appropriate behavior on social networking sites, chat rooms, and other Internet services. Such instruction shall include, but not be limited to, the dangers of posting one's own personal identification information online, misrepresentation by online predators, how to report inappropriate or offensive content or threats, behaviors that constitute cyberbullying, and how to respond when subjected to cyberbullying.

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
Civ. Code 3120-3123	Digital equity bill of rights
Ed. Code 49073.6	<u>Student records; social media</u>
Ed. Code 51006	<u>Computer education and resources</u>
Ed. Code 51007	<u>Programs to strengthen technological skills</u>
Ed. Code 60044	<u>Prohibited instructional materials</u>
Pen. Code 313	<u>Harmful matter</u>
Pen. Code 502	<u>Computer crimes; remedies</u>
Pen. Code 632	<u>Eavesdropping on or recording confidential communications</u>
Pen. Code 653.2	<u>Electronic communication devices; threats to safety</u>
Federal	Description

Policy 6163.4: Student Use Of Technology

Status: ADOPTED

Original Adopted Date: 05/28/2002 | Last Revised Date: | Last Reviewed Date:

The Governing Board believes that effective use of technology is integral to the education and development of students. In order to promote digital citizenship, the Board recognizes that students must have access to the latest digital tools and receive instruction that allows students to positively engage with technology in ways that respect human rights and avoids Internet dangers. Technological resources provided to students, including technology based on artificial intelligence (AI), shall be aligned to district goals, objectives, and academic standards. The use of technology shall augment the use of Board adopted instructional materials.

The Board intends that technological resources provided by the district be used in a safe and responsible manner in support of the instructional program and for the advancement of student learning. Students shall be allowed to use such technology, including AI technology, in accordance with district policies, including, but not limited to, policies on academic honesty, data privacy, nondiscrimination, and copyright protections. All students using these resources shall receive instruction in the proper and appropriate use of technology. Such instruction shall incorporate students' responsibilities regarding academic honesty, honoring copyright provisions, assessing the reliability and accuracy of information, protecting personal data, and the potential for biases and errors in artificially generated content.

In accordance with district policy, all necessary technological resources for school activities are provided by the district, and students are not required to use personal devices. Students who choose to bring personal devices to school do so at their own risk. The district assumes no responsibility or liability for any loss, theft, or damage to such personal devices.

District technology includes, but is not limited to, computer hardware, software, or software as a service provided or paid for by the district, whether accessed on or off site or through district-owned or personally owned equipment or devices, including tablets and laptops; computer servers, wireless access points (routers), and wireless computer networking technology (wi-fi); the Internet; email; applications (apps), including AI apps; telephones, cellular telephones, smartphones, smart devices, and wearable technology; or any wireless communication device, including radios.

Teachers, administrators, and/or library media specialists are expected to review the technological resources and online sites that will be used in the classroom or assigned to students in order to ensure that they are appropriate for the intended purpose and the age of the students.

The Superintendent or designee shall notify students and parents/guardians about authorized uses of district technology, user obligations and responsibilities, and consequences for unauthorized use and/or unlawful activities in accordance with this board policy and the district's Acceptable Use Agreement.

Before a student is authorized to use district technology, the student and the student's parent/guardian shall review annually during Data Confirmation ~~sign and return~~ the Acceptable Use Agreement. Use of any district technology, named above, constitutes acceptance of the terms by the student and the student's parent/guardian. In that agreement, the student and parent/guardian also agree not to hold the district or any district staff responsible for the failure of any technology protection measures or user mistakes or negligence and shall agree to indemnify and hold harmless the district and district staff for any damages or costs incurred.

The district reserves the right to monitor student use of technology within the jurisdiction of the district without advance notice or consent. Students shall be informed that the use of district technology, as defined above, is not private and may be accessed by the district for the purpose of ensuring proper use. Students have no reasonable expectation of privacy in the use of district technology. Students' personally owned devices shall not be searched except in cases where there is a reasonable suspicion, based on specific and objective facts, that the search will uncover evidence of a violation of law, district policy, or school rules.

The Superintendent or designee may gather and maintain information pertaining directly to school safety or student safety from the social media activity of any district student in accordance with Education Code 49073.6 and Board Policy/Administrative Regulation 5125 - Student Records.

Whenever a student is found to have violated board policy or the district's Acceptable Use Agreement, the principal or designee may cancel or limit a student's user privileges or increase supervision of the student's use of the district's equipment and other technological resources, as appropriate. Inappropriate use also may result in disciplinary action and/or legal action in accordance with law and board policy.

The Superintendent or designee, with input from students and appropriate staff, shall regularly review and update procedures to enhance the safety and security of students using district technology and to help ensure that the district adapts to changing technologies and circumstances.

Internet Safety

The Superintendent or designee will make reasonable effort to ~~shall~~ ensure that all district computers with Internet access have a technology protection measure that protects against access to visual depictions that are obscene, child pornography, or harmful to minors and that the operation of such measures is enforced. (20 USC 7131; 47 USC 254; 47 CFR 54.520)

To reinforce these measures, the Superintendent or designee shall implement rules and procedures designed to restrict students' access to harmful or inappropriate matter on the Internet and to ensure that students do not engage in unauthorized or unlawful online activities.

Harmful matter includes matter, taken as a whole, which to the average person, applying contemporary statewide standards, appeals to the prurient interest and is matter which depicts or

describes, in a patently offensive way, sexual conduct and which lacks serious literary, artistic, political, or scientific value for minors. (Penal Code 313)

The district's Acceptable Use Agreement shall establish expectations for appropriate student conduct when using the Internet or other forms of electronic communication, including, but not limited to, prohibitions against:

1. Accessing, posting, submitting, publishing, or displaying harmful or inappropriate matter that is threatening, obscene, disruptive, or sexually explicit, or that could be construed as harassment or disparagement of others based on their race/ethnicity, national origin, sex, gender, sexual orientation, age, disability, religion, or political beliefs
2. Intentionally uploading, downloading, or creating computer viruses and/or maliciously attempting to harm or destroy district equipment or materials, manipulate the data of any other user, or bypass filters, including so-called "hacking" of any device or user account.
3. Distributing personal identification information, including the name, address, telephone number, Social Security number, or other personally identifiable information, of another student, staff member, or other person with the intent to threaten, intimidate, harass, or ridicule that person

The Superintendent or designee shall provide age-appropriate instruction regarding safe and appropriate behavior on social networking sites, chat rooms, and other Internet services. Such instruction shall include, but not be limited to, the dangers of posting one's own personal identification information online, misrepresentation by online predators, how to report inappropriate or offensive content or threats, behaviors that constitute cyberbullying, and how to respond when subjected to cyberbullying.

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
Civ. Code 3120-3123	Digital equity bill of rights
Ed. Code 49073.6	<u>Student records; social media</u>
Ed. Code 51006	<u>Computer education and resources</u>
Ed. Code 51007	<u>Programs to strengthen technological skills</u>
Ed. Code 60044	<u>Prohibited instructional materials</u>
Pen. Code 313	<u>Harmful matter</u>
Pen. Code 502	<u>Computer crimes; remedies</u>

Policy 6177: Summer Learning Programs

Status: ADOPTED

Original Adopted Date: ~~04/01/23/2001~~2013 | **Last Revised Date:** ~~08/22/2023~~06/01/2024 |
Last Reviewed Date: ~~08/22/2023~~06/01/2024

The Governing Board recognizes that an extended break from the instructional program may result in significant learning loss, especially among disadvantaged and low-achieving students, and desires to provide opportunities during the summer for students to practice essential skills, make academic progress, and ~~develop~~focus on developing social, emotional, and physical needs and interests through hands-on engaging learning experiences.

Summer programs offered by the district shall be aligned with the district's local control and accountability plan (LCAP), other applicable district and school plans, and the educational program provided during the school year. When feasible, summer programs shall blend high-quality academic instruction in core curricular and/or elective subjects with recreation, nutrition programs, social and emotional development, and support services that encourage attendance, student engagement in learning, and student wellness.

Summer School

OPTION 1 (District is not required to offer summer school)

The Superintendent or designee, with Board approval, may establish summer school day and/or evening classes.

OPTION 1 ENDS HERE

OPTION 2 (District is required to offer summer school pursuant to Education Code 46120)

The Superintendent or designee shall establish summer school classes pursuant to Education Code 46120.

OPTION 2 ENDS HERE

The district's summer school program may be used to provide supplemental instruction to students needing remediation and/or enrichment in core academic subjects.

The district shall provide students with supplemental instruction and support in a tiered framework that bases universal, targeted, and intensive supports on students' needs for academic, social-

emotional, and other integrated student supports through a program of engaging learning experiences in a positive school climate.

As appropriate, priority for enrollment in summer school programs shall be given to district students who:

1. Need course credits in order to graduate from high school before the beginning of the next school year
2. Have been retained or are at risk of being retained at their grade level
3. Demonstrate academic deficiencies in core curriculum areas
-
4. Are in ~~targeted~~ student groups identified in the district's LCAP as needing increased or improved services to succeed in the educational program
-
5. Are foster youth and/or are students experiencing homelessness

If during an intersession period the student will be moving, the student's educational rights holder or, in grades the case of an American Indian child, Indian custodian, shall determine which school the student attends for the intersession period, if applicable. (Education Code 48850, 48853.5)

- ~~5.6.~~ Are transitional kindergarten (TK)-or kindergarten children, or in any of grades 1-6 and are required to be offered or provided access to Expanded Learning Opportunities (ELO) Programs pursuant to Education Code 46120 and BP/AR 5184.2 - Before/After School Programs

OPTION 1: (First-come first-served)

The remaining openings shall be offered to other district students on a first-come first-served basis.

OPTION 1 ENDS HERE

OPTION 2: (Lottery)

The remaining openings shall be offered to other district students on a lottery basis.

OPTION 2 ENDS HERE

Because summer courses cover extensive instructional content in a relatively short time period, students who have more than three excused absences or one unexcused absence may not receive credit for summer session class(es) unless they make-up missed work in accordance with law, Board policy, and administrative regulation.

Sites for summer school programs may be rotated in an effort to make summer school programs more accessible to all students, regardless of residence or regular attendance area, and to accommodate the maintenance needs of district schools.

The district shall provide any student who attends a school that is not operating an ELO program transportation to attend at a location that is providing an ELO program and to return to the original location or another location that is established by the district. (Education Code 46120)

The Superintendent or designee shall annually report to the Board on summer school enrollment in the current year and previous year for the program as a whole and disaggregated by grade level, school that the students attend during the regular school year, and student population. In addition, the Superintendent or designee may report on the extent to which students successfully achieved the outcomes established for the program.

Additional Summer Learning Opportunities

The Superintendent or designee may collaborate with parents/guardians, city and county agencies, community organizations, child care providers, and/or other interested persons to develop, implement, and build awareness of organized activities that support summer learning.

Strategies to support summer learning may include, but are not limited to:

1. Providing information to students and parents/guardians about summer reading programs scheduled to be conducted by public libraries or community organizations
2. Collaborating with the local parks and recreation agency and/or community organizations to provide day camps, sports programs, or other opportunities for physical education and activity
3. Collaborating with workforce development agencies, businesses, and community organizations to provide summer job training opportunities that include an academic component
4. Encouraging reading in the home, such as providing lists of recommended reading to students and parents/guardians, establishing a target number of books or pages, and providing prizes for achievement of reading goals
5. Assigning summer vacation homework in core curricular subject(s) for extra credit
6. Conducting occasional, interactive "fun days" during the summer to provide activities related to art, music, science, technology, mathematics, environmental science, multicultural education, debate, or other subject
7. Arranging opportunities for community service

Policy 6177: Summer Learning Programs

Status: ADOPTED

Original Adopted Date: 01/23/2001 | **Last Revised Date:** | **Last Reviewed Date:**

The Governing Board recognizes that an extended break from the instructional program may result in significant learning loss, especially among disadvantaged and low-achieving students, and desires to provide opportunities during the summer for students to practice essential skills, make academic progress, and focus on developing social, emotional, and physical needs and interests through hands-on engaging learning experiences.

Summer programs offered by the district shall be aligned with the district's local control and accountability plan (LCAP), other applicable district and school plans, and the educational program provided during the school year. When feasible, summer programs shall blend high-quality academic instruction in core curricular and/or elective subjects with recreation, nutrition programs, social and emotional development, and support services that encourage attendance, student engagement in learning, and student wellness.

Summer School

OPTION 1 (District is not required to offer summer school)

The Superintendent or designee, with Board approval, may establish summer school day and/or evening classes.

OPTION 1 ENDS HERE

The district's summer school program may be used to provide supplemental instruction to students needing remediation and/or enrichment in core academic subjects.

The district shall provide students with supplemental instruction and support in a tiered framework that bases universal, targeted, and intensive supports on students' needs for academic, social-emotional, and other integrated student supports through a program of engaging learning experiences in a positive school climate.

As appropriate, priority for enrollment in summer school programs shall be given to district students who:

1. Need course credits in order to graduate from high school before the beginning of the next school year
2. Have been retained or are at risk of being retained at their grade level
3. Demonstrate academic deficiencies in core curriculum areas

4. Are in student groups identified in the district's LCAP as needing increased or improved services to succeed in the educational program
5. Are foster youth and/or are students experiencing homelessness

If during an intersession period the student will be moving, the student's educational rights holder or, in the case of an American Indian child, Indian custodian, shall determine which school the student attends for the intersession period, if applicable. (Education Code 48850, 48853.5)

6. Are transitional kindergarten or kindergarten children, or in any of grades 1-6 and are required to be offered or provided access to Expanded Learning Opportunities (ELO) Programs pursuant to Education Code 46120 and BP/AR 5184.2 - Before/After School Programs

OPTION 1: (First-come first-served)

The remaining openings shall be offered to other district students on a first-come first-served basis.

OPTION 1 ENDS HERE

Because summer courses cover extensive instructional content in a relatively short time period, students who have more than three excused absences or one unexcused absence may not receive credit for summer session class(es) unless they make-up missed work in accordance with law, Board policy, and administrative regulation.

Sites for summer school programs may be rotated in an effort to make summer school programs more accessible to all students, regardless of residence or regular attendance area, and to accommodate the maintenance needs of district schools.

The district shall provide any student who attends a school that is not operating an ELO program transportation to attend at a location that is providing an ELO program and to return to the original location or another location that is established by the district. (Education Code 46120)

The Superintendent or designee shall annually report to the Board on summer school enrollment in the current year and previous year for the program as a whole and disaggregated by grade level, school that the students attend during the regular school year, and student population. In addition, the Superintendent or designee may report on the extent to which students successfully achieved the outcomes established for the program.

Additional Summer Learning Opportunities

The Superintendent or designee may collaborate with parents/guardians, city and county agencies, community organizations, child care providers, and/or other interested persons to develop, implement, and build awareness of organized activities that support summer learning.

Strategies to support summer learning may include, but are not limited to:

1. Providing information to students and parents/guardians about summer reading programs scheduled to be conducted by public libraries or community organizations
2. Collaborating with the local parks and recreation agency and/or community organizations to provide day camps, sports programs, or other opportunities for physical education and activity
3. Collaborating with workforce development agencies, businesses, and community organizations to provide summer job training opportunities that include an academic component
4. Encouraging reading in the home, such as providing lists of recommended reading to students and parents/guardians, establishing a target number of books or pages, and providing prizes for achievement of reading goals
5. Assigning summer vacation homework in core curricular subject(s) for extra credit
6. Conducting occasional, interactive "fun days" during the summer to provide activities related to art, music, science, technology, mathematics, environmental science, multicultural education, debate, or other subject
7. Arranging opportunities for community service

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 11470-11472	Summer school
5 CCR 3043	Extended school year; special education students
Ed. Code 37252-37254.1	Supplemental instruction
Ed. Code 39837	<u>Transportation to summer employment program</u>
Ed. Code 41422	Conditions Disqualifying School Districts from Apportionments
Ed. Code 41505-41508	Pupil Retention Block Grant
Ed. Code 41976.5	Summer school programs; substantially disabled persons or graduating high school seniors
Ed. Code 42238.01-42238.07	<u>Local control funding formula</u>
Ed. Code 43520-43525	In-Person Instruction and Expanded Learning Opportunities Grants
Ed. Code 46120	<u>Expanded Learning Opportunities Program</u>
Ed. Code 48070-48070.5	<u>Promotion and retention</u>

Bylaw 9124: Attorney**Status: ADOPTED**

Original Adopted Date: ~~08/25/2009~~06/01/1991 | **Last Revised Date:** 09/01/2023 | **Last Reviewed Date:** ~~08/25/2009~~09/01/2023

The Governing Board of Education recognizes the complex legal environment in which districts operate, the need to provide legal representation for the district, and desires the importance of reliable, cost-effective, high-quality legal advice at reasonable rates. ~~The Board shall appoint a General Counsel and services.~~

In order to meet the needs of the district, district's legal needs, the Board may appoint legal counsel and fix and order paid legal counsel's compensation as an employee or as an independent contractor. (Education Code 35041.5)

The Board may enter into independent contractor services agreements with county counsel, law firms, attorneys in private practice, and other public or private legal services entities. (Education Code 35204, 35205; Government Code 26520, 26529)

The Board also supports pursuing collaborative legal efforts with other ~~agencies and~~ districts as well as other government agencies as appropriate.

Duties of Legal Counsel

The ~~General Counsel shall;~~ district's legal counsel may: (Education Code 35041.5)

1. Render legal advice to the Board, and the Superintendent or designee ~~and other officials and employees of the district~~
2. Serve the Board and the Superintendent or designee, ~~other officials and employees~~ in the preparation and conduct of district litigation and administrative proceedings.
3. Render advice on school bond and tax increase measures and prepare the necessary forms for the voting of these measures:
- ~~1. Manage and direct the Office of the General Counsel and engage, oversee, and manage all outside counsel performing legal work on behalf of the district.~~
- ~~-~~
4. Perform other administrative duties as assigned by the Board or requested by and Superintendent or designee.

2.—Retaining Legal Counsel

When the district is seeking legal advice or representation, the Superintendent or designee shall identify prospective attorney(s), firm(s), and/or legal services entity(ies).

The district may, but is not required to, initiate a Request for Proposals to advertise and solicit proposals for legal services. In evaluating the prospective attorney(s), firm(s), and/or entity(ies), the Board and Superintendent may consider the attorney's, firm's, and/or entity's background, experience, and relevant legal reputation; experience advising and representing school districts in California; fees; and experience of attorneys at the firm who will provide legal services.

Any attorney representing the district shall be admitted to practice law in California. (Education Code 35041.5)

Contacting Legal Counsel

~~At his/her discretion, the Board president or Superintendent may~~

The Board and Superintendent shall periodically evaluate the performance of the firm(s) and/or attorney(s); the efficiency and adequacy of advice; the results obtained for the district; the reasonableness of fees; and the responsiveness to and interactions with the Board, administration, and community.

The Board may use such evaluation(s) to determine whether to renew any current agreement(s) for legal services.

The Board may also contract for specialized legal services, as appropriate, when a majority of the Board determines that the unique demands of a particular issue or emergency situation require such representation.

Contacting Legal Counsel

The Board president, or Superintendent or designee, may, at their discretion, confer with district legal counsel subject to any limits or parameters established by the Board. In addition, the Board president, or Superintendent or Board president designee, may contact district legal counsel to provide the Board with legal information or advice when so directed by a majority of the Board.

Individual Board members other than the Board president may not seek advice from district legal counsel on matters of district business unless so authorized by the Superintendent, the Board president, or a majority of the Board.

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.

Bylaw 9124: Attorney**Status: ADOPTED****Original Adopted Date: 08/25/2009 | Last Reviewed Date:**

The Governing Board recognizes the complex legal environment in which districts operate, the need to provide legal representation for the district, and the importance of reliable, cost-effective, high-quality legal advice and services.

In order to meet the district's legal needs, the Board may appoint legal counsel and fix and order paid legal counsel's compensation as an employee or as an independent contractor. (Education Code 35041.5)

The Board may enter into independent contractor services agreements with county counsel, law firms, attorneys in private practice, and other public or private legal services entities. (Education Code 35204, 35205; Government Code 26520, 26529)

The Board also supports pursuing collaborative legal efforts with other districts as well as other government agencies as appropriate.

Duties of Legal Counsel

The district's legal counsel may: (Education Code 35041.5)

1. Render legal advice to the Board and the Superintendent or designee
2. Serve the Board and the Superintendent or designee in the preparation and conduct of district litigation and administrative proceedings
3. Render advice on school bond and tax increase measures and prepare the necessary forms for the voting of these measures
4. Perform other administrative duties as assigned by the Board and Superintendent or designee

Retaining Legal Counsel

When the district is seeking legal advice or representation, the Superintendent or designee shall identify prospective attorney(s), firm(s), and/or legal services entity(ies).

The district may, but is not required to, initiate a Request for Proposals to advertise and solicit proposals for legal services. In evaluating the prospective attorney(s), firm(s), and/or entity(ies), the Board and Superintendent may consider the attorney's, firm's, and/or entity's background, experience, and relevant legal reputation; experience advising and representing school districts in California; fees; and experience of attorneys at the firm who will provide legal services.

Any attorney representing the district shall be admitted to practice law in California. (Education Code 35041.5)

⁴The Board and Superintendent shall periodically evaluate the performance of the firm(s) and/or attorney(s); the efficiency and adequacy of advice; the results obtained for the district; the reasonableness of fees; and the responsiveness to and interactions with the Board, administration, and community.

The Board may use such evaluation(s) to determine whether to renew any current agreement(s) for legal services.

The Board may also contract for specialized legal services, as appropriate, when a majority of the Board determines that the unique demands of a particular issue or emergency situation require such representation.

Contacting Legal Counsel

The Board president, or Superintendent or designee, may, at their discretion, confer with district legal counsel subject to any limits or parameters established by the Board. In addition, the Board president, or Superintendent or designee, may contact district legal counsel to provide the Board with legal information or advice when so directed by a majority of the Board.

Individual Board members other than the Board president may not seek advice from district legal counsel on matters of district business unless so authorized by the Superintendent, the Board president, or a majority of the Board.

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 35041	Administrative adviser
Ed. Code 35041.5	Legal counsel
Ed. Code 35161	Board delegation of any powers or duties
Ed. Code 35200-35214	Liabilities
Ed. Code 35204	Contract with attorney in private practice
Ed. Code 35205	Contract for legal services
Gov. Code 26520	Legal services to school districts
Gov. Code 26529	District Attorney
Gov. Code 53060	Special services and advice
Gov. Code 814-895.8	Liability of public entities and public employees
Gov. Code 995-996.6	Defense of public employees
Management Resources	Description
CSBA Publication	The Brown Act: School Boards and Open Meeting Laws, rev. 2019
State Bar of California Publication	California Rules of Professional Conduct

Bylaw 9223: Filling Vacancies

Status: ADOPTED

Original Adopted Date: ~~06/26/2012~~09/01/1989 | Last Revised Date: ~~02/28/2023~~06/01/2024 |
Last Reviewed Date: ~~02/28/2023~~06/01/2024

Events Causing a Vacancy

A vacancy on the Governing Board may arise from any of the following events:

1. The death of an incumbent— (Government Code 1770)
2. The adjudication pursuant to a quo warranto proceeding declaring that an incumbent is physically or mentally incapacitated due to disease, illness, or accident and that there is reasonable cause to believe that the incumbent will not be able to perform the duties of the office for the remainder of the term— (Government Code 1770)

~~3. A Board member's resignation (Government Code 1770)~~

~~A vacancy resulting from resignation occurs when the written resignation is filed with the County Superintendent of Schools having jurisdiction over the district, except where a deferred effective date is specified in the resignation so filed, in which case the resignation shall become operative on that date. A Board member may not defer an effective date of resignation for more than 60 days after the date the resignation is filed with the County Superintendent. Upon being filed with the County Superintendent, a written resignation, whether specifying a deferred effective date or otherwise, shall be irrevocable. (Education Code 5090, 5091)~~

~~3. A Board member's removal from office by recall— A Board member's resignation in accordance with Board Bylaw 9222 - Resignation (Government Code 1770)~~

- ~~4. A Board member's removal from office by recall (Elections Code 11000-11386; Government Code 1770)~~

5. A Board member's ceasing to be a resident of the district (Government Code 1770)

6. A Board ~~member ceases~~member's ceasing to inhabit the trustee area represented ~~on~~by the Board ~~(58 Ops. Cal. Atty. Gen. 888 (1975))~~member (Government Code 1770)

7. A Board member's absence from the state for more than 60 days, except in the following situations:— (Government Code 1064, 1770)

- a. Upon district business with the approval of the Board
- b. With the consent of the Board for an additional period not to exceed a total absence of 90 days

~~- or, in the case of illness or other urgent necessity and upon a proper showing thereof, for more than 90 days~~

~~c. In the case of illness or other urgent necessity, and upon a proper showing thereof, the time limited for absence from the state may be extended by the Board~~

~~7.~~

~~d.c.~~ For federal military deployment, not to exceed an absence of a total of six months, as a member of the armed forces of the United States or the California National Guard

If the absence of the Board member for this purpose exceeds six months, the Board may approve an additional six-month absence upon a showing that there is a reasonable expectation that the member will return within the second six-month period, and the Board may appoint an interim member to serve during the absence. If two or more ~~Board~~ members ~~of the Board~~ are absent by reason of these circumstances, and those absences result in the inability to establish a quorum at a regular meeting, the Board may immediately appoint one or more interim members as necessary to enable the Board to conduct business and discharge its responsibilities. The term of an interim member appointed in these circumstances shall not extend beyond the return of the absent Board member or beyond the next regularly scheduled election for that office, whichever occurs first.

8. A Board member's ceasing to discharge the duties of the office for the period of three consecutive months, except when prevented by ~~illness~~ ~~sickness~~ or when absent from the state with the permission required by law ~~—~~ (Government Code 1770)
9. A Board member's conviction of a felony or any offense involving a violation of official duties or conviction of a designated crime resulting in a forfeiture of office ~~—~~ (Government Code 1770, 3000-3003)
10. A Board member's refusal or neglect to file the required oath within the time prescribed ~~—~~ (Government Code 1770)
11. The decision of a competent tribunal declaring void a Board member's election or appointment ~~—~~ (Government Code 1770)
12. A Board member's commitment to a hospital or sanitarium as a drug addict, dipsomaniac, inebriate, or stimulant addict by a court of competent jurisdiction, in which case the office shall not be deemed vacant until the order of commitment has become final ~~—~~ (Government Code 1770)
13. A "failure to elect" in which no candidate or an insufficient number of candidates have filed to run for a Board seat(s) ~~—~~ (Education Code 5090, 5326, 5328)

Timelines for Filling a Vacancy

When a vacancy occurs, the Board shall take the following action, as appropriate:

1. When a vacancy occurs within four months of the end of a Board member's term, the Board shall take no action.—(Education Code 5093)
2. When a vacancy occurs ~~from~~between six months ~~to~~and 130 days before a regularly scheduled Board election at which the vacant position is not scheduled to be filled, the vacancy shall be filled by a special election ~~to fill the position shall be~~ consolidated with the regular election. The person so elected shall take office at the first regularly scheduled Board meeting following the certification of the election and shall serve only until the end of the term of the position which the person was elected to fill.—(Education Code 5093)
3. When a vacancy occurs any time outside of the statutory time windows identified in Items #1 and #2 above, the Board shall; either order an election or make a provisional appointment within 60 days of the date of the vacancy or the filing of the member's deferred resignation, ~~either order an election or make a provisional appointment; whichever is sooner.~~ (Education Code 5091, 5093)

Eligibility for Appointment

In order to be appointed ~~or elected~~ to fill a vacancy on the Board, a person must meet the eligibility requirements specified in ~~Education Code 35107, as described in BB~~law and Board Bylaw 9220 - Governing Board Elections.

Provisional Appointments

When, as authorized by law, the Board has opted to make a provisional appointment to fill a vacancy ~~on the Board, the Board shall advertise, the Board, by resolution, may approve the procedures for selecting the person to be provisionally appointed to fill the vacancy. These procedures may, but are not required to, include the following:~~

1. Advertising in the local media to solicit candidate applications ~~or nominations. A~~
2. Establishing a committee consisting of less than a quorum of the Board ~~shall to~~ ensure that applicants are eligible for Board membership and announce the names of the eligible candidates. ~~The Board shall interview~~
3. Interviewing the candidates at a public meeting, ~~accept oral or written public input, and select the provisional appointee by majority vote.~~

Within 10 days after the Board makes a provisional appointment ~~is made, to fill a Board vacancy, the Superintendent or designee, on behalf of~~ the Board, shall post ~~notices~~ a notice of the actual vacancy, or the filing of a deferred resignation, and the provisional appointment. ~~The notice shall be published in the local newspaper pursuant to Government Code 6061 and posted in at least three public places within the district. (Education Code 5092)~~

~~The notice shall contain: The Superintendent or designee shall post the notice as follows:~~ (Education Code 5092)

1. In three public places in the district or, if applicable, trustee area
2. On the district's website
3. In a newspaper of general circulation published in the district, if such a newspaper exists

The notice shall contain: (Education Code 5092)

1. The fact of the vacancy or resignation

~~1.2.~~ The date of the occurrence of the vacancy or the date of the filing of, and the effective date of, the resignation

~~2.~~ The full name of the provisional appointee

3. ~~The to the Board and the~~ date of the provisional appointee's appointment

4. A statement notifying the voters that unless a petition calling for a special election pursuant to Education Code 5091 is filed in the office of the County Superintendent of Schools within 30 days of the provisional appointment, ~~the appointment~~ shall become ~~an~~ effective appointment

The person appointed shall only hold office until the next regularly scheduled election for district Board members ~~and shall be afforded all the powers and duties of a Board member upon appointment.~~ (Education Code 5091)

If within 30 days of the Board's appointment, registered voters of the district or, where elections are by trustee areas, of the trustee area, submit a petition for special election ~~which~~that the County Superintendent determines to be legally sufficient, the provisional appointment is terminated, and a special election shall be held in accordance with Education Code 5091 to fill the vacancy.

Appointment Due to Failure to Elect

When a vacancy occurs because no candidate or an insufficient number of candidates have been nominated (~~i.e., a failure to elect~~) and a district election will not be held, the Board shall appoint a qualified person to the office. This appointment shall be made at a meeting prior to the day fixed for the election and the appointee shall be seated at the organizational meeting as if elected at the district election. (Education Code 5328)

When an appointment is being made because of a failure to elect, the district shall publish a notice once in a newspaper of general circulation published in the district, or if no such newspaper exists, in a newspaper having general circulation within the district. This notice shall state that the Board intends to make an appointment and shall inform persons of the procedure available for applying for the appointment. (Education Code 5328.5)

~~The procedure for selecting and interviewing candidates shall be~~ When, as authorized by law, the

~~same as~~ Board seeks to make an appointment because of a failure to elect, the Board, by resolution, may approve any additional the procedures for "Provisional Appointments," as specified above selecting the person to be appointed to fill the vacancy.

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 35107	School district employees
Ed. Code 35178	Resignation with deferred effective date
Ed. Code 5000-5033	Election of school district board members
Ed. Code 5090-5095	Vacancies on the board
Ed. Code 5200-5208	Districts governed by boards of education
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 5420-5426	Cost of elections
Ed. Code 5440-5442	Miscellaneous provisions
Elec. Code 10600-10604	School district elections
Elec. Code 11000-11386	Candidates for recall
Gov. Code 1064	Absence from state
Gov. Code 1770	Vacancy of office
Gov. Code 3000-3003	Forfeiture of office
Gov. Code 3060-3075	Removal other than by impeachment
Gov. Code 54950-54963	The Ralph M. Brown Act
Gov. Code 6061	Manner of notice as prescribed in designated section
Pen. Code 88	Crimes against legislative power
Federal	Description
18 USC 704	Military medals or decorations
Management Resources	Description
Attorney General Opinion	105 Ops.Cal.Atty.Gen. 182 (2022)

Bylaw 9223: Filling Vacancies

Status: ADOPTED

Original Adopted Date: 06/26/2012 | **Last Revised Date:** 02/28/2023 | **Last Reviewed Date:** 02/28/2023

Events Causing a Vacancy

A vacancy on the Governing Board may arise from any of the following events:

1. The death of an incumbent (Government Code 1770)
2. The adjudication pursuant to a quo warranto proceeding declaring that an incumbent is physically or mentally incapacitated due to disease, illness, or accident and that there is reasonable cause to believe that the incumbent will not be able to perform the duties of the office for the remainder of the term (Government Code 1770)
3. A Board member's resignation in accordance with Board Bylaw 9222 - Resignation (Government Code 1770)
4. A Board member's removal from office by recall (Elections Code 11000-11386; Government Code 1770)
5. A Board member's ceasing to be a resident of the district (Government Code 1770)
6. A Board member's ceasing to inhabit the trustee area represented by the Board member (Government Code 1770)
7. A Board member's absence from the state for more than 60 days, except in the following situations: (Government Code 1064, 1770)
 - a. Upon district business with the approval of the Board
 - b. With the consent of the Board for an additional period not to exceed a total absence of 90 days or, in the case of illness or other urgent necessity and upon a proper showing thereof, for more than 90 days
 - c. For federal military deployment, not to exceed an absence of a total of six months, as a member of the armed forces of the United States or the California National Guard

If the absence of the Board member for this purpose exceeds six months, the Board may approve an additional six-month absence upon a showing that there is a reasonable expectation that the member will return within the second six-month period, and the Board may appoint an interim member to serve during the absence. If two or more Board members are absent by reason of these circumstances, and those absences result in the inability to establish a quorum at a regular meeting, the Board may immediately appoint one or more interim members as necessary to enable the Board to conduct business and discharge its responsibilities. The term of an interim member appointed in these circumstances shall not extend beyond the return of the absent Board member or beyond the next regularly scheduled election for that office, whichever occurs first.

8. A Board member's ceasing to discharge the duties of the office for the period of three consecutive months, except when prevented by sickness or when absent from the state with the permission required by law (Government Code 1770)
9. A Board member's conviction of a felony or any offense involving a violation of official duties or conviction of a designated crime resulting in a forfeiture of office (Government Code 1770, 3000-3003)
10. A Board member's refusal or neglect to file the required oath within the time prescribed (Government Code 1770)
11. The decision of a competent tribunal declaring void a Board member's election or appointment (Government Code 1770)
12. A Board member's commitment to a hospital or sanitarium as a drug addict, dipsomaniac, inebriate, or stimulant addict by a court of competent jurisdiction, in which case the office shall not be deemed vacant until the order of commitment has become final (Government Code 1770)
13. A "failure to elect" in which no candidate or an insufficient number of candidates have filed to run for a Board seat(s) (Education Code 5090, 5326, 5328)

Timelines for Filling a Vacancy

When a vacancy occurs, the Board shall take the following action, as appropriate:

1. When a vacancy occurs within four months of the end of a Board member's term, the Board shall take no action. (Education Code 5093)
2. When a vacancy occurs between six months and 130 days before a regularly scheduled Board election at which the vacant position is not scheduled to be filled, the vacancy shall be filled by a special election consolidated with the regular election. The person so elected shall take office at the first regularly scheduled Board meeting following the certification of the election and shall serve only until the end of the term of the position which the person was elected to fill. (Education Code 5093)
3. When a vacancy occurs any time outside of the statutory time windows identified in Items #1 and #2 above, the Board shall either order an election or make a provisional appointment within 60 days of the date of the vacancy or the filing of the member's deferred resignation, whichever is sooner. (Education Code 5091, 5093)

Eligibility for Appointment

In order to be appointed to fill a vacancy on the Board, a person must meet the eligibility requirements specified in law and Board Bylaw 9220 - Governing Board Elections.

Provisional Appointments

When, as authorized by law, the Board has opted to make a provisional appointment to fill a vacancy, the Board, by resolution, may approve the procedures for selecting the person to be provisionally appointed to fill the vacancy. These procedures may, but are not required to, include the following:

1. Advertising in the local media to solicit candidate applications
2. Establishing a committee consisting of less than a quorum of the Board to ensure that applicants are eligible for Board membership and announce the names of the eligible candidates
3. Interviewing the candidates at a public meeting

Within 10 days after the Board makes a provisional appointment to fill a Board vacancy, the Superintendent or designee, on behalf of the Board, shall post a notice of the actual vacancy, or the filing of a deferred resignation, and the provisional appointment. The Superintendent or designee shall post the notice as follows: (Education Code 5092)

1. In three public places in the district or, if applicable, trustee area
2. On the district's website
3. In a newspaper of general circulation published in the district, if such a newspaper exists

The notice shall contain: (Education Code 5092)

1. The fact of the vacancy or resignation
2. The date of the occurrence of the vacancy or the date of the filing of, and the effective date of, the resignation
3. The full name of the provisional appointee to the Board and the date of the provisional appointee's appointment
4. A statement notifying the voters that unless a petition calling for a special election pursuant to Education Code 5091 is filed in the office of the County Superintendent of Schools within 30 days of the provisional appointment, the appointment shall become effective

The person appointed shall only hold office until the next regularly scheduled election for district Board members. (Education Code 5091)

If within 30 days of the Board's appointment, registered voters of the district or, where elections are by trustee areas, of the trustee area, submit a petition for special election that the County Superintendent determines to be legally sufficient, the provisional appointment is terminated, and a special election shall be held in accordance with Education Code 5091 to fill the vacancy.

Appointment Due to Failure to Elect

When a vacancy occurs because no candidate or an insufficient number of candidates have been nominated and a district election will not be held, the Board shall appoint a qualified person to the office. This appointment shall be made at a meeting prior to the day fixed for the election and the appointee shall be seated at the organizational meeting as if elected at the district election. (Education Code 5328)

When an appointment is being made because of a failure to elect, the district shall publish a notice once in a newspaper of general circulation published in the district, or if no such newspaper exists, in a newspaper having general circulation within the district. This notice shall state that the Board⁸

intends to make an appointment and shall inform persons of the procedure available for applying for the appointment. (Education Code 5328.5)

When, as authorized by law, the Board seeks to make an appointment because of a failure to elect, the Board, by resolution, may approve any additional the procedures for selecting the person to be appointed to fill the vacancy.

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 35107	<u>School district employees</u>
Ed. Code 35178	<u>Resignation with deferred effective date</u>
Ed. Code 5000-5033	<u>Election of school district board members</u>
Ed. Code 5090-5095	<u>Vacancies on the board</u>
Ed. Code 5200-5208	<u>Districts governed by boards of education</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 5420-5426	<u>Cost of elections</u>
Ed. Code 5440-5442	<u>Miscellaneous provisions</u>
Elec. Code 10600-10604	<u>School district elections</u>
Elec. Code 11000-11386	<u>Candidates for recall</u>
Gov. Code 1064	<u>Absence from state</u>
Gov. Code 1770	<u>Vacancy of office</u>
Gov. Code 3000-3003	<u>Forfeiture of office</u>
Gov. Code 3060-3075	<u>Removal other than by impeachment</u>
Gov. Code 54950-54963	<u>The Ralph M. Brown Act</u>
Gov. Code 6061	<u>Manner of notice as prescribed in designated section</u>
Pen. Code 88	<u>Crimes against legislative power</u>
Federal	Description
18 USC 704	Military medals or decorations

Bylaw 9320: Meetings And Notices

Status: ADOPTED

Original Adopted Date: ~~06/26/2012~~03/01/2008 | Last Revised Date: ~~08/22/2023~~03/01/2024 |
Last Reviewed Date: ~~08/22/2023~~03/01/2024

Meetings of the Governing Board are conducted for the purpose of accomplishing district business. In accordance with ~~state~~applicable open meeting laws (Brown Act), the Board shall hold its meetings in public and shall conduct closed sessions during such meetings only as authorized by law. To encourage community involvement in the schools, Board meetings shall provide ~~opportunities~~the opportunity for ~~questions and comments by~~ members of the public to directly address the Board. All meetings shall be conducted in accordance with law and the Board's bylaws, policies, and administrative regulations.

A Board meeting exists whenever a majority of Board members gather at the same time and location, including teleconference location as permitted by Government Code 54953, to hear, discuss, deliberate, or take action upon any item within the subject matter jurisdiction of the Board. (Government Code 54952.2)

A

In accordance with law and as specified in Board Bylaw 9012 - Board Member Electronic Communications, a majority of the Board shall not, outside of an authorized meeting, use a series of communications of any kind, directly or through intermediaries, including social media and other electronic communications, to discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the Board. (Government Code 54952.2)

However, ~~an employee~~the Superintendent or ~~district official~~designee may engage in separate conversations or communications with Board members in order to answer questions or provide information regarding an item within the subject matter jurisdiction of the Board, as long as that employee or district official does not communicate the comments or position of any Board members to other Board members. (Government Code 54952.2)

In order to help ensure the participation of individuals with disabilities at Board meetings, the Superintendent or designee shall provide appropriate disability-related accommodations or modifications upon request in accordance with the Americans with Disabilities Act. Any doubt about a request for accommodation shall be resolved in favor of accessibility. ~~(Government Code 54953, 54953.2, 54954.1, 54954.2)~~

Notice of the procedure for receiving and resolving such requests for accommodation ~~described above~~ shall be given in each instance in which notice of the time of a meeting is otherwise given or the agenda for the meeting is otherwise posted. (Government Code 54953, 54953.2, 54954.1, 54954.2)

Regular Meetings

The

Unless otherwise determined by the Board, the Board shall hold ~~two~~ regular meeting(s) each

month. ~~Regular meetings shall be held starting at 5:30~~ p.m. on the ~~second and fourth Tuesday~~ (day(s)) of the month ~~(unless otherwise approved by the Board at the Alameda city hall, 2263 Santa Clara Ave, Alameda, CA 94501 at~~ (name of facility and address).

At least 72 hours prior to a regular meeting, the agenda shall be posted at one or more locations freely accessible to members of the public and on the district's ~~web site~~ website. (Government Code 54954.2)

~~Whenever~~

~~Consistent with Government Code 54957.5 and Board Bylaw 9322 - Agenda/Meeting Materials, whenever~~ agenda materials relating to an open session of a regular meeting are distributed to the Board less than 72 hours before the meeting, the Superintendent or designee shall make the materials available for public inspection at a public office or location designated for that purpose ~~or~~. ~~The records shall be posted~~ on the district ~~web site, consistent with Government Code 54957.5, website~~ at the time the materials are distributed to all or a majority of the Board. ~~(Government Code 54957.5) if distributed outside of business hours.~~

Special Meetings

Special meetings of the Board may be called at any time by the presiding officer or a majority of the Board members. ~~However, a special meeting shall not be called regarding on any topic within the salary, salary schedule, or other compensations subject matter jurisdiction of the Superintendent, assistant superintendent, or other management employee Board unless otherwise prohibited by law or as described specified in Government Code 3511.1-BB 9323.2 - Actions by the Board.~~ (Government Code 54956)

~~Written~~ At least 24 hours before the time of the meeting, written notice of special meetings shall be delivered personally or by any other means to all Board members and the local media who have requested such notice in writing. The notice also shall be posted on the district's ~~web site. The notice shall be received~~ website, and, at least 24 hours before the time of the meeting. ~~The notice shall also be posted at least 24 hours before the meeting,~~ in a location freely accessible to the public. The notice shall specify the time and location of the meeting and the business to be transacted or discussed. No other business shall be considered at this meeting. (Education Code 35144; Government Code 54956)

Any Board member may waive the 24-hour written notice requirement prior to the time of the meeting by filing a written waiver of notice with the clerk or secretary of the Board or by being present at the meeting at the time it convenes. (Education Code 35144; Government Code 54956)

Every notice of a special meeting shall provide an opportunity for members of the public to directly address the Board concerning any item that has been described in the meeting notice, before or during the item's consideration. (Government Code 54954.3)

Emergency Meetings

In the case of an emergency situation for which prompt action is necessary due to the disruption or threatened disruption of public facilities, the Board may hold an emergency meeting without complying with the 24-hour notice and/or 24-hour posting requirement for special meetings pursuant to Government Code 54956. (Government Code 54956.5)

The Board may meet in closed session during emergency meetings so long as two-thirds of the members present at the meeting agree or, if less than two-thirds of the members are present, by unanimous vote of the members present. (Government Code 54956.5)

The Board shall comply with all other requirements for special meetings during an emergency meeting. (Government Code 54956.5)

~~An emergency situation means either of the following: (Government Code 54956.5)~~

- ~~1.—An emergency, which shall be defined as a work stoppage, crippling activity, or other activity that severely impairs public health and/or safety as determined by a majority of the members of the Board~~
- ~~2.—A dire emergency, which shall be defined as a crippling disaster, mass destruction, terrorist act, or threatened terrorist activity that poses peril so immediate and significant that requiring the Board to provide one-hour notice before holding an emergency meeting may endanger the public health and/or safety as determined by a majority of the members of the Board~~

Except in the case of a dire emergency, the Board president or designee shall give notice of the emergency meeting by telephone at least one hour before the meeting to the local media that have requested notice of special meetings. All telephone numbers provided by the media in the most recent request for notification shall be exhausted. If telephone services are not functioning, the notice requirement of one hour is waived and, as soon after the meeting as possible, the Board shall notify those media representatives of the meeting and shall describe the purpose of the meeting and any action taken by the Board. In the case of a dire emergency, the Board president or designee shall give such notice at or near the time notification is given to the other members of the Board ~~about the meeting.~~ (Government Code 54956.5)

The minutes of the meeting, a list of persons the Board president or designee notified or attempted to notify, a copy of the roll call vote, and any actions taken at the meeting shall be posted for at least 10 days in a public place as soon after the meeting as possible. (Government Code 54956.5)

An emergency means a work stoppage, crippling activity, or other activity that severely impairs public health and/or safety as determined by a majority of the members of the Board. (Government Code 54956.5)

A dire emergency means a crippling disaster, mass destruction, terrorist act, or threatened terrorist activity that poses peril so immediate and significant that requiring the Board to provide one-hour notice before holding an emergency meeting may endanger the public health and/or safety as determined by a majority of the members of the Board. (Government Code 54956.5)

Adjourned/Continued Meetings

The Board may adjourn/continue any regular or special meeting to a later time and location that shall be specified in the order of adjournment. Less than a quorum of the Board may adjourn/continue such a meeting. If no Board members are present, the secretary or the clerk may declare the meeting adjourned/continued to a later time and ~~place~~location and shall give notice in the same manner required for special meetings. (Government Code 54955)

Within 24 hours after the time of adjournment/continuance, a copy of the order or notice of adjournment/continuance shall be conspicuously posted on or near the door of the ~~place~~location where the meeting was held. (Government Code 54955)

Study Sessions, Retreats, Public Forums, and Discussion Meetings

The Board may ~~occasionally~~ convene a study session or public forum to study an issue in more detail or to receive information from staff or feedback from members of the public.

The Board may also convene a retreat or discussion meeting to discuss Board roles and relationships.

~~Public notice shall be given in accordance with law when a quorum of the Board is attending a study session, retreat, public forum, or discussion. Any such meeting. All such meetings shall, regardless of title or topic, shall be held as a regular or special meeting, as appropriate, and shall comply with the Brown Act and shall be held in open session and within district boundaries. Action items shall not be included on the agenda all other requirements for these regular or special meetings. (Government Code 54956)~~

Other Gatherings

Attendance by a majority of Board members at any of the following events is not subject to the Brown Act provided that a majority of the Board members do not discuss specific district business among themselves other than as part of the scheduled program: (Government Code 54952.2)

1. A conference or similar public gathering open to the public that involves a discussion of issues of general interest to the public or to school board members
2. An open, publicized meeting organized by a person or organization other than the district to address a topic of local community concern
3. An open and noticed meeting of another body of the district
4. An open and noticed meeting of a legislative body of another local agency
5. A purely social or ceremonial occasion
6. An open and noticed meeting of a standing committee of the Board established pursuant to Board Bylaw 9130 - Board Committees, provided that the Board members who are not members of the standing committee attend only as observers

Individual contacts or conversations between a Board member and any other person that are not ~~subject to part of a series of communications prohibited by~~ the Brown Act: are permitted. (Government Code 54952.2)

Location of Meetings

~~Meetings shall not be held in a facility that prohibits. Unless the admittance of any person on the basis of ancestry or any characteristic listed in Government Code 11135. In addition, Board is holding a teleconference meeting during a proclaimed state of emergency, all meetings shall not be held in a facility which is inaccessible to individuals with disabilities or where members of the public must make a payment or purchase in order to be admitted. (Government Code 54961)~~

~~Meetings shall~~ be held within district boundaries, except to do any of the following: (Government Code 54954)

1. Comply with state or federal law or court order or attend a judicial or administrative proceeding to which the district is a party
2. Inspect real or personal property which cannot conveniently be brought into the district, provided that the topic of the meeting is limited to items directly related to the property
3. Participate in meetings or discussions of multiagency significance, provided these meetings are held within one of the other agencies' boundaries, with all participating agencies giving the notice required by law
4. Meet in the closest meeting facility if the district has no meeting facility within its boundaries or if its principal office is located outside the district
5. Meet with elected or appointed state or federal officials when a local meeting would be impractical, solely to discuss legislative or regulatory issues affecting the district over which the state or federal officials have jurisdiction
6. Meet in or near a facility owned by the district but located outside the district, provided the meeting agenda is limited to items directly related to that facility
7. Visit the office of the district's legal counsel for a closed session on pending litigation, when doing so would reduce legal fees or costs
8. Attend conferences on nonadversarial collective bargaining techniques
9. Interview residents of another district regarding the Board's potential employment of an applicant for Superintendent of the district
10. Interview a potential employee from another district

~~Meetings exempted from the boundary requirements, as specified in Items #1-10 above~~All meetings, regardless of location, shall still be subject to comply with the applicable notice and open meeting requirements for regular and special meetings when a quorum of the Board attends the . Additionally, no such meeting may be held in a facility that prohibits the admittance of any person on the basis of ancestry or any characteristic listed in Government Code 11135, which is inaccessible to individuals with disabilities, or where members of the public must make a payment or purchase in order to be admitted. (Government Code 54961)

If a fire, flood, earthquake, or other emergency renders the posted regular or special meeting place/location unsafe, meetings and the deadline for posting the location has passed, the meeting shall be held for the duration of the emergency at a location designated by the Board president or designee, who shall so inform all news media who have requested notice of special meetings pursuant to Government Code 54956 by the most rapid available means of communication. ~~(Government Code 54954)~~

Traditional Teleconferencing

A Board member may participate in any meeting by teleconference ~~is a meeting of the Board in~~

~~which Board members are in different locations, connected by electronic means through audio and/, which includes both audio or video-/audio so long as the following conditions are met: (Government Code 54953)~~

~~All teleconferenced meetings shall be~~

- ~~1. All votes taken during the meeting are by rollcall~~
- ~~2. The meeting is conducted in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the Board. (Government Code 54953)~~

~~The Board may use teleconferences for all purposes in connection with any meeting within the Board's subject matter jurisdiction.~~

~~All votes taken during a teleconference meeting shall be by roll call. (Government Code 54953)~~

~~During the legislative body of a local agency~~

- ~~3. The location of the Board member participating by teleconference is open and accessible to the public during the meeting, except during closed session, such that members of the public may observe in person the Board member participating by teleconference, at may hear/listen to the meeting to the same extent as the Board member participating by teleconference, and may make public comment during the same portion of the agenda as others members of the public from the same location as the Board member participating by teleconference~~
- ~~4. The location of the Board member participating by teleconference is noted in the agenda and the agenda is posted at the location of the Board member participating by teleconference in advance of the meeting as statutorily required based on the type of meeting~~
- ~~5. At least a quorum of the members of the Board shall participate from locations within the district boundaries.~~

Teleconferencing by Individual Board Member Due to Just Cause

~~Until January 1, 2026, when there is "just cause" preventing a Board member from attending a Board meeting in person, that Board member may participate in that meeting by teleconference without: (Government Code 54953)~~

~~Unless a Board member participates by teleconference pursuant to the provisions described in the sections "Teleconferencing During a Personal Emergency," "Teleconferencing For 'Just Cause'" or "Teleconferencing During a Proclaimed State of Emergency" below, agendas shall be posted at all teleconference locations and shall list all teleconference locations whenever they are posted elsewhere:~~

~~All teleconference locations shall be accessible to the public and the public shall have the right to address the Board directly at each teleconference location. Additional~~

- ~~1. Including the location of the Board member participating by teleconference locations may be provided to the public. (Government Code 54953)~~

Teleconferencing During a Personal Emergency

~~Until January 1, 2026, with approval from the majority of the Board, a Board member may be permitted to participate in a meeting remotely when a physical or family medical emergency prevents the Board member from attending in person. The Board member requesting to appear remotely shall notify the Board of the emergency situation as soon as possible; in the agenda~~

- ~~2. Making the location of the Board member participating by teleconference open and provide a concise accessible to the public~~
- ~~3. Posting the agenda at the location of the Board member participating by teleconference~~

~~A Board member needing to participate by teleconference for just cause shall notify the Board at the earliest possible opportunity, including at the start of a regular meeting, of the need to do so and include a general description of the circumstances relating to the Board member's need to appear remotely. The Board member shall not be required to disclose any disability, medical diagnosis, or personal medical information exempt under existing law. (Government Code 54953)~~

~~A Board member may not appear remotely under emergency circumstances for more than 20 percent of the Board's regular meetings or for more than three consecutive months. If the Board meets less than 10 times in a calendar year, a Board member may not appear remotely under emergency circumstances for more than two meetings. (Government Code 54953)~~

~~When a Board member is approved to participate remotely due to emergency circumstances, the Board member is not required to participate from a location which is accessible to the public and the location does not need to be used to appear by teleconference at the given meeting. (Government Code 54953)~~

~~For the Board member to participate by teleconference under this section, all of the following are required: (Government Code 54953)~~

- ~~1. All votes taken during the meeting are by rollcall~~
- ~~2. At least a quorum of the Board participates in person from a singular physical location clearly identified on the agenda. (Government Code 54953)~~

~~If permitted to participate remotely, the~~

- ~~3. The Board member shall utilize participating by teleconference utilizes both audio and visual technology and to participate in the meeting~~
- ~~4. The Board member participating by teleconference publicly disclosediscloses, before any action is taken, whether any other individualsindividual 18 years of age or older areis present in the remote location withat the Board member,member's location and the general nature of the member's relationship with each such individuals. (Government Code 54953)~~

~~individual~~

5. ~~The district shall also provide~~ public is able to access ~~to~~ the meeting via a two-way audiovisual platform or a two-way audio service and a live webcast, with real-time public comment being allowed via the ~~remote~~ platform as well as or service, in addition to public comment being available in person ~~and~~

~~The platform or service may require members of the public shall be able to offer to register in order to make public comments in real time. so long as the platform or service is not controlled by the district~~

6. ~~The agenda shall include for the meeting includes~~ information describing how members of the public can access the platform. ~~(Government Code 54953)~~

~~If a disruption prevents broadcasting the meeting to members of the public using the call-in option or internet-based service option, or a disruption that is within the Board's control prevents members of the public from offering public comments using the call-in option or internet-based service option, the Board shall not take action on agenda items until public access to the meeting is restored. (Government Code 54953)~~

Teleconferencing for "Just Cause"

~~A Board member may be permitted to appear remotely, pursuant to the provisions below, or service~~

If the platform or service is disrupted such that the public cannot access the meeting or give real-time public comment, the meeting may continue but the Board may not take action on any agenda item until the disruption is resolved. (Government Code 54953)

A Board member shall be permitted to participate by teleconference for just cause for no more than two meetings per calendar year. A Board member appearing for just cause shall notify the Board at the earliest possible opportunity of the need to participate in the meeting remotely, including at the start of a regular meeting. (Government Code 54953)

Just Cause (Government Code 54953)

For purposes of this section, "just cause" may exist for any of the following: (Government Code 54953)

1. A childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires a Board member to participate remotely
2. A contagious illness prevents a Board member from attending in person
3. A Board member has a need related to a physical or mental disability not otherwise reasonably accommodated
4. A Board member is traveling while on official business of the Board or another state or local agency

When Teleconferencing by Individual Board Member Due to Emergency Circumstances

Until January 1, 2026, when a physical or family medical emergency would prevent a Board member participates remotely for just cause, the from attending a Board meeting in person, that Board 8

member is may request to participate in such meeting by teleconference. The Board member requesting to appear remotely shall submit the request as soon as possible and include a concise general description of the emergency that necessitated the request. The Board member shall not be required to participate from a disclose any disability, medical diagnosis, or personal medical information exempt under existing law. (Government Code 54953)

If the request is received timely, it shall be added to the agenda as the first item of business at the meeting, even before any closed session items. If the request is not received timely, it shall be taken up by the Board before the first item of business at the meeting. The request shall only be granted upon a vote by the majority of the Board. (Government Code 54953, 54954.2)

If the request is granted by the Board, the Board member may participate by teleconference without: (Government Code 54953)

1. Including the location which is of the Board member participating by teleconference in the agenda
2. Making the location of the Board member participating by teleconference open and accessible to the public and
3. Posting the agenda at the location does not need of the Board member participating by teleconference

For the Board member to be participate by teleconference due to emergency circumstances, all of the following are required: (Government Code 54953)

1. All votes taken during the meeting are by rollcall
2. At least a quorum of the Board participates in person from a singular physical location clearly identified on the agenda. (Government Code 54953)

If the Board member participates remotely, the Board member shall utilize

3. The Board member participating by teleconference utilizes both audio and visual technology and to participate in the meeting
4. The Board member participating by teleconference publicly disclosed discloses, before any action is taken, whether any other individuals individual 18 years of age or older are is present in the remote location with at the Board member, member's location and the general nature of the member's relationship with each such individuals. (Government Code 54953)

individual

5. The district shall also provide public is able to access to the meeting via a two-way audiovisual platform or a two-way audio service and a live webcast, with real-time public comment being allowed via the remote platform as well as or service, in person and the addition to public shall be able to offer comment being available in person

The platform or service may require members of the public to register in order to make public comments in real time. so long as the platform or service is not controlled by the district

6. ~~The agenda shall include for the meeting includes~~ information describing how members of the public can access the platform. ~~(Government Code 54953)~~

~~If a disruption prevents broadcasting the meeting to members of the public using the call-in option or internet-based service option, or a disruption that is within the Board's control prevents members of the public from offering public comments using the call-in option or internet-based service option, or service~~

~~If the platform or service is disrupted such that the public cannot access the meeting or give real-time public comment, the meeting may continue but the Board shall not take action on agenda items until public access to the meeting is restored. (Government Code 54953)~~

~~Teleconferencing any agenda item until the disruption is resolved. (Government Code 54953)~~

~~In total, a Board member may not participate by teleconference due to emergency circumstances alone, or together with teleconference due to just cause, as specified above, for more than 20 percent of the Board's regular meetings or for more than three consecutive months. If the Board meets less than 10 times in a calendar year, a Board member may not appear remotely due to emergency circumstances for more than two meetings. (Government Code 54953)~~

Teleconference Meetings During a Proclaimed State of Emergency

Until January 1, 2024, the

~~The Board may conduct Board meetings by teleconference without posting agendas at all teleconference locations, identifying teleconference locations in meeting notices and agendas, allowing public access to each teleconference location, providing an opportunity for members of the public to address the Board directly at each teleconference location, and ensuring that at least a quorum of the Board participate from locations within district boundaries, a Board meeting entirely by teleconference during a proclaimed state of emergency pursuant to Government Code 8625-8629 in any of the following circumstances: (Government Code 54953)~~

~~1. State or local officials have imposed or recommended measures to promote social distancing~~

~~2.1. For the purpose of determining, by majority vote, whether as the result of the emergency meeting in person would present imminent risks to the health or safety of attendees due to the emergency~~

~~3.2. When it the Board has been determined, by majority vote as described in pursuant to Item #21 above, that as a result of the emergency meeting in person would present imminent risks to the health or safety of attendees due to the emergency~~

~~To conduct The Board may hold a meeting by teleconference meeting for these purposes the following requirements shall be satisfied during a proclaimed state of emergency without: (Government Code 54953):~~

~~1. The notice and agenda shall be given and posted as otherwise including the location of Board members in the agenda~~

~~2. Making the locations of Board members open and accessible to the public~~

~~3. Posting the agenda at the locations of Board members~~

For the Board to hold such meeting, all of the following are required by the Brown Act: (Government Code 54953)

1. All votes taken during the meeting are by rollcall
2. The notice and agenda of the meeting shall specify the means by which members of the public may public is able to access the meeting and offer public comments, including via a call-in or internet-based service option

Members of the public may be required to register to log in to a meeting when making or an internet-based platform or service, with real-time public comment being allowed via the platform or service

If an internet-based platform or service is utilized, it may require members of the public to register in order to make public comments through an internet web site or other online so long as the platform that or service is operated by a third party and not under controlled by the control of the Board: district

3. Members of the public shall be allowed to access the meeting, and the agenda shall provide an opportunity for the meeting includes information describing how members of the public to address the Board directly pursuant to Government Code 54954.3 -can access the platform or service
4. Members of If the platform or service is disrupted such that the public shall cannot access the meeting or give real-time public comment, the meeting may continue but the Board may not be required to submit public comments in advance of a Board meeting and shall be provided an opportunity to address the Board and offer comments in real time
5. Public comment periods shall not be closed take action on any agenda item until the time disruption is resolved. (Government Code 54953)

For any public comment period, if such is offered by the Board, with a time limit, the Board may not close that public comment period or the opportunity to register until the full time for public comment has elapsed or, if not timed, until. For any other public comment period, the Board shall allow a reasonable amount of time per agenda item has been allowed

6. If during a Board meeting a disruption occurs which prevents the district from broadcasting the meeting to allow members of the public to provide public comment and to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the district's control that prevents members of the public from offering public comments, the Board shall take no further action on any agenda item until public access via the call-in or internet-based service option register to the meeting is restored

The district may, in its discretion, provide a physical location from which the public may attend or comment. do so. (Government Code 54953)

The Board may continue to conduct all meetings by teleconference, as specified above for teleconferencing during proclaimed states of emergency, by a majority vote finding within 30 days after teleconferencing for the first time, and every 30 days thereafter, that either: (Government Code 54953)

1. The throughout one or more 45-day periods so long as, prior to the beginning of each 45-day period, the Board has reconsidered the circumstances of the state of emergency and

determines that it continues to directly impact the ability of the Board to meet safely in person
-. (Government Code 54953)

~~2.—State or local officials continue to impose or recommend measures to promote social distancing~~

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 35140

Description

[Time and place of meetings](#)

Ed. Code 35143

[Annual organizational meetings; date and notice](#)

Ed. Code 35144

[Special meeting](#)

Ed. Code 35145

[Public meetings](#)

Ed. Code 35145.5

[Agenda; public participation and regulations](#)

Ed. Code 35146

[Closed sessions; student matters](#)

Ed. Code 35147

[Open meeting laws exceptions](#)

Gov. Code 11135

[Prohibition of discrimination](#)

Gov. Code 3511.1

[Local agency executives](#)

Gov. Code 54950-54963

[The Ralph M. Brown Act](#)

Gov. Code 54953

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

Gov. Code 54954

[Time and place of regular meetings](#)

Gov. Code 54954.2

[Agenda posting requirements; board actions](#)

Gov. Code 54956

[Special Meetings](#)

Gov. Code 54956.5

[Emergency meetings](#)

Gov. Code 7920.000-7930.215

[California Public Records Act](#)

Gov. Code 8625-8629

[California Emergency Services Act](#)

Federal

28 CFR 35.160

Description

Effective communications for individuals with disabilities

28 CFR 36.303

Nondiscrimination on the basis of disability, public accommodations, auxiliary aids, and services

42 USC 12101-12213

Americans with Disabilities Act

Management Resources

Description

Bylaw 9320: Meetings And Notices

Status: ADOPTED

Original Adopted Date: 06/26/2012 | **Last Revised Date:** | **Last Reviewed Date:**

Meetings of the Governing Board are conducted for the purpose of accomplishing district business. In accordance with applicable open meeting laws (Brown Act), the Board shall hold its meetings in public and shall conduct closed sessions during such meetings only as authorized by law. To encourage community involvement in the schools, Board meetings shall provide the opportunity for members of the public to directly address the Board. All meetings shall be conducted in accordance with law and the Board's bylaws, policies, and administrative regulations.

A Board meeting exists whenever a majority of Board members gather at the same time and location, including teleconference location as permitted by Government Code 54953, to hear, discuss, deliberate, or take action upon any item within the subject matter jurisdiction of the Board. (Government Code 54952.2)

In accordance with law and as specified in Board Bylaw 9012 - Board Member Electronic Communications, a majority of the Board shall not, outside of an authorized meeting, use a series of communications of any kind, directly or through intermediaries, including social media and other electronic communications, to discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the Board. (Government Code 54952.2)

However, the Superintendent or designee may engage in separate conversations or communications with Board members in order to answer questions or provide information regarding an item within the subject matter jurisdiction of the Board, as long as that employee or district official does not communicate the comments or position of any Board members to other Board members. (Government Code 54952.2)

In order to help ensure the participation of individuals with disabilities at Board meetings, the Superintendent or designee shall provide appropriate disability-related accommodations or modifications upon request in accordance with the Americans with Disabilities Act. Any doubt about a request for accommodation shall be resolved in favor of accessibility. Notice of the procedure for receiving and resolving such requests for accommodation shall be given in each instance in which notice of the time of a meeting is otherwise given or the agenda for the meeting is otherwise posted. (Government Code 54953, 54953.2, 54954.1, 54954.2)

Regular Meetings

Unless otherwise determined by the Board, the Board shall hold 2 regular meeting(s) each month starting at 5:30 p.m. on the 2nd and 4th Tuesdays of the month at 2263 Santa Clara Ave., Alameda, CA 94501.

At least 72 hours prior to a regular meeting, the agenda shall be posted at one or more locations freely accessible to members of the public and on the district's website. (Government Code

54954.2)

Consistent with Government Code 54957.5 and Board Bylaw 9322 - Agenda/Meeting Materials, whenever agenda materials relating to an open session of a regular meeting are distributed to the Board less than 72 hours before the meeting, the Superintendent or designee shall make the materials available for public inspection at a public office or location designated for that purpose. The records shall be posted on the district website at the time the materials are distributed to all or a majority of the Board if distributed outside of business hours.

Special Meetings

Special meetings of the Board may be called at any time by the presiding officer or a majority of the Board members on any topic within the subject matter jurisdiction of the Board unless otherwise prohibited by law or as specified in BB 9323.2 - Actions by the Board. (Government Code 54956)

At least 24 hours before the time of the meeting, written notice of special meetings shall be delivered personally or by any other means to all Board members and the local media who have requested such notice in writing. The notice also shall be posted on the district's website, and, at least 24 hours before the time of the meeting, in a location freely accessible to the public. The notice shall specify the time and location of the meeting and the business to be transacted or discussed. No other business shall be considered at this meeting. (Education Code 35144; Government Code 54956)

Any Board member may waive the 24-hour written notice requirement prior to the time of the meeting by filing a written waiver of notice with the clerk or secretary of the Board or by being present at the meeting at the time it convenes. (Education Code 35144; Government Code 54956)

Every notice of a special meeting shall provide an opportunity for members of the public to directly address the Board concerning any item that has been described in the meeting notice, before or during the item's consideration. (Government Code 54954.3)

Emergency Meetings

In the case of an emergency situation for which prompt action is necessary due to the disruption or threatened disruption of public facilities, the Board may hold an emergency meeting without complying with the 24-hour notice and/or 24-hour posting requirement for special meetings pursuant to Government Code 54956. (Government Code 54956.5)

The Board may meet in closed session during emergency meetings so long as two-thirds of the members present at the meeting agree or, if less than two-thirds of the members are present, by unanimous vote of the members present. (Government Code 54956.5)

The Board shall comply with all other requirements for special meetings during an emergency meeting. (Government Code 54956.5)

Except in the case of a dire emergency, the Board president or designee shall give notice of the emergency meeting by telephone at least one hour before the meeting to the local media that have requested notice of special meetings. All telephone numbers provided by the media in the most 14

recent request for notification shall be exhausted. If telephone services are not functioning, the notice requirement of one hour is waived and, as soon after the meeting as possible, the Board shall notify those media representatives of the meeting and shall describe the purpose of the meeting and any action taken by the Board. In the case of a dire emergency, the Board president or designee shall give such notice at or near the time notification is given to the other members of the Board. (Government Code 54956.5)

The minutes of the meeting, a list of persons the Board president or designee notified or attempted to notify, a copy of the roll call vote, and any actions taken at the meeting shall be posted for at least 10 days in a public place as soon after the meeting as possible. (Government Code 54956.5)

An *emergency* means a work stoppage, crippling activity, or other activity that severely impairs public health and/or safety as determined by a majority of the members of the Board. (Government Code 54956.5)

A *dire emergency* means a crippling disaster, mass destruction, terrorist act, or threatened terrorist activity that poses peril so immediate and significant that requiring the Board to provide one-hour notice before holding an emergency meeting may endanger the public health and/or safety as determined by a majority of the members of the Board. (Government Code 54956.5)

Adjourned/Continued Meetings

The Board may adjourn/continue any regular or special meeting to a later time and location that shall be specified in the order of adjournment. Less than a quorum of the Board may adjourn/continue such a meeting. If no Board members are present, the secretary or the clerk may declare the meeting adjourned/continued to a later time and location and shall give notice in the same manner required for special meetings. (Government Code 54955)

Within 24 hours after the time of adjournment/continuance, a copy of the order or notice of adjournment/continuance shall be conspicuously posted on or near the door of the location where the meeting was held. (Government Code 54955)

Study Sessions, Retreats, Public Forums, and Discussion Meetings

The Board may convene a study session or public forum to study an issue in more detail or to receive information from staff or feedback from members of the public. The Board may also convene a retreat or discussion meeting to discuss Board roles and relationships. Any such meeting, regardless of title or topic, shall be held as a regular or special meeting, as appropriate, and shall comply with all other requirements for regular or special meetings. (Government Code 54956)

Other Gatherings

Attendance by a majority of Board members at any of the following events is not subject to the Brown Act provided that a majority of the Board members do not discuss specific district business among themselves other than as part of the scheduled program: (Government Code 54952.2)

1. A conference or similar public gathering open to the public that involves a discussion of issues of general interest to the public or to school board members
2. An open, publicized meeting organized by a person or organization other than the district to address a topic of local community concern
3. An open and noticed meeting of another body of the district
4. An open and noticed meeting of a legislative body of another local agency
5. A purely social or ceremonial occasion
6. An open and noticed meeting of a standing committee of the Board established pursuant to Board Bylaw 9130 - Board Committees, provided that the Board members who are not members of the standing committee attend only as observers

Individual contacts or conversations between a Board member and any other person that are not part of a series of communications prohibited by the Brown Act are permitted. (Government Code 54952.2)

Location of Meetings

Unless the Board is holding a teleconference meeting during a proclaimed state of emergency, all meetings shall be held within district boundaries, except to do any of the following: (Government Code 54954)

1. Comply with state or federal law or court order or attend a judicial or administrative proceeding to which the district is a party
2. Inspect real or personal property which cannot conveniently be brought into the district, provided that the topic of the meeting is limited to items directly related to the property
3. Participate in meetings or discussions of multiagency significance, provided these meetings are held within one of the other agencies' boundaries, with all participating agencies giving the notice required by law
4. Meet in the closest meeting facility if the district has no meeting facility within its boundaries or if its principal office is located outside the district
5. Meet with elected or appointed state or federal officials when a local meeting would be impractical, solely to discuss legislative or regulatory issues affecting the district over which the state or federal officials have jurisdiction
6. Meet in or near a facility owned by the district but located outside the district, provided the meeting agenda is limited to items directly related to that facility
7. Visit the office of the district's legal counsel for a closed session on pending litigation, when doing so would reduce legal fees or costs
8. Attend conferences on nonadversarial collective bargaining techniques
9. Interview residents of another district regarding the Board's potential employment of an applicant for Superintendent of the district

10. Interview a potential employee from another district

All meetings, regardless of location, shall comply with the applicable notice and open meeting requirements. Additionally, no such meeting may be held in a facility that prohibits the admittance of any person on the basis of ancestry or any characteristic listed in Government Code 11135, which is inaccessible to individuals with disabilities, or where members of the public must make a payment or purchase in order to be admitted. (Government Code 54961)

If a fire, flood, earthquake, or other emergency renders the posted regular or special meeting location unsafe and the deadline for posting the location has passed, the meeting shall be held at a location designated by the Board president or designee, who shall so inform all news media who have requested notice of meetings pursuant to Government Code 54956 by the most rapid available means of communication.

Traditional Teleconferencing

A Board member may participate in any meeting by teleconference, which includes both audio or video/audio so long as the following conditions are met: (Government Code 54953)

1. All votes taken during the meeting are by rollcall
2. The meeting is conducted in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency
3. The location of the Board member participating by teleconference is open and accessible to the public during the meeting, except during closed session, such that members of the public may observe in person the Board member participating by teleconference, may hear/listen to the meeting to the same extent as the Board member participating by teleconference, and may make public comment during the same portion of the agenda as others members of the public from the same location as the Board member participating by teleconference
4. The location of the Board member participating by teleconference is noted in the agenda and the agenda is posted at the location of the Board member participating by teleconference in advance of the meeting as statutorily required based on the type of meeting
5. At least a quorum of the members is within the district boundaries.

Teleconferencing by Individual Board Member Due to Just Cause

Until January 1, 2026, when there is "just cause" preventing a Board member from attending a Board meeting in person, that Board member may participate in that meeting by teleconference without: (Government Code 54953)

1. Including the location of the Board member participating by teleconference in the agenda
2. Making the location of the Board member participating by teleconference open and accessible to the public
3. Posting the agenda at the location of the Board member participating by teleconference

A Board member needing to participate by teleconference for just cause shall notify the Board at the earliest possible opportunity, including at the start of a regular meeting, of the need to do so and include a general description of the circumstances relating to the need to appear by teleconference at the given meeting. (Government Code 54953)

For the Board member to participate by teleconference under this section, all of the following are required: (Government Code 54953)

1. All votes taken during the meeting are by rollcall
2. At least a quorum of the Board participates in person from a singular physical location clearly identified on the agenda
3. The Board member participating by teleconference utilizes both audio and visual technology to participate in the meeting
4. The Board member participating by teleconference publicly discloses, before any action is taken, whether any individual 18 years of age or older is present at the Board member's location and the general nature of the member's relationship with each such individual
5. The public is able to access the meeting via a two-way audiovisual platform or a two-way audio service and a live webcast, with real-time public comment being allowed via the platform or service, in addition to public comment being available in person

The platform or service may require members of the public to register in order to make public comments so long as the platform or service is not controlled by the district

6. The agenda for the meeting includes information describing how members of the public can access the platform or service

If the platform or service is disrupted such that the public cannot access the meeting or give real-time public comment, the meeting may continue but the Board may not take action on any agenda item until the disruption is resolved. (Government Code 54953)

A Board member shall be permitted to participate by teleconference for just cause for no more than two meetings per calendar year. (Government Code 54953)

For purposes of this section, "just cause" may exist for any of the following: (Government Code 54953)

1. A childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires a Board member to participate remotely
2. A contagious illness prevents a Board member from attending in person
3. A Board member has a need related to a physical or mental disability not otherwise reasonably accommodated
4. A Board member is traveling while on official business of the Board or another state or local agency

Teleconferencing by Individual Board Member Due to Emergency Circumstances

Until January 1, 2026, when a physical or family medical emergency would prevent a Board member from attending a Board meeting in person, that Board member may request to participate in such meeting by teleconference. The Board member requesting to appear remotely shall submit the request as soon as possible and include a concise general description of the emergency that necessitated the request. The Board member shall not be required to disclose any disability, medical diagnosis, or personal medical information exempt under existing law. (Government Code 54953)

If the request is received timely, it shall be added to the agenda as the first item of business at the meeting, even before any closed session items. If the request is not received timely, it shall be taken up by the Board before the first item of business at the meeting. The request shall only be granted upon a vote by the majority of the Board. (Government Code 54953, 54954.2)

If the request is granted by the Board, the Board member may participate by teleconference without: (Government Code 54953)

1. Including the location of the Board member participating by teleconference in the agenda
2. Making the location of the Board member participating by teleconference open and accessible to the public
3. Posting the agenda at the location of the Board member participating by teleconference

For the Board member to participate by teleconference due to emergency circumstances, all of the following are required: (Government Code 54953)

1. All votes taken during the meeting are by rollcall
2. At least a quorum of the Board participates in person from a singular physical location clearly identified on the agenda
3. The Board member participating by teleconference utilizes both audio and visual technology to participate in the meeting
4. The Board member participating by teleconference publicly discloses, before any action is taken, whether any individual 18 years of age or older is present at the Board member's location and the general nature of the member's relationship with each such individual
5. The public is able to access the meeting via a two-way audiovisual platform or a two-way audio service and a live webcast, with real-time public comment being allowed via the platform or service, in addition to public comment being available in person

The platform or service may require members of the public to register in order to make public comments so long as the platform or service is not controlled by the district

6. The agenda for the meeting includes information describing how members of the public can access the platform or service

If the platform or service is disrupted such that the public cannot access the meeting or give real-time public comment, the meeting may continue but the Board shall not take action on any agenda

item until the disruption is resolved. (Government Code 54953)

In total, a Board member may not participate by teleconference due to emergency circumstances alone, or together with teleconference due to just cause, as specified above, for more than 20 percent of the Board's regular meetings or for more than three consecutive months. If the Board meets less than 10 times in a calendar year, a Board member may not appear remotely due to emergency circumstances for more than two meetings. (Government Code 54953)

Teleconference Meetings During a Proclaimed State of Emergency

The Board may conduct a Board meeting entirely by teleconference during a proclaimed state of emergency pursuant to Government Code 8625-8629 in any of the following circumstances: (Government Code 54953)

1. For the purpose of determining whether meeting in person would present imminent risks to the health or safety of attendees due to the emergency
2. When the Board has been determined, pursuant to Item #1 above, that meeting in person would present imminent risks to the health or safety of attendees due to the emergency

The Board may hold a meeting by teleconference during a proclaimed state of emergency without: (Government Code 54953):

1. Including the location of Board members in the agenda
2. Making the locations of Board members open and accessible to the public
3. Posting the agenda at the locations of Board members

For the Board to hold such meeting, all of the following are required: (Government Code 54953)

1. All votes taken during the meeting are by rollcall
2. The public is able to access the meeting via a call-in service or an internet-based platform or service, with real-time public comment being allowed via the platform or service

If an internet-based platform or service is utilized, it may require members of the public to register in order to make public comments so long as the platform or service is not controlled by the district

3. The agenda for the meeting includes information describing how members of the public can access the platform or service

If the platform or service is disrupted such that the public cannot access the meeting or give real-time public comment, the meeting may continue but the Board may not take action on any agenda item until the disruption is resolved. (Government Code 54953)

For any public comment period with a time limit, the Board may not close that public comment period or the opportunity to register until the full time for public comment has elapsed. For any other public comment period, the Board shall allow a reasonable amount of time to allow members of the public to provide public comment and to register to do so. (Government Code 54953)

The Board may continue to conduct all meetings by teleconference throughout one or more 45-day periods so long as, prior to the beginning of each 45-day period, the Board has reconsidered the circumstances of the state of emergency and determines that it continues to directly impact the ability of the Board to meet safely in person. (Government Code 54953)

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 35140	<u>Time and place of meetings</u>
Ed. Code 35143	<u>Annual organizational meetings; date and notice</u>
Ed. Code 35144	<u>Special meeting</u>
Ed. Code 35145	<u>Public meetings</u>
Ed. Code 35145.5	<u>Agenda; public participation and regulations</u>
Ed. Code 35146	<u>Closed sessions; student matters</u>
Ed. Code 35147	<u>Open meeting laws exceptions</u>
Gov. Code 11135	<u>Prohibition of discrimination</u>
Gov. Code 3511.1	<u>Local agency executives</u>
Gov. Code 54950-54963	<u>The Ralph M. Brown Act</u>
Gov. Code 54953	<u>Oral summary of recommended salary and benefits of superintendent</u>
Gov. Code 54954	<u>Time and place of regular meetings</u>
Gov. Code 54954.2	<u>Agenda posting requirements; board actions</u>
Gov. Code 54956	<u>Special Meetings</u>
Gov. Code 54956.5	<u>Emergency meetings</u>
Gov. Code 7920.000-7930.215	<u>California Public Records Act</u>
Gov. Code 8625-8629	<u>California Emergency Services Act</u>
Federal	Description
28 CFR 35.160	Effective communications for individuals with disabilities
28 CFR 36.303	Nondiscrimination on the basis of disability, public accommodations, auxiliary aids, and services
42 USC 12101-12213	Americans with Disabilities Act

Bylaw 9321: Closed Session

Status: ADOPTED

Original Adopted Date: ~~08/25/2009~~12/01/2014 | **Last Revised Date:** ~~02/28/12/01~~02/28/12/01/2023 | **Last Reviewed Date:** ~~02/28/12/01~~02/28/12/01/2023

The Governing Board is committed to complying with state open meeting laws and modeling transparency in its conduct of district business. -The Board shall hold a closed session during a regular, special, or emergency meeting only for purposes authorized by law.

Each agenda shall contain a general description of each closed session item to be discussed at the meeting, as required by law and ~~specified below.~~ (provided in the accompanying Exhibit (1). (Education Code 35145, Government Code 54954.2, 54954.5, 54957)

In the open session preceding the closed session, the Board shall disclose the items to be discussed in closed session ~~as specified in this bylaw. The Board may either state the information on the agenda or refer the public to the item(s) as listed by number or letter on the agenda.~~ In the closed session, the Board may consider only those ~~matters~~items covered in its statement. ~~(Government Code 54957, 54957.7)~~

After the closed session, the Board shall reconvene in open session before adjourning the meeting and, when applicable, shall publicly disclose any ~~action~~actions taken in the closed session, the votes or abstentions thereon, and other disclosures ~~as specified below that are applicable to the matter being addressed in this bylaw.~~ Such reports may be made in writing or orally at the location announced in the agenda for the closed session ~~as required by law and provided in the accompanying Exhibit (2).~~ (Education Code 32281; Government Code 54957.1, 54957.7)

When an action taken during a closed session involves final approval or adoption of a document, such as a contract or settlement agreement, that becomes public upon such approval or adoption, the Superintendent or designee shall provide a copy of the document to any person present at the conclusion of the closed session who submitted a written request. - If the action taken results in one or more substantive amendments, the Superintendent or designee shall make the document available the next business day or when the necessary ~~retyping is~~changes to the document are completed. - Whenever copies of an approved agreement will not be immediately released due to an amendment, the Board president shall orally summarize the substance of the amendment for those present at the end of the closed session. ~~-(Government Code 54957.1)~~

Confidentiality

A Board member shall not disclose confidential information received in closed session unless the Board authorizes the disclosure of that information ~~or the information has been publicly reported by the District.~~ (Government Code 54963)

The Board shall not disclose any information that is protected by state or federal law. -In addition, no victim or alleged victim of tortious sexual conduct or child abuse shall be identified in any Board

agenda, notice, announcement, or report required by the Brown Act, unless the identity of the person has previously been publicly disclosed. (Government Code 54957.7, 54961)

Personnel Matters: Appointment, Employment, Performance Evaluation, or Discipline/Dismissal/Release

The Board may hold a closed session under the "personnel exception" to consider the appointment, employment, performance evaluation, discipline, ~~or dismissal,~~ or change in employment status of an employee. ~~Such a closed session shall not include discussion or action on proposed compensation except for a reduction of compensation that results from the imposition of discipline. (Government Code 54957), 54957.1)~~

Personnel Matters: Specific Complaints or Charges

The Board may ~~also~~ hold a closed session to hear complaints or charges brought against an employee ~~by another person or employee,~~ unless the employee who is the subject of the complaint requests an open session. ~~Before the Board holds a closed session on specific complaints or charges brought against an employee, the Superintendent or designee shall ensure that the employee shall receive~~ receives written notice of the right to have the complaints or charges heard in open session ~~if desired.~~ This notice shall be delivered personally or by mail at least 24 hours before the time of the closed session. (Government Code 54957)

Personnel Matters: Application for Early Withdraw of Funds in Deferred Compensation Plan

The Board may hold a closed session to discuss an employee's application for early withdrawal of funds in a deferred compensation plan when the application is based on financial hardship arising from an unforeseeable emergency due to illness, accident, casualty, or other extraordinary event, as specified in the deferred compensation plan. ~~(Government Code 54957.10)~~

~~Agenda items related to district employee appointments and employment shall describe the position to be filled. Agenda items related to performance evaluations shall specify the title of the employee being reviewed. Agenda items related to employee discipline, dismissal, or release require no additional information. (Government Code 54954.5)~~

~~After the closed session, the Board shall report any action taken to appoint, employ, dismiss, accept the resignation of, or otherwise affect the employment status of a district employee and shall identify the title of the affected position. The report shall be given at the public meeting during which the closed session is held, except that the report of a dismissal or nonrenewal of an employment contract shall be deferred until the first public meeting after administrative remedies, if any, have been exhausted. (Government Code 54957.1)~~

Negotiations/Collective Bargaining

~~Unless otherwise agreed upon by the parties involved, the following shall not be subject to the open meeting requirements of Brown Act: (Government Code 3549.1)~~

1. ~~Any meeting and negotiating discussion between the district and a recognized or certified employee organization~~

2. ~~Any meeting of a mediator with either party or both parties to the meeting and negotiating~~

process

~~3. Any hearing, meeting, or investigation conducted by a factfinder or arbitrator~~

~~4. Any executive (closed) session of the district or between the district and its designated representative for the purpose of discussing its position regarding any matter within the scope of representation and instructing its designated representatives~~

~~The Board may meet in closed session, prior to and during consultations and discussions with representatives of employee organizations and unrepresented employees, (Government Code 54957.10)~~

Negotiations/Collective Bargaining

~~The Board may meet in closed session to review the Board's position and/or instruct its designated representative(s) regarding salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and unrepresented employees, and, for represented employees, any other matter within the statutorily provided scope of representation. Prior to the closed session, the Board shall identify its designated representative in open session. Any closed session held for this purpose~~A closed session regarding salaries, salary schedules, or compensation paid in the form of fringe benefits may include discussions of the district's available funds and funding priorities, but only insofar as they relate to providing instructions to the Board's designated representative. Final action on the proposed compensation of one or more unrepresented employees shall not be taken in closed session.— (Government Code 54957.6)

The Board also may meet in closed session with a state conciliator who has intervened in proceedings regarding any of the purposes enumerated in Government Code 54957.6.

~~Agenda items related to negotiations shall specify the name(s) of the district's designated representative(s) attending the closed session. If circumstances necessitate the absence of a specified designated representative, an agent or designee may participate in place of the absent representative as long as the name of the agent or designee is announced at an open session held prior to the closed session. The agenda shall also specify the name of the organization representing the employee(s) or the position title of the unrepresented employee who is the subject of the negotiations. (Government Code 54954.5)~~

Approval

~~Pursuant to Government Code 54957.1, approval in closed session of an agreement regarding labor negotiations with represented employees pursuant to Government Code 54957.6 shall be reported after the agreement is final and has been accepted or ratified by the other party. This report shall identify~~However, the item approved and the other party or parties to the negotiation. Board may, at its sole discretion, vote on such an agreement in open session. (Government Code 54957.1)

~~Pursuant to Government Code 3549.1, the Board may, without following the requirements of the Brown Act, meet in closed session exclusively for the purpose of discussing its position regarding any matter within the scope of representation or for the purpose of instructing its designated representatives. The Board shall not discuss any other item at any such closed session. (Government Code 3549.1)~~

Matters Related to Students

If a public hearing would lead to the disclosure of confidential student information such as grades or discipline information, the Board shall meet in closed session to consider a suspension, disciplinary action, any other action against a student except expulsion, or a challenge to a student record. ~~If a written request for open session is received from the parent/guardian or adult student~~ At least 72 hours prior to the start of the meeting of which the closed session is a part, the Superintendent or designee, on behalf of the Board, shall, in writing, by registered or certified mail or by personal service, notify the student and the student's parent/guardian of the intent of the Board to hear the item in closed session. ~~If a written request for open session is received from the student or the student's parents/guardians within 48 hours of receiving the notice,~~ the meeting shall be public, except that any discussion at that meeting which may be in conflict with the right to privacy of any other student other than the student requesting the public meeting shall beremain in closed session. ~~—~~ (Education Code 35146, 48912, 49070)

The

~~If the Board conducts an expulsion hearing pursuant to Board Policy 5144.1 - Suspension and Expulsion/Due Process, the~~ Board shall meet do so in closed session ~~to consider the expulsion of a student,~~ unless the student submits a written request at least five days before the date of the hearing that the hearing be held in open session. Regardless of whether the expulsion hearing is conducted in open or closed session, the Board may shall meet in closed session for the purpose of deliberating and determining whether the student should be expelled. (Education Code 48918)

~~Agenda items related to student matters shall briefly describe the reason for the closed session, such as "student expulsion hearing" or "grade change appeal," without violating the confidentiality rights of individual students. The student shall not be named on the agenda, but a number may be assigned to the student in~~

~~In order to facilitate record keeping. The agenda shall also state that the Education Code requires closed sessions in these cases in order to prevent the disclosure of confidential student record information.~~

~~Final action on a student matter deliberated in closed session shall be taken in open session and shall be a matter of public record. (Education Code 35146, 48918)~~

~~However, in taking final action, the Board shall not release any information in violation of protect student privacy rights provided in 20 USC 1232g or other applicable laws. In an expulsion or other disciplinary action, the cause for the disciplinary action shall be disclosed in open, the identity of a student shall not be listed in the agenda and, unless the item is heard in open session, shall not be included in any report after closed session. Additionally, a student matter shall be listed in the open session portion of the agenda with the same description and numbering system as it was on the closed session, but the Board shall refer to the student number or other identifier and shall not disclose the student's name portion of the agenda.~~

Security Matters

The Board may meet in closed session with the Governor, Attorney General, ~~district attorney~~ District Attorney, district legal counsel, sheriff or chief of police, or their respective deputies, or a security consultant or a security operations manager, on matters posing a threat to the security of public buildings; to the security of essential public services, including water, drinking water, wastewater treatment, natural gas service, and electric service; or to the public's right of access to public services or public facilities. Such discussions may be held in closed session during an emergency⁴

meeting called pursuant to ~~Government Code 54956.5 if agreed to by a two-thirds vote of the Board members present, or, if less than two-thirds of the members are present, by a unanimous vote of the members present. (Government Code 54956.5, 54957)~~

~~Agenda items related to these security matters shall specify the name of the law enforcement agency Board Bylaw 9320 - Meetings and the title of the officer, or name of applicable agency representative Notices and title, with whom the Board will consult. (Government Code 54954.5) Bylaw/Exhibit (1) 9323.2 - Actions By The Board.~~

The Board may also meet in closed session to consult with law enforcement officials on the development of a plan for tactical responses to criminal incidents and to approve the plan. ~~Following the closed session, the Board shall report any action taken to approve the plan, but need not disclose the district's plan for tactical responses. (Education Code 32281)~~

Real Property Negotiations

The Board may meet in closed session with its real property negotiator prior to the purchase, sale, exchange, or lease of real property by or for the district in order to grant its negotiator authority regarding the price and terms of payment for the property. (Government Code 54956.8)

~~Before holding the closed session, the Board shall hold an open and public session to identify its negotiator(s), the property under negotiation, and the person(s) with whom the negotiator may negotiate. For purposes of real property transactions, negotiators may include members of the Board. (Government Code 54956.8)~~

~~Agenda items related to real property negotiations shall specify the district negotiator attending the closed session. If circumstances necessitate the absence of a specified negotiator, an agent or designee may participate in place of the absent negotiator as long as the name of the agent or designee is announced at an open session held prior to the closed session. The agenda shall also specify the name of the negotiating parties and the street address of the real property under negotiation. If there is no street address, the agenda item shall specify the parcel number or another unique reference of the property. The agenda item shall also specify whether instruction to the negotiator will concern price, terms of payment, or both. (Government Code 54954.5)~~

~~When the Board approves a final agreement concluding real estate negotiations pursuant to Government Code 54956.8, it shall report that approval and the substance of the agreement in open session at the public meeting during which the closed session is held. If final approval rests with the other party to the negotiations, the Superintendent or designee shall disclose the fact of that approval and the substance of the agreement upon inquiry by any person, as soon as the other party or its agent has informed the district of its approval. (Government Code 54957.1)~~

Pending Anticipated Litigation/Initiation of Litigation

Based on the advice of its legal counsel, the Board may hold a closed session to confer with or receive advice from its legal counsel regarding pending anticipated litigation or whether to initiate litigation when discussion of the either matter in open session would prejudice the district's position in the with respect to such litigation. For this purpose, "litigation" means any adjudicatory proceeding, including eminent domain, before a court, administrative body exercising its adjudicatory authority, hearing officer, or arbitrator. (Government Code 54956.9)

Litigation is considered ~~"pending" in any of the following circumstances: (Government Code 54956.9)~~

~~1. Litigation to which the district is a "party" has been initiated formally. (Government Code 54956.9(d)(1))~~

~~2. A point has been reached where to be "anticipated" when, in the Board's opinion based on the advice of its legal counsel regarding the "existing facts and circumstances," there is a "significant exposure to litigation" against the district, or the Board is meeting solely to determine whether, or against a district officer or employee based on existing facts prior or circumstances, a closed session is authorized prospective activities or alleged activities during and potentially during the course and scope of that office or employment. (Government Code 54956.9(d)(2), (3))~~

Existing facts and circumstances ~~for these purposes~~ are limited to the following: (Government Code 54956.9)

~~a.~~

~~1. Facts and circumstances that might result in litigation against the district but which the district believes are not yet known to potential plaintiff(s) and which do not need to be disclosed.~~

~~b.~~

~~2. Facts and circumstances including, but not limited to, an accident, disaster, incident, or transactional occurrence which might result in litigation against the district, which are already known to potential plaintiff(s) and which must be publicly disclosed before the closed session or specified on the agenda.~~

~~c.~~

~~3. The receipt of a claim pursuant to the Government Claims Act or a written threat of litigation from a potential plaintiff. The claim or written communication must be available for public inspection.~~

~~d.~~

~~4. A threat of litigation made by a person in an open meeting on a specific matter within the responsibility of the Board.~~

~~e.~~

~~5. A threat of litigation made by a person outside of an open meeting on a specific matter within the responsibility of the Board, provided that the district official or employee receiving knowledge of the threat made a record of the statement before the meeting and the record is available for public inspection. Such record does not need to identify an alleged victim of tortious sexual conduct or anyone making a threat of litigation on the victim's behalf or identify an employee who is the alleged perpetrator of any unlawful or tortious conduct, unless the identity of this person has been publicly disclosed.~~

~~3. Based on existing facts and circumstances, the Board has decided to initiate or is deciding whether to initiate litigation. (Government Code 54956.9(d)(4))~~

~~Before holding a closed session pursuant to the pending litigation exception, the Board shall~~

~~state on the agenda or publicly announce the subdivision of Government Code 54956.9 under which the closed session is being held. If authority is based on Government Code 54956.9(d)(1), the Board shall either state the title or specifically identify the litigation to be discussed or state that doing so would jeopardize the district's ability to effectuate service of process upon unserved parties or to conclude existing settlement negotiations to its advantage. (Government Code 54956.9)~~

~~Agenda items related to pending litigation shall be described as a conference with legal counsel regarding either "existing litigation" or "anticipated litigation." (Government Code 54954.5)~~

~~"Existing litigation" items shall identify the name of the case specified by either the claimant's name, names of parties, or case or claim number, unless the Board states that to identify the case would jeopardize service of process or existing settlement negotiations. (Government Code 54954.5)~~

~~"Anticipated litigation" items shall state that there is significant exposure to litigation pursuant to Government Code 54956.9(d)(2) or (3) and shall specify the potential number of cases. When the district expects to initiate a suit, items related to anticipated litigation shall state that the discussion relates to the initiation of litigation pursuant to Government Code 54956.9(d)(4) and shall specify the potential number of cases. The agenda or an oral statement before the closed session may be required to provide additional information regarding existing facts and circumstances described in item #2 b-e above. (Government Code 54954.5)~~

~~Following the closed session, the Board shall publicly report, as applicable: (Government Code 54957.1)~~

~~1. — Approval to legal counsel to defend, appeal or not appeal, or otherwise appear in litigation. This report shall identify the adverse parties, if known, and the substance of the litigation.~~

~~2. — Approval to legal counsel to initiate or intervene in a lawsuit. This report shall state that directions to initiate or intervene in the action have been given and that the action, defendants, and other details will be disclosed to inquiring parties after the lawsuit is commenced unless doing so would jeopardize the district's ability to serve process on unserved parties or its ability to conclude existing settlement negotiations to its advantage.~~

~~3. — Acceptance of a signed offer from the other party or parties which finalizes the settlement of pending litigation. This report shall state the substance of the agreement.~~

~~If approval is given to legal counsel to settle pending litigation but final approval rests with the other party or with the court, the district shall report the fact of approval and the substance of the agreement thereon to persons who inquire once the settlement is final. (Government Code 54957.1)~~

Joint Powers Agency Issues

Each agenda item related to anticipated litigation shall only contain one such matter. For an anticipated litigation item that is anticipated based on Items #2, #3, or #5 above, the agenda item shall also include the facts or circumstances that might result in litigation, the claim or written threat of litigation, or the record of the threat. However, the agenda item shall not identify the alleged victim of unlawful or tortious sexual conduct or anyone making the threat on the alleged victim's behalf, or identify a public employee who is the alleged perpetrator of any unlawful or tortious

conduct upon which a threat of litigation is based, unless the identity of the person has been publicly disclosed. (Government Code 54956.9)

Existing Litigation

Based on the advice of its legal counsel, the Board may hold a closed session to confer with or receive advice from its legal counsel regarding existing litigation when discussion of the matter in open session would prejudice the district's position with respect to such litigation. Litigation is considered to be "existing" when the district has been named a party to the litigation or a district officer or employee has been named a party to the litigation based on prior or prospective activities or alleged activities during the course and scope of that office or employment, including litigation in which involves whether an activity is outside the course and scope of the office or employment. For this purpose, "litigation" means any adjudicatory proceeding, including eminent domain, before a court, administrative body exercising its adjudicatory authority, hearing officer, or arbitrator. (Government Code 54956.9)

Tort, Public, or Workers' Compensation Liability

The Board may meet in closed session to discuss a claim for the payment of tort liability losses, public liability losses, or workers' compensation liability incurred by a joint powers agency (JPA) formed for the purpose of insurance pooling or self-insurance authority of which the district is a member. ~~(Government Code 54956.95)~~

~~Closed session agenda items related to liability claims shall specify the claimant's name and the name of the agency against which the claim is made. (Government Code 54954.5)~~

~~Following the closed session, the Board shall publicly report the disposition of joint powers agency or self-insurance claims, including the name of the claimant(s), the name of the agency claimed against, the substance of the claim, and the monetary settlement agreed upon by the claimant. (Government Code 54957.1)(Government Code 54956.95)~~

Joint Powers Agency Issues

When the board of the JPA has so authorized and upon advice of district legal counsel, the Board may ~~also~~ meet in closed session in order to receive, discuss, and take action concerning information ~~obtained in a closed session of the JPA~~ that has direct financial or liability implications for the district ~~and that was obtained in a closed session of a JPA of which the district is a member~~. During the Board's closed session, a Board member serving on the JPA board may disclose confidential information acquired during a closed session of the JPA to fellow Board members. (Government Code 54956.96)

~~Closed session agenda items related to conferences involving a JPA shall specify the name of the JPA, the closed session description used by the JPA, and the name of the Board member representing the district on the JPA board. Additional information listing the names of agencies or titles of representatives attending the closed session as consultants or other representatives shall also be included. (Government Code 54954.5))~~

Review of Audit Report from California State Auditor's Office

Upon receipt of a confidential final draft audit report from the California State Auditor's Office and before the report has been made public, the Board may meet in closed session to discuss its response to that report. After public release of the report from the California State Auditor's Office, any Board meeting to discuss the report mustshall be conducted in open session, unless exempted from that requirement by some other provision of law. (Government Code 54956.75)

~~Closed session agenda items related to an audit by the California State Auditor's Office shall state "Audit by California State Auditor's Office." (Government Code 54954.5)~~

~~Following the closed session, the Board shall publicly confirm that the report was reviewed and a response was prepared.~~

Review of Assessment Instruments

The Board may meet in closed session to review the contents of any student assessment instrument approved or adopted for the statewide testing system. -Before any such meeting, the Board shall agree by resolution to accept any terms or conditions established by the State Board of Education for this review. ~~(Education Code 60617)~~

~~Agenda items related to the review of student assessment instruments shall state that the Board is reviewing the contents of an assessment instrument approved or adopted for the statewide testing program and that Education Code 60617 authorizes a closed session for this purpose in order to maintain the confidentiality of the assessment under review.~~

~~Following the closed session, the Board shall confirm that the assessment instruments were reviewed. Any actions related to the review shall be taken in open session without revealing any proprietary or confidential information and shall be a matter of public record.~~

~~(Education Code 60617)~~

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 35145	Public meetings
Ed. Code 35146	Closed sessions regarding suspensions
Ed. Code 44929.21	Notice of reelection decision; districts with 250 ADA or more
Ed. Code 48912	Governing board suspension
Ed. Code 48918	Rules governing expulsion procedures
Ed. Code 49070	Challenging student records
Ed. Code 60617	Meetings of governing board
Gov. Code 3540-3549.3	Educational Employment Relations Act
Gov. Code 54950-54963	The Ralph M. Brown Act
Federal	Description

Bylaw 9321: Closed Session

Status: ADOPTED

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

The Governing Board is committed to complying with state open meeting laws and modeling transparency in its conduct of district business. The Board shall hold a closed session during a regular, special, or emergency meeting only for purposes authorized by law.

Each agenda shall contain a general description of each closed session item to be discussed at the meeting as required by law and provided in the accompanying Exhibit (1). (Education Code 35145, Government Code 54954.2, 54954.5, 54957)

In the open session preceding the closed session, the Board shall disclose the items to be discussed in closed session as specified in this bylaw. The Board may either state the information on the agenda or refer the public to the item(s) as listed by number or letter on the agenda. In the closed session, the Board may consider only those items covered in its statement. (Government Code 54957, 54957.7)

After the closed session, the Board shall reconvene in open session before adjourning the meeting and, when applicable, shall publicly disclose any actions taken in the closed session, the votes or abstentions thereon, and other disclosures as specified in this bylaw. Such reports may be made in writing or orally at the location announced in the agenda for the closed session as required by law and provided in the accompanying Exhibit (2). (Education Code 32281; Government Code 54957.1, 54957.7)

When an action taken during a closed session involves final approval or adoption of a document, such as a contract or settlement agreement, that becomes public upon such approval or adoption, the Superintendent or designee shall provide a copy of the document to any person present at the conclusion of the closed session who submitted a written request. If the action taken results in one or more substantive amendments, the Superintendent or designee shall make the document available the next business day or when the necessary changes to the document are completed. Whenever copies of an approved agreement will not be immediately released due to an amendment, the Board president shall orally summarize the substance of the amendment for those present at the end of the closed session. (Government Code 54957.1)

Confidentiality

A Board member shall not disclose confidential information received in closed session unless the Board authorizes the disclosure of that information or the information has been publicly reported by the District. (Government Code 54963)

The Board shall not disclose any information that is protected by state or federal law. In addition, no victim or alleged victim of tortious sexual conduct or child abuse shall be identified in any Board agenda, notice, announcement, or report required by the Brown Act, unless the identity of the person has previously been publicly disclosed. (Government Code 54957.7, 54961)

Discipline/Dismissal/Release

The Board may hold a closed session under the "personnel exception" to consider the appointment, employment, performance evaluation, discipline, dismissal, or change in employment status of an employee. Such a closed session shall not include discussion or action on proposed compensation except for a reduction of compensation that results from the imposition of discipline. (Government Code 54957, 54957.1)

Personnel Matters: Specific Complaints or Charges

The Board may hold a closed session to hear complaints or charges brought against an employee, unless the employee who is the subject of the complaint requests an open session. Before the Board holds a closed session on specific complaints or charges brought against an employee, the Superintendent or designee shall ensure that the employee receives written notice of the right to have the complaints or charges heard in open session. This notice shall be delivered personally or by mail at least 24 hours before the time of the closed session. (Government Code 54957)

Personnel Matters: Application for Early Withdraw of Funds in Deferred Compensation Plan

The Board may hold a closed session to discuss an employee's application for early withdrawal of funds in a deferred compensation plan when the application is based on financial hardship arising from an unforeseeable emergency due to illness, accident, casualty, or other extraordinary event, as specified in the deferred compensation plan. (Government Code 54957.10)

Negotiations/Collective Bargaining

The Board may meet in closed session to review the Board's position and/or instruct its designated representative(s) regarding salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and unrepresented employees, and, for represented employees, any other matter within the statutorily provided scope of representation. A closed session regarding salaries, salary schedules, or compensation paid in the form of fringe benefits may include discussions of the district's available funds and funding priorities, but only insofar as they relate to providing instructions to the Board's designated representative. Final action on the proposed compensation of one or more unrepresented employees shall not be taken in closed session. (Government Code 54957.6)

The Board also may meet in closed session with a state conciliator who has intervened in proceedings regarding any of the purposes enumerated in Government Code 54957.6.

Pursuant to Government Code 54957.1, approval in closed session of an agreement regarding labor negotiations with represented employees pursuant to Government Code 54957.6 shall be reported after the agreement is final and has been accepted or ratified by the other party. However, the Board may, at its sole discretion, vote on such an agreement in open session. (Government Code 54957.1)

Pursuant to Government Code 3549.1, the Board may, without following the requirements of the Brown Act, meet in closed session exclusively for the purpose of discussing its position regarding any matter within the scope of representation or for the purpose of instructing its designated representatives. The Board shall not discuss any other item at any such closed session. (Government Code 3549.1)

Matters Related to Students

If a public hearing would lead to the disclosure of confidential student information such as grades or discipline information, the Board shall meet in closed session to consider a suspension, disciplinary action, any other action against a student except expulsion, or a challenge to a student record. At least 72 hours prior to the start of the meeting of which the closed session is a part, the Superintendent or designee, on behalf of the Board, shall, in writing, by registered or certified mail or by personal service, notify the student and the student's parent/guardian of the intent of the Board to hear the item in closed session. If a written request for open session is received from the student or the student's parents/guardians within 48 hours of receiving the notice, the meeting shall be public, except that any discussion at that meeting which may be in conflict with the right to privacy of any other student shall remain in closed session. (Education Code 35146, 48912, 49070)

If the Board conducts an expulsion hearing pursuant to Board Policy 5144.1 - Suspension and Expulsion/Due Process, the Board shall do so in closed session unless the student submits a written request at least five days before the date of the hearing that the hearing be held in open session. Regardless of whether the expulsion hearing is conducted in open or closed session, the Board shall meet in closed session for the purpose of deliberating and determining whether the student should be expelled. (Education Code 48918)

In order to protect student privacy rights provided in 20 USC 1232g or other applicable laws, the identity of a student shall not be listed in the agenda and, unless the item is heard in open session, shall not be included in any report after closed session. Additionally, a student matter shall be listed in the open session portion of the agenda with the same description and numbering system as it was on the closed session portion of the agenda.

Security Matters

The Board may meet in closed session with the Governor, Attorney General, District Attorney, district legal counsel, sheriff or chief of police, or their respective deputies, or a security consultant or a security operations manager, on matters posing a threat to the security of public buildings; to the security of essential public services, including water, drinking water, wastewater treatment, natural gas service, and electric service; or to the public's right of access to public services or public facilities. Such discussions may be held in closed session during an emergency meeting called pursuant to Board Bylaw 9320 - Meetings and Notices and Board Bylaw/Exhibit (1) 9323.2 - Actions By The Board.

The Board may also meet in closed session to consult with law enforcement officials on the development of a plan for tactical responses to criminal incidents and to approve the plan. (Education Code 32281)

Real Property Negotiations

The Board may meet in closed session with its real property negotiator prior to the purchase, sale, exchange, or lease of real property by or for the district in order to grant its negotiator authority regarding the price and terms of payment for the property. (Government Code 54956.8)

Anticipated Litigation/Initiation of Litigation

Based on the advice of its legal counsel, the Board may hold a closed session to confer with or receive advice from its legal counsel regarding anticipated litigation or whether to initiate litigation when discussion of either matter in open session would prejudice the district's position with respect¹²

to such litigation. For this purpose, "litigation" means any adjudicatory proceeding, including eminent domain, before a court, administrative body exercising its adjudicatory authority, hearing officer, or arbitrator. (Government Code 54956.9)

Litigation is considered to be "anticipated" when, in the Board's opinion based on the advice of its legal counsel regarding the existing facts and circumstances, there is a significant exposure to litigation against the district or against a district officer or employee based on prior or prospective activities or alleged activities during and potentially during the course and scope of that office or employment. (Government Code 54956.9)

Existing facts and circumstances are limited to the following: (Government Code 54956.9)

1. Facts and circumstances that might result in litigation against the district but which the district believes are not yet known to potential plaintiff(s)
2. Facts and circumstances including, but not limited to, an accident, disaster, incident, or transactional occurrence which might result in litigation against the district, which are already known to potential plaintiff(s)
3. The receipt of a claim pursuant to the Government Claims Act or a written threat of litigation from a potential plaintiff
4. A threat of litigation made by a person in an open meeting on a specific matter within the responsibility of the Board
5. A threat of litigation made by a person outside of an open meeting on a specific matter within the responsibility of the Board, provided that the district official or employee receiving knowledge of the threat made a record of the statement before the meeting

Each agenda item related to anticipated litigation shall only contain one such matter. For an anticipated litigation item that is anticipated based on Items #2, #3, or #5 above, the agenda item shall also include the facts or circumstances that might result in litigation, the claim or written threat of litigation, or the record of the threat. However, the agenda item shall not identify the alleged victim of unlawful or tortious sexual conduct or anyone making the threat on the alleged victim's behalf, or identify a public employee who is the alleged perpetrator of any unlawful or tortious conduct upon which a threat of litigation is based, unless the identity of the person has been publicly disclosed. (Government Code 54956.9)

Existing Litigation

Based on the advice of its legal counsel, the Board may hold a closed session to confer with or receive advice from its legal counsel regarding existing litigation when discussion of the matter in open session would prejudice the district's position with respect to such litigation. Litigation is considered to be "existing" when the district has been named a party to the litigation or a district officer or employee has been named a party to the litigation based on prior or prospective activities or alleged activities during the course and scope of that office or employment, including litigation in which involves whether an activity is outside the course and scope of the office or employment. For this purpose, "litigation" means any adjudicatory proceeding, including eminent domain, before a court, administrative body exercising its adjudicatory authority, hearing officer, or arbitrator. (Government Code 54956.9)

Tort, Public, or Workers' Compensation Liability

The Board may meet in closed session to discuss a claim for the payment of tort liability losses, public liability losses, or workers' compensation liability incurred by a joint powers agency (JPA) formed for the purpose of insurance pooling or self-insurance authority of which the district is a member. (Government Code 54956.95)

Joint Powers Agency Issues

When the board of the JPA has so authorized and upon advice of district legal counsel, the Board may meet in closed session in order to receive, discuss, and take action concerning information that has direct financial or liability implications for the district and that was obtained in a closed session of a JPA of which the district is a member. During the Board's closed session, a Board member serving on the JPA board may disclose confidential information acquired during a closed session of the JPA to fellow Board members. (Government Code 54956.96)

Review of Audit Report from California State Auditor's Office

Upon receipt of a confidential final draft audit report from the California State Auditor's Office and before the report has been made public, the Board may meet in closed session to discuss its response to that report. After public release of the report from the California State Auditor's Office, any Board meeting to discuss the report shall be conducted in open session, unless exempted from that requirement by some other provision of law. (Government Code 54956.75)

Review of Assessment Instruments

The Board may meet in closed session to review the contents of any student assessment instrument approved or adopted for the statewide testing system. Before any such meeting, the Board shall agree by resolution to accept any terms or conditions established by the State Board of Education for this review. (Education Code 60617)

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 35145	Public meetings
Ed. Code 35146	Closed sessions regarding suspensions
Ed. Code 44929.21	Notice of reelection decision; districts with 250 ADA or more
Ed. Code 48912	Governing board suspension
Ed. Code 48918	Rules governing expulsion procedures
Ed. Code 49070	Challenging student records
Ed. Code 60617	Meetings of governing board
Gov. Code 3540-3549.3	Educational Employment Relations Act
Gov. Code 54950-54963	The Ralph M. Brown Act
Federal	Description

Bylaw 9323.2: Actions By The Board

Status: ADOPTED

Original Adopted Date: ~~09/13~~03/01/2011 | **Last Revised Date:** ~~02/28/2023~~03/01/2024 | **Last Reviewed Date:** ~~02/28/2023~~03/01/2024

The Governing Board shall act by a majority vote of all of the membership constituting the Board, unless otherwise required by law. (Education Code 35164, 35165)

An "action" by the Board means: (Government Code 54952.6)

1. _____

1. A collective decision by a majority of the Board members

2. _____

2. A collective commitment or promise by a majority of the Board members to make a positive or negative decision

3. _____

3. A vote by a majority of the Board members when sitting as the Board upon a motion, proposal, resolution, order, or ordinance

The Board shall not take action by secret ballot, whether preliminary or final. (Government Code 54953)

Actions taken by the Board in open session shall be recorded in the Board minutes. (Education Code 35145)

Action on Non-Agenda Items

~~After publicly identifying the item, the~~

The Board may take action on a subject not appearing on the posted meeting agenda ~~under~~only ~~after publicly identifying the item and if~~ any one of the following conditions are met: (Government Code 54954.2)

1. _____

1. When a majority of the Board determines that an emergency situation exists, as defined for emergency meetings pursuant to Government Code 54956.5

2. _____

2. When two-thirds of the members present, or if less than two-thirds of the members are present then by a unanimous vote of all members present, determine that the need to take

immediate action came to the district's attention after the agenda was posted

- ~~3. _____~~
3. When an item appeared on the agenda of, and was continued from, a meeting that occurred not more than five days earlier

~~Challenging Board Actions~~

~~The district attorney's office or any interested person may file an action in court for the purpose of: (Government Code 54960, 54960.2)~~

- ~~1. Stopping or preventing the Board's violation or threatened violation of the Brown Act~~
- ~~2. Determining the applicability of the Brown Act to ongoing or future threatened Board actions~~
- ~~3. Determining the applicability of the Brown Act to a past action of the Board that is not specified in Government Code 54960.1, provided that:~~
 - ~~a. Within nine months of the alleged violation, a cease and desist letter is submitted to the Board, clearly describing the past Board action and the nature of the alleged violation.~~
 - ~~b. The time for the Board to respond has expired and the Board has not provided an unconditional commitment to cease and desist from and not repeat the past action alleged to have violated the Brown Act.~~
 - ~~c. The action is brought within the time required by Government Code 54960.2.~~
- ~~4. Determining the validity, under state or federal law, of any Board rule or action which penalizes any of its members or otherwise discourages their expression~~
- ~~5. Compelling the Board to audio record its closed sessions because of a court's finding of the Board's violation of any applicable Government Code provision~~

~~The district attorney or any interested person may file an action in court to nullify a Board action which is alleged to be in violation of law regarding any of the following: (Government Code 54960.1)~~

- ~~1. Open meeting and teleconferencing (Government Code 54953)~~
- ~~2. Agenda posting (Government Code 54954.2)~~
- ~~3. Closed session item descriptions (Government Code 54954.5)~~
- ~~4. New or increased tax assessments (Government Code 54954.6)~~
- ~~5. Special meetings (Government Code 54956)~~
- ~~6. Emergency meetings (Government Code 54956.5)~~

~~Prior to bringing any action to nullify a Board action, the district attorney or other interested person shall present a demand to "cure and correct" the alleged violation. The demand shall clearly describe the challenged action and the nature of the alleged violation and shall be presented to the Board in writing within 90 days of the date when the action was taken. If the alleged violation concerns action taken in an open session but in violation of Government Code 54954.2 (agenda posting), the written demand must be made within 30~~

~~days of the date when the alleged action took place. (Government Code 54960.1)~~

~~Within 30 days of receiving the demand, the Board shall do one of the following: (Government Code 54960.1)~~

~~1. Cure or correct the challenged action and inform the demanding party in writing of its actions to cure or correct.~~

~~2. Determine not to cure or correct the alleged violation and inform the demanding party in writing of its decision to not cure or correct.~~

~~3. Take no action. If the Board takes no action within the 30-day period, its inaction shall be considered a decision not to cure or correct the challenged action.~~

~~4. Until December 31, 2025, when a Board member requests to participate by teleconference due to emergency circumstances pursuant to Government Code 54953 so long as the timing of the request did not allow for sufficient time to place it on the agenda~~

Challenging Board Actions

Before seeking to file a civil action to stop or prevent a Brown Act violation or to invalidate a prior action taken by the Board, the district attorney's office or interested person shall first present a demand to "cure and correct" the alleged violation to the district. If the district receives a proper demand from the district attorney's office or any interested person to "cure and correct" an alleged violation of the Brown Act, the Board shall consult with legal counsel on if and how to respond as provided by law. (Government Code 54960-54960.5)

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
Code of Civil Procedure 1245.240	Eminent domain vote requirements
Code of Civil Procedure 1245.245	Eminent domain; resolution adopting different use
Code of Civil Procedure 425.16	Special motion to strike in connection with a public issue
Ed. Code 15266	School construction bonds
Ed. Code 17466	Declaration of intent to sell or lease real property
Ed. Code 17481	Lease of property with residence for nondistrict purposes
Ed. Code 17510-17512	Leasing for production of gas; resolution requiring unanimous vote
Ed. Code 17546	Private sale of personal property

Bylaw 9323.2: Actions By The Board

Status: ADOPTED

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

The Governing Board shall act by a majority vote of all of the membership constituting the Board, unless otherwise required by law. (Education Code 35164, 35165)

An "action" by the Board means: (Government Code 54952.6)

1. A collective decision by a majority of the Board members
2. A collective commitment or promise by a majority of the Board members to make a positive or negative decision
3. A vote by a majority of the Board members when sitting as the Board upon a motion, proposal, resolution, order, or ordinance

The Board shall not take action by secret ballot, whether preliminary or final. (Government Code 54953)

Actions taken by the Board in open session shall be recorded in the Board minutes. (Education Code 35145)

Action on Non-Agenda Items

The Board may take action on a subject not appearing on the posted meeting agenda only after publicly identifying the item and if any one of the following conditions are met: (Government Code 54954.2)

1. When a majority of the Board determines that an emergency situation exists, as defined for emergency meetings pursuant to Government Code 54956.5
2. When two-thirds of the members present, or if less than two-thirds of the members are present then by a unanimous vote of all members present, determine that the need to take immediate action came to the district's attention after the agenda was posted
3. When an item appeared on the agenda of, and was continued from, a meeting that occurred not more than five days earlier
4. Until December 31, 2025, when a Board member requests to participate by teleconference due to emergency circumstances pursuant to Government Code 54953 so long as the timing of the request did not allow for sufficient time to place it on the agenda

Challenging Board Actions

Before seeking to file a civil action to stop or prevent a Brown Act violation or to invalidate a prior action taken by the Board, the district attorney's office or interested person shall first present a demand to "cure and correct" the alleged violation to the district. If the district receives a proper demand from the district attorney's office or any interested person to "cure and correct" an alleged violation of the Brown Act, the Board shall consult with legal counsel on if and how to respond as provided by law. (Government Code 54960-54960.5)

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
Code of Civil Procedure 1245.240	<u>Eminent domain vote requirements</u>
Code of Civil Procedure 1245.245	<u>Eminent domain; resolution adopting different use</u>
Code of Civil Procedure 425.16	<u>Special motion to strike in connection with a public issue</u>
Ed. Code 15266	<u>School construction bonds</u>
Ed. Code 17466	<u>Declaration of intent to sell or lease real property</u>
Ed. Code 17481	<u>Lease of property with residence for nondistrict purposes</u>
Ed. Code 17510-17512	<u>Leasing for production of gas; resolution requiring unanimous vote</u>
Ed. Code 17546	<u>Private sale of personal property</u>
Ed. Code 17556-17561	<u>Dedication of real property</u>
Ed. Code 35140-35149	<u>Meetings</u>
Ed. Code 35150	Prohibition to terminate superintendent or assistant superintendent at specified meetings or times
Ed. Code 35160-35178.4	<u>Powers and duties</u>
Ed. Code 48660-48661	<u>Community day schools; establishment and restrictions</u>
Gov. Code 53090-53097.5	<u>Regulation of local agencies by counties and cities</u>
Gov. Code 53724	<u>Parcel tax resolution requirements</u>
Gov. Code 53790-53792	<u>Exceeding the budget</u>
Gov. Code 53820-53833	<u>Temporary borrowing</u>
Gov. Code 53850-53858	<u>Temporary borrowing</u>
Gov. Code 54230.5	Disposal of surplus land and receipt of notice of violation

ALAMEDA UNIFIED SCHOOL DISTRICT
SPECIAL AGENDA ITEM

Item Title: Review of Board Policy/Administrative Regulation 6172.1: Concurrent Enrollment in College Classes (10 Mins/Action)

Item Type: Action

Background: ***BP/AR 6172.1 Concurrent Enrollment in College Classes:*** This policy and regulation was first brought to the subcommittee on September 12, 2024 by referral from a Board member. Members of the subcommittee agreed that Administrative Regulation 6172.1 required updating to align with the range of courses currently being offered. Board Member Lym and Superintendent Pasquale Scuderi offered to work on updating the AR for further discussion at the September 12, 2024 subcommittee meeting.

- BP/AR 6172.1 Concurrent Enrollment in College Classes
- AUSD Concurrent Enrollment Handbook
- AUSD Peralta Concurrent Course Credit Contract

After discussion, one of the following action steps will be taken:

1. The policy and administrative regulation will be added to the next Board Policy Subcommittee meeting for further discussion and possible revision by Subcommittee members.
2. The policy and administrative regulation will be added to the agenda for a regularly scheduled Board meeting so the full Board can weigh in on any further changes in public.
3. The policy and administrative regulation will be approved as is by the full Board at a regularly scheduled public Board 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.| 3. Support parent/guardian development as knowledgeable partners and effective advocates for student success.| 4. Ensure that all students have access to basic services.

Fiscal Analysis

Amount (Savings) (Cost): N/A

Recommendation: Other

Submitted for review and discussion per Board Member Referral.

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: Board Member Referral

ATTACHMENTS:

	Description	Upload Date	Type
▣	BP 6172.1_Concurrent Enrollment in College Classes	9/4/2024	Backup Material
▣	AR 6172.1_Concurrent Enrollment in College Classes	9/6/2024	Backup Material
▣	AUSD Concurrent Enrollment Handbook	12/2/2024	Backup Material
▣	AUSD Peralta Concurrent Course Credit Contract	12/2/2024	Backup Material

Policy 6172.1: Concurrent Enrollment In College Classes

Status: ADOPTED

Original Adopted Date: 08/25/2009 | **Last Revised Date:** 02/14/2023 | **Last Reviewed Date:** 02/14/2023

The Governing Board desires to provide opportunities for eligible district students to enroll concurrently in courses offered at postsecondary institutions in order to foster individual student achievement, increase opportunities for students to complete college preparatory course requirements and/or participate in career technical education (CTE), and prepare students for a smooth transition into college by providing exposure to the collegiate environment.

When it is determined that the postsecondary course in which the student intends to enroll is substantially equivalent to a course provided by the district, the student may receive credit toward high school graduation requirements in addition to credit received from the college.

Approval of Concurrent Enrollment

The Board may approve a limited number of high school students after the completion of the first semester of their 9th grade year to apply for part-time or full-time concurrent enrollment in a community college or four-year college when it is determined to be in the student's best interest and the student is adequately prepared for such coursework.

Upon recommendation of the principal and with parent/guardian consent, the Board may authorize a student to attend a community college during any session or term as a special part-time or full-time student and to undertake one or more courses of instruction offered at the community college level. (Education Code 48800)

Within the enrollment limits and exceptions allowed by law, the principal may recommend a student for community college summer session if that student demonstrates adequate preparation in the discipline to be studied and exhausts all opportunities to enroll in an equivalent course, if any, at the school of attendance. (Education Code 48800)

A student's parent/guardian, regardless of the student's age or grade level, may petition the Board to authorize special full-time attendance at a community college on the ground that the student would benefit from advanced scholastic or career technical work that would be available. If the petition is denied, an appeal may be filed with the County Board of Education. (Education Code 48800.5)

If the Board denies a request for special part-time or full-time enrollment at a community college for a student who is identified as highly gifted and talented, the Board shall issue its written recommendation and the reasons for the denial at its next regularly scheduled Board meeting that falls at least 30 days, but within 60 days, after the request has been submitted. (Education Code 48800, 48800.5)

The Board may authorize a student who is pursuing a high school diploma or a high school equivalency certificate through an adult education program, upon recommendation of the administrator of the student's adult school, to attend a community college during any session or term as a special part-time student. (Education Code 52620)

College and Career Access Pathways Partnerships

The Board may enter into a College and Career Access Pathways (CCAP) partnership agreement with the board of a community college district for the purpose of offering or expanding dual enrollment opportunities for students. The agreement shall be approved at an open public Board meeting, with an opportunity for public input provided prior to the Board taking action. If the CCAP agreement provides for CTE pathways, the Board shall consult with and consider input from appropriate local workforce board(s) to determine the extent to which the pathways are aligned with regional and statewide employment needs. (Education Code 76004)

Program Evaluation

The Superintendent or designee shall regularly report to the Board regarding the number and demographics of district students participating in the concurrent enrollment option, their success in completing college preparatory courses ("a-g" courses) and postsecondary courses, and any impact on their achievement in district courses and graduation rates.

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 11300-11302

Description

[Early and middle college high schools](#)

Ed. Code 42238.02

[Definition of unduplicated student](#)

Ed. Code 46141

[Minimum school day \(high school\)](#)

Ed. Code 46145-46147

[Minimum day; high school](#)

Ed. Code 48800-48802

[Enrollment of gifted students in community college](#)

Ed. Code 51225.3

[High school graduation requirements](#)

Ed. Code 52200-52212

Gifted and talented education program

Ed. Code 52620

[Attendance at community college as special part-time student](#)

Ed. Code 76000-76002

[Enrollment in community college](#)

Ed. Code 76140

[No community college fee/tuition for special part-time students](#)

Ed. Code 87010

[Definition of sex offense](#)

Ed. Code 87011

[Definition of controlled substance offence](#)

Management Resources

Website

Description

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

Website	Foundation for California Community Colleges
Website	University of California
Website	California Postsecondary Education Commission
Website	California State University
Website	California Community Colleges
Website	California Department of Education

Cross References

Code	Description
5112.1	Exemptions From Attendance
5112.1	Exemptions From Attendance
5125	Student Records
5125	Student Records
6112	School Day
6112	School Day
6141.5	Advanced Placement
6141.5	Advanced Placement
6143	Courses Of Study
6143	Courses Of Study
6146.1	High School Graduation Requirements
6146.11	Alternative Credits Toward Graduation
6146.11	Alternative Credits Toward Graduation
6152	Class Assignment
6162.5	Student Assessment
6164.5	Student Success Teams
6164.5	Student Success Teams
6171	Title I Programs
6171	Title I Programs
6178	Career Technical Education
6178	Career Technical Education

6178.2	<u>Regional Occupational Center/Program</u>
6181	<u>Alternative Schools/Programs Of Choice</u>
6181	<u>Alternative Schools/Programs Of Choice</u>
6190	<u>Evaluation Of The Instructional Program</u>
6200	<u>Adult Education</u>
6200	<u>Adult Education</u>
6200-E PDF(1)	<u>Adult Education</u>

Regulation 6172.1: Concurrent Enrollment In College Classes

Status: ADOPTED

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

Credit

Unless enrolled as part of a College and Career Access Pathways (CCAP) partnership agreement in which students are authorized to take up to 15 units per term in a community college, as described below, district students enrolled in a community college as special part-time students may enroll in up to 11 units per semester, or the equivalent. Such students shall receive credit for community college courses that they complete in an amount jointly determined appropriate by the district and the community college governing board. (Education Code 48800, 76001, 76004)

A written agreement regarding the student's enrollment in postsecondary courses and the credits to be awarded for successful completion shall be signed by the student, parent/guardian, and principal. The student shall be informed whether the credits to be earned are considered academic credits or elective credits, and whether the credits count towards high school graduation requirements.

To receive district credit for coursework completed at a community college or four-year college, the student or parent/guardian shall submit a transcript showing completion of the course with a passing grade.

As a general rule, credits earned at the community college will be applied to the elective course requirements for high school graduation, except for the options articulated below, that would allow for some college coursework to be applied to graduation requirements other than electives.

The concurrent course will only be added to the student's transcript if the course is taken to fulfill a graduation requirement. No more than 40 credits from concurrent courses will be used towards graduation requirements, with a maximum of 10 being limited to elective credits. This does not preclude a student from taking advantage of completing additional courses at the community college.

Students will not receive a grade bump or honors designation for community college courses.

Application of Community College Class Credit to AUSD Core Graduation Requirements			
Subject	HS Graduation Requirements	Community College Course Alternatives	Total Non- Elective Credits Possible
English	Forty (40) credits/4 years	<p>Up to ten (10) credits for a course that is NOT offered at a student's school can be taken at the community college to satisfy one (1) year of this two (2) year requirement. Community college courses beginning with English 1A or above can be used to meet up to 1 year or 10 of the required 40 high school English credits.</p> <p>Other examples from COA include:</p> <p>ENG 31 Survey of African-American Literature</p>	10

		ENG 32A Contemporary Women Writers ENG 47 Children's Literature	
World Languages	Ten (10) credits/1 year	AUSD students can take world language classes at Community Colleges to satisfy this requirement provided the course is NOT offered at the student's school. **at the community college level, one semester course satisfies two years of high school foreign language. *Grade of C or better in any transferable course(s) (excluding conversation) held by the college to be equivalent to two years of high school language. Many colleges list the prerequisites for their second course in language as "Language 1 at this college or two years of high school language." In this case, Language 1 clears both years of the requirement.	10
Social Science	Thirty (30) credits/3 years	California Education Code establishes a minimum set of requirements for graduation from high school. In the area of Social Studies, the three year course requirement is explicitly prescribed to include a) U.S. History, b) World History, Culture, and Geography, and c) one semester of both American government and Economics The Superintendent shall, in collaboration with CDE, the Board, and Community, as other districts have, explore the option to revise HS graduation requirements at a later date to allow for courses like those listed below to earn the U.S. History requirement. HIST 17 History of Mexican-Americans AFRAM 30 African-American History ASAME 45A Asian-American History	TBD
Mathematics	Twenty (20) credits/2 years	Up to ten (10) credits for a course that is NOT offered at a student's school can be taken at the community college to satisfy one (1) year of this two (2) year requirement. Note that of the two (2) courses required 1 must be Algebra 1. Additional math courses taken at the community college can count toward elective credit for graduation requirements.	10
Science	Twenty (20) credits/2 years	Up to ten (10) credits for a course that is NOT offered at a student's school can be taken at the community college to satisfy one (1) year of this two (2) year requirement. Any additional courses taken at the community college must NOT be offered at a student's AUSD school and will be applied to elective credit for HS graduation upon completion.	10
Visual and Performing Arts	Ten (10) credits/1 year	Only courses that are NOT offered at a student's school can be taken at the community college to satisfy this one (1) year requirement. Any additional courses taken at the community college must NOT be offered at a student's AUSD school and will be applied to elective credit for HS graduation upon completion.	10
Physical Education	Twenty (20) credits/2 years	All AUSD students are required to meet this requirement in AUSD schools.	0

College and Career Access Pathways Partnerships

The district may enter into a CCAP agreement, in accordance with Education Code 76004, which includes terms regarding course offerings, student eligibility, protocols for sharing information, joint facilities use, and staff qualifications.

A copy of the CCAP agreement shall be filed with the Office of the Chancellor of the California Community Colleges and with the California Department of Education before the start of the agreement. (Education Code 76004)

Only courses that provide career technical education or preparation for transfer, assist in improving high school graduation rates, or help high school students achieve college and career readiness shall be offered, and physical education courses shall not be provided. (Education Code 76004)

Students may enroll in up to 15 units of community college courses per term if all of the following circumstances are satisfied: (Education Code 76004)

1. The units constitute no more than four community college courses per term.
2. The units are part of an academic program that is part of a CCAP agreement.
3. The units are part of an academic program that is designed to award students both a high school diploma and an associate degree or a certificate or credential.

A high school student shall submit one parental consent form and principal recommendation for the duration of the student's concurrent enrollment under a CCAP partnership. (Education Code 76004)

The district shall report information annually to the office of the Chancellor of the California Community Colleges as specified in Education Code 76004.

Minimum School Day

The minimum day of attendance in district schools shall be 180 minutes for any student who is enrolled part-time in a community college and any student in grades 11-12 who is enrolled part-time in the California State University or University of California, when the student is enrolled in classes for which academic credit will be provided upon satisfactory completion of enrolled courses. (Education Code 46146, 48801)

A student enrolled full-time at a community college shall be exempted from full-time attendance in the district's regular education program. (Education Code 48800.5)

However, both part-time and full-time community college students shall be required to undertake courses of instruction of a scope and duration sufficient to satisfy the requirements of law. (Education Code 48800.5, 48801)

Community College Classes on High School Campus

If a community college class is to be offered at a district high school campus, the class shall be held during the time the campus is open to the general public as determined by the Governing Board. Members of the public who are enrolled in community college class(es) shall register immediately upon entering school buildings or grounds.

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 11300-11302

Description[Early and middle college high schools](#)

Ed. Code 42238.02

[Definition of unduplicated student](#)

Ed. Code 46141

[Minimum school day \(high school\)](#)

Ed. Code 46145-46147

[Minimum day; high school](#)

Ed. Code 48800-48802

[Enrollment of gifted students in community college](#)

Ed. Code 51225.3

[High school graduation requirements](#)

Ed. Code 52200-52212

Gifted and talented education program

Ed. Code 52620

[Attendance at community college as special part-time student](#)

Ed. Code 76000-76002

[Enrollment in community college](#)

Ed. Code 76140

[No community college fee/tuition for special part-time students](#)

Ed. Code 87010

[Definition of sex offense](#)

Ed. Code 87011

[Definition of controlled substance offence](#)**Management Resources****Description**

Website

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

Website

[Foundation for California Community Colleges](#)

Website

[University of California](#)

Website

[California Postsecondary Education Commission](#)

Website

[California State University](#)

Website

[California Community Colleges](#)

Website

[California Department of Education](#)**Cross References****Code****Description**

5112.1

[Exemptions From Attendance](#)

5112.1	<u>Exemptions From Attendance</u>
5125	<u>Student Records</u>
5125	<u>Student Records</u>
6112	<u>School Day</u>
6112	<u>School Day</u>
6141.5	<u>Advanced Placement</u>
6141.5	<u>Advanced Placement</u>
6143	<u>Courses Of Study</u>
6143	<u>Courses Of Study</u>
6146.1	<u>High School Graduation Requirements</u>
6146.11	<u>Alternative Credits Toward Graduation</u>
6146.11	<u>Alternative Credits Toward Graduation</u>
6152	<u>Class Assignment</u>
6162.5	<u>Student Assessment</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>
6178	<u>Career Technical Education</u>
6178	<u>Career Technical Education</u>
6178.2	<u>Regional Occupational Center/Program</u>
6181	<u>Alternative Schools/Programs Of Choice</u>
6181	<u>Alternative Schools/Programs Of Choice</u>
6190	<u>Evaluation Of The Instructional Program</u>
6200	<u>Adult Education</u>
6200	<u>Adult Education</u>
6200-E PDF(1)	<u>Adult Education</u>



**Alameda Unified School District
and
Peralta Community College**

**Concurrent Enrollment Handbook
for High School Students**

Last updated: July 2023

What is Concurrent High School Special Enrollment?

Peralta Community College District encompasses four community college campuses: College of Alameda, Laney, Merritt, and Berkeley City College. Alameda Unified School District high school students can take courses at any Peralta campus **tuition free** while they are enrolled in AUSD. The only thing students will have to pay for are the Peralta campus fees (which vary) and their books for the college course.

Peralta's High School Special Enrollment provides enrichment opportunities for high school students who can benefit from college level instruction. High school students can enroll into Peralta courses concurrently as a high school student, earning both high school and college credit. This is a very popular option for AUSD high school students who want to deepen their learning in a particular subject, explore vocational courses (auto mechanics, construction, welding, etc), or get a head start on college level general education requirements.

The High School Special Enrollment is specifically designed to accelerate the academic or vocational career of high school students. **Access to the Special Enrollment Program is NOT allowed for:**

- Remedial work (any classes in any discipline that are not college level and cannot be applied to an associate degree or higher).
- Work to make up for failed high school or middle school classes
- Recreation or hobbies
- Some classes that can be taken at the local high school (see board policy)
 - *An exception to this rule is for students who want to take a math or science class over the summer to accelerate their learning.*
 - *Please note that Peralta's course Intermediate Algebra does NOT include Trig, and is not an appropriate course alone to move forward to Pre-Calculus at AUSD.*

Since students are enrolled full time in high school courses, AUSD is limiting the number of classes students can take in Fall and Spring semesters to no more than TWO classes per semester.

Note: AUSD Adult School students also have an opportunity to take advantage of Adult School Special Enrollment.

Steps for concurrent enrollment and the forms can be found here: [Peralta High School Enrollment](#)

Common questions about concurrent enrollment (FAQ):

Is there Board Policy around Concurrent Enrollment?

- Yes. It was revised October 2021 and can be found here: [Regulation 6172.1: Concurrent Enrollment In College Classes](#),

Why would I want to take courses at a Peralta college?

- There are lots of reasons to take a course!
 - Some students want to explore their different interests by taking classes that their high school doesn't offer. Things like Astronomy, Sociology, African American Studies, Geology, Anthropology, Geography, Philosophy, etc. The list of classes to explore is long! You should talk to your counselor about what course to take.
 - Some students can also get a head start on doing their general education requirements that all college students have to take. ***UC/CSU system will accept transferable courses. Some private colleges will not! If you have taken community college courses and they are on your high school transcript, you will need to contact them for clarification.*
 - Some students want to take a CTE course and explore different technical careers. Peralta colleges have an incredible amount of offerings - you should check out a course catalog and see what sparks your interest.
 - You could earn high school credit AND college credit!

Why wouldn't I want to take a course at the college?

- Well... if you aren't interested in learning more about a subject, don't take the class. If you are doing it just because your parents want you to... that might not be a good idea. If you don't do well in the course, it might hurt you later after high school. (see the part about financial aid).

Do I have to pay for courses at Peralta?

- You do not have to pay for tuition. However, you will have to pay some small fees for using the campus, and you will also have to pay for the books for your course.

I just completed middle school and will be a freshman in the fall. Can I take a course?

- You cannot sign up for a course in the fall, but you can in the spring of your freshman year. Prior experience has taught us that freshmen typically do not do well in Fall semester college courses. Freshmen are still adjusting to high school and can become easily overwhelmed when adding a college course to their load. You will still have many opportunities in your high school career to be a concurrent college student.

If I failed a course at my high school, can I retake it at Peralta?

- No. Remediation is not allowed for concurrent enrollment. Your school has other options for you (like Cyber High). Talk to your school counselor.

Can I take any course I want? Like football, soccer, or swimming?

- No. These are considered recreational courses and cannot be taken by high school students.

If my high school offers the course, but I don't like the teachers, can I take the class at Peralta?

- Most likely not, but talk to your high school counselor about options. In most cases, if your high school offers the course, you need to take it there. The intention behind concurrent enrollment is for exploring classes that your high school doesn't offer.

Can I have the Peralta class put on my high school transcript and get high school credits AND college credits?

- Yes! See your high school counselor about the course you are interested in and what graduation requirement they will cover.
 - There are some private colleges that will not accept them on your transcript. You will need to contact that college for guidance.

Can I get a grade bump for taking a course at Peralta?

- No. We do not give grade bumps for college courses. However, we encourage you to explore your interests and deepen your knowledge in courses that you are interested in.
 - But what if it is an advanced math course? Can I get the grade bump then???
 - No. Not even then.

What happens if I enroll in a course, but after the first couple of weeks I don't like the class?

- Depending on your timing, you will have to either drop the course or withdraw from the course. You can talk to your high school counselor and they can give you guidance on steps you need to take. Most likely, you will need to see the Admissions office at the college campus.

If the Peralta course has prerequisites, can I still take the class?

- No, not if you haven't met the prerequisites. In addition to being an AUSD student, you will also be a college student. All the rules that Peralta has also apply to you. Talk to your high school counselor about this when you see them to get signed off for the course.

Credits & Grading

You will receive a final course grade for each class in which you enroll. You will not receive progress report grades from Peralta, unless otherwise noted.

These are real college classes, therefore, students will receive only final semester grades. The grade received will appear on your official Peralta College transcript (and possibly your high school transcript) and will count towards your financial aid eligibility should you decide to attend Peralta or any institution of higher education.

There are some classes at Peralta that allow you to take a course Pass or No Pass where the P or NP grade will not be calculated in the GPA. For more information, please contact Peralta Colleges.

Also, students must follow all Peralta deadlines and processes. Please refer to the current Peralta Academic calendar for important dates (found on the Peralta website).

Financial Aid Eligibility

Peralta courses offered to high school students tuition free. However, if the student decides to matriculate on to a Peralta community college (or other colleges), their financial aid eligibility will be impacted.

GPA and total units attempted during high school will count towards determination of financial aid eligibility. This guide was developed to help you understand how these courses impact Peralta financial aid eligibility. For other colleges, please refer to their website to learn about their policies.

Key Financial Aid Eligibility Rules:

1. **Academic Probation:** If the student has attempted 12 semester units and has a cumulative GPA of less than 2.0 in the Peralta Colleges, the student will be placed on academic probation.
2. **Pace of Progression:**
 - 66.6% Semester Unit Completion: One of the requirements to qualify for Financial Aid is that a student must complete 66.6% of the total number of units attempted each semester at Peralta Community College District.
 - 90 Total Semester Units: Students who matriculate to a Peralta College are expected to complete their educational objective within a maximum time frame of 150%, or 90 attempted semester units for a standard two-year program. A standard two year program typically takes 60 units but the student has up to 90 units until they are no longer eligible for financial aid.

Grade	Definition	Counts towards Peralta GPA? (Student with less than a 2.0 GPA is placed on academic probation)	Academic Probation at Peralta? (12 semester units and less than 2.0 GPA)	Counts towards Pace of Progression? (66.6% each semester/90 units/150% for 2 year program)	Can I repeat the class?
F	Receiving an “F” grade means the student earns 0 units and 0 GPA for attempting the course.	Yes	Yes	Yes	A student who received an “F” can repeat the course twice. Once the course is repeated with a passing grade the failing grade will not be included in the GPA calculation. The actual grade will always remain on the transcript.
D	A “D” is considered a passing grade and a 1.0 GPA but it may not be accepted by some universities.	Yes	Yes	Yes	A student who received a “D” grade can repeat the course twice, unless otherwise noted. The actual grade will always remain on the transcript.
W	Students receive a “W” when the course is dropped by the last deadline to drop the course. A “W” appears on the transcript but is not calculated in the GPA.	No	Yes (counts towards units)	Yes	A student who received a “W” is able to repeat the course twice. The actual grade will always remain on the transcript.

<p style="text-align: center;">I</p>	<p>An “I” is an Incomplete Grade that an instructor may give a student who did not complete the course work by the end of the term due to confirmed extenuating circumstances. The student has one year from the term the “I” was awarded to make up the work and receive a final grade. An Incomplete Grade Form must be completed by the student and the instructor. If the student successfully completes the work, s/he will earn a grade provided by the instructor. If the student does not complete the work, the student will receive the grade(s) specified on the Form.</p>	<p>Yes (when the grade changes into a letter grade)</p>	<p>Yes (when the grade changes into a letter grade)</p>	<p>Yes (when the grade changes into a letter grade)</p>	<p>A student who received an “I” will see an “I” until a letter grade is received. The “I” will not remain on the transcript once the letter grade replaces it.</p>
---	---	---	---	---	---

<p>P/NP</p>	<p>There are some classes at Peralta that allow you to take a course Pass or No Pass. If a class is eligible and the student wishes to do this, they must make the decision by the posted deadline. In order to receive a “P”, you must earn a grade of C or Higher. Grades D or F will earn a “NP”. The P/NP grade will not be calculated in the GPA. For students who intend to transfer to a university, they may not count a course in which you earn a “P”. It is important to check with the university to find out their policies.</p>	<p>No</p>	<p>No</p>	<p>Yes</p>	<p>A student may not repeat a course for which they earned a “P”. Once designated, a P/NP may not be changed to a letter grade. If the student received a NP, they may repeat the course unless otherwise noted.</p>
--------------------	---	-----------	-----------	------------	--

Deadlines and Dropping a Class

Students who enroll in a college course offered by Peralta are required to follow the same rules as regular Peralta College Students. This means if a student wishes to drop a class or change their schedule, they have to do so by the published Peralta deadlines. Please refer to the current Peralta semester calendar on their website. If they miss a deadline, the student will remain in the class and their grade becomes part of their college record.

Attendance

If you are enrolled in a Peralta course, make sure to familiarize yourself with the Peralta schedule. Breaks and holidays might be different than at your high school, and each Peralta professor can establish their own attendance policy. The attendance policy might be different for different courses you take.

Instructors will provide you with a syllabus, which includes their attendance policy. The syllabus is the contract between the instructor and student, so make sure to adhere to it. If you must be absent, you should notify and get permission from your instructor prior to your absence.

What if I'm struggling in the college course?

REACH OUT

1. Self-advocate! College can be difficult! Life can be difficult! Don't suffer in silence.
2. Don't wait to ask for help. You are not expected to remember or understand new concepts right away; that's the point of being a student! The earlier you reach out, the better--don't be shy.
3. Which resources can you reach out to--whether a place or a person?
 - a. If you're not sure who to first ask, think of a friend in the class, the teacher of record, the professor, a student who took the class/professor before, or any other advocate you have on campus.
 - b. Does your school site have tutoring or after-school academic support? Try to attend and receive support.
4. Be prepared to ask your instructor plenty of questions but be sure to ask them when appropriate (not when they're in the middle of teaching or a meeting) and ask as early as you can (not on the day something is due) so they see you're being respectful of their time and capacity.

TRY STRATEGIES

1. Review your notes. Highlight and use post-it notes (in your notebook and in the textbooks).
2. Talk-to-the-text. Next to paragraphs or sections in your reading, write a quick summary (one sentence or phrase) that summarizes that section (what is it about?)
3. Questions come up? Email them to your professor; CC your teacher of record.
4. Initiate or join a study group. Remember, even meeting up with at least one other person at a cafe or after class and *talking* about what you're learning, asking/answering questions, *sharing* ideas, reviewing notes, reading *together* can make a HUGE difference and be VERY HELPFUL. Two brains are better than one!
5. Make flash cards. Use them.

If you have additional questions or need additional guidance, please talk to your high school counselor - they might be able to help.

AUSD-Peralta Concurrent College Course Credit Contract

This contract must be signed by the parent/guardian and student when a student is interested in taking a concurrent course at Peralta colleges *for AUSD graduation credit.*

 **AUSD Concurrent Enrollment Handbook**

Applicable Alameda USD Board Policies:

Board Policy 6172.1: Concurrent Enrollment in College Classes

A written agreement regarding the student's enrollment in postsecondary courses and the credits to be awarded for successful completion shall be signed by the student, parent/guardian, and principal. The student shall be informed whether the credits to be earned are considered academic credits or elective credits, and whether the credits count towards high school graduation requirements.

To receive district credit for coursework completed at a community college or four-year college, the student or parent/guardian shall submit a transcript showing completion of the course with a passing grade.

As a general rule, credits earned at the community college will be applied to the elective course requirements for high school graduation, if needed to meet the elective credit requirement, except for the options articulated in the Administrative Regulation, that would allow for some college coursework to be applied to graduation requirements other than electives.

Students will not receive a grade bump or honors designation for community college courses.

AUSD-Peralta Concurrent College Course Credit Contract

Name of Student: _____ Student ID#: _____.

Current Grade Level: _____ School Year: _____.

Name of school currently enrolled in: _____ Date reviewed: _____.

Name of college, term and year of the course (*ex, Laney, Summer 2035*): _____

List the name of the course, the name of the institution, the number of credits to be completed, and the graduation requirement category (*English, Math, Science, Elective, etc*) that the course will fulfill to be taken by the student outside of AUSD offerings.

Name of Institution	Course Name	Credits	Grad Requirement Category

Parent and Student, please initial each line indicating you have read, understand and agree to the contract:

_____ If the student fails to meet the terms and requirements of this application/contract, the student may not be eligible for graduation.

_____ I have read, understand, and agree to the requirements listed in this contract and would like the concurrent course to be placed on the AUSD transcript per the contract.

Signature of student: _____ **Date:** _____

Name of Parent/Guardian: _____

Signature of Parent/Guardian: _____ **Date:** _____

Student Counselor Signature: _____ **Date:** _____

Site Administrator Signature: _____ **Date:** _____

All above signatures are required for the contract to be valid

ALAMEDA UNIFIED SCHOOL DISTRICT
SPECIAL AGENDA ITEM

Item Title: Review of Board Policy 5131.8: Mobile Communication Devices (10 Mins/Action)

Item Type: Action

Background: *BP 5131.8 Mobile Communication Devices:* This policy is being brought to the Board Policy Subcommittee to review ahead of upcoming changes to Ed Code regarding cell phone usage in schools. Local Education Agencies (LEAs) will need to have policies and procedures in place restricting communication device usage starting June 2026. AUSD intends to pilot policies restricting cell phone usage ahead of the new laws being in place.

- BP 5131.8 Mobile Communication Devices
- Acceptable Use Policy from AUSD Handbook

After discussion, one of the following action steps will be taken:

1. The policy and administrative regulation will be added to the next Board Policy Subcommittee meeting for further discussion and possible revision by Subcommittee members.
2. The policy and administrative regulation will be added to the agenda for a regularly scheduled Board meeting so the full Board can weigh in on any further changes in public.
3. The policy and administrative regulation will be approved as is by the full Board at a regularly scheduled public Board 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.| 3. Support parent/guardian development as knowledgeable partners and effective advocates for student success.| 4. Ensure that all students have access to basic services.

Fiscal Analysis

Amount (Savings) (Cost): N/A

Recommendation: Other

Submitted for review and discussion per Board Member Referral.

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: Board Member Referral

ATTACHMENTS:

	Description	Upload Date	Type
▣	Board Policy 5131.8 Mobile Communication Devices	12/2/2024	Backup Material
▣	Acceptable Use Policy from AUSD Handbook	12/2/2024	Backup Material
▣	Electronic Device Policy from AUSD Handbook	12/2/2024	Backup Material

Policy 5131.8: Mobile Communication Devices

Status: ADOPTED

Original Adopted Date: 03/22/2022 | Last Reviewed Date: 03/22/2022

The Governing Board recognizes that the use of smartphones and other mobile communication devices on campus may be beneficial to student learning and well-being, but could be disruptive of the instructional program in some circumstances. The Board permits limited use of mobile communication devices on campus in accordance with law and the following policy.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 5131.2 - Bullying)
(cf. 5131.4 - Student Disturbances)
(cf. 5131.9 - Academic Honesty)
(cf. 5137 - Positive School Climate)
(cf. 5141.52 - Suicide Prevention)
(cf. 6163.4 - Student Use of Technology)

Students may use cell phones, smart watches, pagers, or other mobile communication devices on campus during noninstructional time as long as the device is utilized in accordance with law and any rules that individual school sites may impose.

Mobile Communication devices shall be turned off during instructional time. However, a student shall not be prohibited from possessing or using a mobile communication device under any of the following circumstances: (Education Code 48901.5, 48901.7)

1. In the case of an emergency, or in response to a perceived threat of danger
2. When a teacher or administrator grants permission to the student to possess or use a mobile communication device, subject to any reasonable limitation imposed by that teacher or administrator
3. When a licensed physician or surgeon determines that the possession or use is necessary for the student's health and well-being
4. When the possession or use is required by the student's individualized education program

(cf. 6159 - Individualized Education Program)

Smartphones and other mobile communication devices shall not be used in any manner which infringes on the privacy rights of any other person.

When a school official reasonably suspects that a search of a student's mobile communication device will turn up evidence of the student's violation of the law or school rules, such a search shall be conducted in accordance with BP/AR 5145.12 - Search and Seizure.

(cf. 5145.12 - Search and Seizure)
(cf. 5145.2 - Freedom of Speech/Expression)

When a student uses a mobile communication device in an unauthorized manner, the student may be disciplined and a district employee may confiscate the device. The employee shall store the device securely until it is returned to the student or turned over to the principal or designee, as appropriate.

A student may also be subject to discipline, in accordance with law, Board policy, or administrative regulation, for off-campus use of a mobile communication device which poses a threat or danger to the safety of students, staff, or district property or substantially disrupts school activities.

The Superintendent or designee shall inform students that the district will not be responsible for a student's mobile communication device which is brought on campus or to a school activity and is lost, stolen, or damaged.

Alameda Unified School District Student Acceptable Use Policy (SAUP)

Purpose

The Alameda Unified School District (AUSD) provides technology, network, devices, and internet services for the specific and limited purpose of achieving the district's goals and accomplishing its educational and organizational purposes. All other activities are prohibited. AUSD technology, network, devices, and internet services always remain the property of the district. All students must comply with AUSD Board Policy BP6163.4 and its supporting Administrative Regulation AR6163.4.

Terms and Conditions Responsibilities

Students must accept personal responsibility for appropriate use of technology and report any misuse to a teacher.

Appropriate Conduct

Students are expected to abide by the generally accepted rules of user etiquette. For example:

- Students must only access their own user email, account, and files.
- Be polite and concise. Use appropriate language.
- Use the network in a way that would not disrupt access by others.
- Only use devices and electronic resources as allowed.
- Use of AUSD technology for sales, advertisements or solicitations is prohibited.
- Adhere to copyright and plagiarism laws.

Inappropriate Conduct

The following are prohibited:

- Anything prohibited by law, district, or school rules.
- Using obscene language, intentionally accessing, or possessing obscene or pornographic material, as defined in subdivision (a) of Penal Code Section 313.
- Harassing, insulting, or attacking others.
- Using or distributing another person's password.
- Sending or displaying intimidating, offensive, sexually explicit, or hate-related material.
- Accessing another person's folders, work, or files without their consent
- Violating copyright laws.
- Possession or use of any tools designed for probing, monitoring, bypassing filters or breaching the security of the network or infecting the network with a virus.
- Using the network and devices for non-school related activities such as network games, downloading of music or video files, or serving as a host for such activities.
- Using the network and devices for commercial purposes.
- Participating in non-district approved forums, chat rooms, or exchanges.
- Activities that would subject the district or the individual to criminal, civil, or administrative liability.

Privacy and Security

Use of district technology, devices, networks, and internet services does not create any expectation of privacy. The district reserves the right to search and/or monitor any information created, accessed, sent, received, and/or stored in any format or on any equipment owned by or connected to the district's network. Users may encounter material they interpret as controversial, inappropriate, or offensive. E-mail is not guaranteed to be private. It has the potential to be viewed globally.

- Passwords need to be always protected.
- Students are not to disclose confidential information to other individuals.
- Do not reveal any personal information, home address, or personal phone numbers on the network.
- Never open, forward, or download any attachments or files that are unknown to you, or that are suspected to contain viruses.
- Never demonstrate a problem to other users.

Notify a teacher if you identify a security problem. Any student identified as a security risk will be immediately denied technology use until resolved.



Alameda Unified School District Electronic Device Policy 2024 - 2025

Cell phones, electronic games, and other non-AUSD issued electronic devices distract from the learning environment and are **not to be used or visible during instructional time**. This includes earpieces and phone devices worn around the neck. If a parent must reach a student during class, please contact the Attendance Office and we will get a message to the student.

Offense	Consequence
1 st Offense	<ul style="list-style-type: none"> • Student warned. • Discipline may occur.
2 nd Offense	<ul style="list-style-type: none"> • Electronic device confiscated by teacher and brought to the office on day of confiscation. • Student may pick up device at the end of the school day. • Discipline may occur.
3 rd Offense	<ul style="list-style-type: none"> • Electronic device confiscated by teacher and brought to the office on day of confiscation. • Parent contacted with instructions to not allow student to have it on campus. • Parent must pick up electronic device. • Discipline may occur.
Additional infractions	<ul style="list-style-type: none"> • Will result in all of the above with possible loss of privileges and disciplinary consequences.

ALAMEDA UNIFIED SCHOOL DISTRICT
SPECIAL AGENDA ITEM

Item Title: Review of Board Bylaws: BB 9010 Public Statements and BB 9012 Board Member Electronic Communications (10 Mins/Action)

Item Type: Action

Background: ***BB 9010 Public Statements and BB 9012 Board Member Electronic Communications:*** These bylaws were part of the September 2024 CSBA policy update packet. They are being brought to the Board Policy Subcommittee for review by the Board Members.

- BB 9010 Public Statements
- BB 9012 Board Member Electronic Communications

After discussion, one of the following action steps will be taken:

1. The bylaw(s) will be added to the next Board Policy Subcommittee meeting for further discussion and possible revision by Subcommittee members.
2. The bylaw(s) will be added to the agenda for a regularly scheduled Board meeting so the full Board can weigh in on any further changes in public.
3. The bylaw(s) will be approved as is by the full Board at a regularly scheduled public Board 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.| 3. Support parent/guardian development as knowledgeable partners and effective advocates for student success.| 4. Ensure that all students have access to basic services.

Fiscal Analysis

Amount (Savings) (Cost): N/A

Recommendation: Other

Submitted for review and discussion per Board Member Referral.

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: Board Member Referral

ATTACHMENTS:

	Description	Upload Date	Type
▣	BB 9010 Public Statements_REDLINE	12/2/2024	Backup Material
▣	BB 9012 Board Member Electronic Communication_REDLINE	12/2/2024	Backup Material

Bylaw 9010: Public Statements

Status: ADOPTED

Original Adopted Date: ~~08/25/2009~~09/01/1990 | Last Revised Date: ~~03/11/2014~~09/01/2024 |
Last Reviewed Date: ~~03/11/2014~~09/01/2024

The Governing ~~Board of Education~~ recognizes the responsibility of Board members in their role as community leaders to participate in public discourse on matters of civic or community interest, including those involving the district, and their right to freely express their personal views. However, to ensure communication of a consistent, unified message regarding district issues, Board members are expected to respect the authority of the Board to choose its representatives, to communicate its positions, and to abide by established protocols.

Board Spokesperson

All public statements authorized to be made on behalf of the Board shall be made by the Board president or, if appropriate, by the Superintendent or, with respect to a specific issue or topic, other ~~designated~~ representative.

as designated by the Board or Board president.

When speaking for the ~~district, the Board encourages its spokespersons to~~ Board, a spokesperson shall exercise restraint and tact and ~~to~~ communicate ~~the message~~ in a manner that promotes public confidence in the Board's leadership.

Board spokespersons shall not disclose confidential information or information received in closed session except when authorized by a majority of the Board ~~or by law.~~ (Government Code 54963)

Statements by Individual Board Members

When speaking to community groups, members of the public, or the media, individual Board members should recognize that their statements may be perceived as reflecting the views and positions of the Board. Board members have a responsibility to identify ~~personal viewpoints as such and not as the viewpoint of the Board.~~

In addition, the Board encourages members who participate on social networking sites, blogs, or other discussion or informational sites when a viewpoint is held by an individual Board member rather than the Board as a whole. For example, a Board member may include a disclaimer on the Board member's personal social media account that the Board member is expressing personal viewpoints and not those of the Board or the district.

Board members who opt to express their opinions on district matters, whether in-person or online, are expected to conduct themselves in a respectful, courteous, and professional manner and to model good behavior for district students and the community. ~~Such electronic communications are subject to the same standards and protocols established for other forms of communication, and the disclosure requirements of the California Public Records Act may likewise apply to them.~~

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 35010	<u>Control of district; prescription and enforcement of rules</u>
Gov. Code 54960	<u>Actions to stop or prevent violation of meeting provisions</u>
Gov. Code 54963	<u>Unauthorized disclosure of confidential information</u>
Gov. Code 7920.000-7930.170	<u>California Public Records Act</u>

Management Resources

	Description
Court Decision	Lindke v. Freed (2024) 601 U.S. 187
Website	<u>CSBA District and County Office of Education Legal Services</u>
Website	<u>CSBA</u>

Cross References

Code	Description
0450	Comprehensive Safety Plan <u>Comprehensive Safety Plan</u>
0450	Comprehensive Safety Plan <u>Comprehensive Safety Plan</u>
1000	Concepts And Roles <u>Concepts And Roles</u>
1100	Communication With The Public <u>Communication With The Public</u>
1112 <u>1100</u>	Communication With The Public <u>Media Relations</u>
1113 <u>1112</u>	Media Relations <u>District And School Websites</u>
1113	District And School Websites <u>District And School Websites</u>
1113	District And School Websites <u>District And School Websites</u>

Bylaw 9012: Board Member Electronic Communications

Status: ADOPTED

Original Adopted Date: ~~08/25/2009~~11/01/2008 | **Last Revised Date:** 09/01/2024 | **Last Reviewed Date:** ~~08/25/2009~~09/01/2024

The Governing Board of Education ~~recognizes that electronic communication among Board members and between Board members, district administration, and members of the public~~ is an efficient and convenient way for Board members to communicate and expedite the exchange of information ~~and to help keep the community informed about the goals, programs, and achievements of the district and its schools with each other, district staff, and members of the public.~~ Board members shall exercise caution ~~so as to ensure that electronic communications are not used as a means for the Board to deliberate outside of an agenda~~ to ensure compliance with the Brown Act, the Public Records Act, and other applicable laws.

compliance with the Brown Act, the Public Records Act, and other applicable laws.

A majority of the Board shall not, outside of an authorized meeting, use a series of electronic communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the Board. (Government Code 54952.2)

Examples of permissible electronic communications concerning district business include, but are not limited to, dissemination of Board meeting agendas and agenda packets, reports of activities from the Superintendent, and reminders regarding meeting times, dates, and places.

Board members may engage in separate conversations or communications with members of the public on a social media platform to answer questions, provide information, or solicit information regarding a matter that is within the subject matter jurisdiction of the Board as long as a majority of the Board does not use the platform to discuss among themselves any business of a specific nature that is within the subject matter jurisdiction of the Board. Additionally, Board members are prohibited from using digital icons, such as "likes" or "emojis," that express reactions to communications made by other Board members regarding matters within the subject matter jurisdiction of the Board. (Government Code 54952.2)

Board members shall make every effort to ensure that their electronic communications conform to Board Bylaw 9010 - Public Statements and shall forward any complaints or requests for information to the Superintendent in accordance with applicable Board bylaws.

To the extent possible, electronic communications regarding any district-related business shall be transmitted through a district-provided device or account. When any such communication is

transmitted through a Board member's personal device or account, the Board member shall copy the communication to a district electronic storage device for easy retrieval.

This Bylaw does not apply to Board member electronic communications not related to district business or not conducted by a Board member in the Board member's official capacity.

~~Board members shall make every effort to ensure that their electronic communications conform to the same standards and protocols established for other forms of communication. A Board member may respond, as appropriate, to an electronic communication received from a member of the community and should make clear that his/her response does not necessarily reflect the views of the Board as a whole. Any complaint or request for information should be forwarded to the Superintendent in accordance with Board bylaws and protocols so that the issue may receive proper consideration and be handled through the appropriate district process. As appropriate, communication received from the press shall be forwarded to the designated district spokesperson.~~

~~In order to minimize the risk of improper disclosure, Board members shall avoid reference to confidential information and information acquired during closed session.~~

~~Board members may use electronic communications to discuss matters other than district business with each other, regardless of the number of members participating in the discussion.~~

~~Like other writings concerning district business, a Board member's electronic communication may be subject to disclosure under the California Public Records Act.~~

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 35140	<u>Time and place of meetings</u>
Ed. Code 35145	<u>Public meetings</u>
Ed. Code 35145.5	<u>Agenda; public participation and regulations</u>
Ed. Code 35147	<u>Open meeting laws exceptions</u>
Gov. Code 11135	<u>Prohibition of discrimination</u>
Gov. Code 54950-54963	<u>The Ralph M. Brown Act</u>
Gov. Code 54952.2	<u>Meeting; defined</u>
Gov. Code 54953	<u>Meetings to be open and public; attendance</u>
Gov. Code 54954.2	<u>Agenda posting requirements; board actions</u>
Gov. Code 7920.000-7930.215	<u>California Public Records Act</u>

Management Resources **Description**