

BOARD OF EDUCATION AGENDA

SPECIAL MEETING
May 22, 2025 - 4:00 PM

Board Policy Subcommittee Meeting

Niel Tam Educational Center 2060 Challenger Drive Alameda, California 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 - Ballena 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order of business including, but not limited to, an announcement that an agenda item will be considered out of order, withdrawn, postponed, or rescheduled.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 April 3, 2025 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. CSBA Recommended Update to BP 5125: Student Records (10 Mins/Action)
3. CSBA Recommended Update to BP 5145.13: Response to Immigration

Enforcement (10 Mins/Action)

4. Staff Recommendation to Update BP and AR 3471.1: Citizens' Parcel Tax Oversight Committee (10 Mins/Action)
5. Discussion of Future Topics (10 Mins/Information)

E. ADJOURNMENT

ALAMEDA UNIFIED SCHOOL DISTRICT
SPECIAL AGENDA ITEM

Item Title: Minutes from the April 3, 2025 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.

- April 3, 2025 Board Policy Subcommittee Meeting Minutes

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_April 3, 2025 Board Policy Subcommittee Meeting	5/15/2025	Backup Material

BOARD POLICY SUBCOMMITTEE MEETING

April 3, 2025

Ballena 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: Gary Lym, Ryan LaLonde

Student Board Members present: Lianna Lau (ASTI) and Eugene Kruger (Encinal Jr./Sr. HS), Tabitha Kim (Alameda HS)

Executive Cabinet present: Superintendent Pasquale Scuderi, Asst. Superintendent of Educational Services Kirsten Zazo (joined the meeting at 4:10 pm), and Senior Manager of Community Affairs Susan Davis

Additional AUSD staff present: Executive Assistant 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 January 7, 2025, Subcommittee Meeting were considered.

Motion to approve the minutes from the January 7, 2025, Board Policy Subcommittee Meeting.

MOTION: Gary Lym

SECONDED: Liana Lau

STUDENT BOARD MEMBER (PREFERENTIAL) VOTES

AYES: Lau, Kruger, Kim

NOES:

ABSTAINING:

BOARD MEMBER VOTES:

AYES: Lym, LaLonde

NOES:

ABSTAINING:

MOTION APPROVED

D. BUSINESS:

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

- BP 0520 Intervention in Underperforming Schools
- BP 1250 Visitors/Outsiders
- BP 3280 Sale or Lease of District-Owned Real Property
- BP 3540 Transportation
- BP 5113.1 Chronic Absence and Truancy
- BP 5141.5 Mental Health
- BP 5141.52 Suicide Prevention
- BP 5148 Child Care and Development
- BP 5148.2 Before/After School Programs
- BP 5148.3 Preschool/Early Childhood Education
- BP 6158 Independent Study
- BP 6170.1 Transitional Kindergarten
- BP 6174 Education for English Learners
- BB 9240 Board Training

Public Comments: There were no public comments.

Committee Discussion:

After a brief discussion, and with no major requests for changes to the policies listed above, the committee made a motion to move all the policies to the next regularly scheduled public board meeting.

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

MOTION: Gary Lym

SECONDED: Eugene Kruger

STUDENT BOARD MEMBER (PREFERENTIAL) VOTES

AYES: Ki, Lau, Kruger

NOES:

BOARD MEMBER VOTES:

AYES: LaLonde, Lym

NOES:

ABSTAINING:

MOTION APPROVED

2. Review of Results from the Cell Phone Use Survey (Information):

BP 5131.8 Mobile Communication Devices was first brought to the Board Policy Subcommittee on January 7th for review in response to the Phone-

Free School Act (AB 3216) which was signed into law by Governor Newsom in September 2024. While AUSD's current policy meets all the requirements of AB 3216, the Board of Education and staff have been reviewing the policy, soliciting community feedback, and exploring options for updating it. At this meeting staff shared the results from a survey that was sent out in the month of February to all secondary students, families, and staff.

Public Comments: There were no public comments.

Committee Discussion:

Ms. Susan Davis informed the committee that the survey was sent out in February and remained open until March 3rd. Some of the key questions on the survey were about cell phone ownership, permission to use, reason and purpose for access to cell phones on campus and during classes, challenges arising from cell phone use, and consequences and accountability of violating cell phone use policies. Parents, students and teachers were allowed to select as many reasons as they wished to from the options provided.

The committee was shown a short video recorded by Ms. Lindsey Jenkins-Stark, Senior Manager of Research, Assessment, and Data on the results from this survey. A big thank you to Cristian Villareal for putting together the presentation and compiling the data with the assist from AI in some cases.

Vice President LaLonde mentioned how due to the media coverage on this topic, there was a fear in the community that cell phones were going to be banned completely from schools vs. regulation of when and how cell phones can be used. He assured the committee that AUSD's policy was in fact one of the best in the nation and that it was being used as an example for not being punitive but respectful. All the same, the board was looking for feedback from the community should there be a need to make any amends to the policy while we have the time to do so. The Governor's Free School Act comes into effect July 1, 2026.

Some of the key comments were:

- Elementary sites do not see any issues with cell phone use on their campuses. It was mostly at the middle school and high school levels.
- Middle school cell phone policy may differ slightly from high school phone policy. Should there be another survey solely for high schools?
- While the Principals would have jurisdiction over their sites, all staff are looking for consistency across the schools and teachers would need to be trained in the new rules of discipline.
- We need to create a policy that can be enforced. Success is in the implementation of a policy.

- We do not want to have to spend large amounts of money on procedures that are not going to work.
- It seems like cell phones are not largely used for educational purposes given the fact that internet connection is spotty at best on campus and within the classrooms.
- Do we want AEA to conduct a survey of the teachers separately?
- Can the data be separated by middle school and high school?

Student Board Member Tabitha Kim mentioned that recently at Alameda High School the Leadership Team had gone to each classroom to share video presentations on topics that directly affect the student body. This was nice because rather than the message being “Do not do such and such...” it explained the reasoning behind the ask. This helps students understand the repercussions and consequences of certain actions.

Some of the next steps suggested were:

- Share the data with site administrators
- Focus group with Wood MS teachers
- Grade level focus groups
- Use the summer to tweak the policy and bring back to the committee in the fall

No action necessary as this was an informational item.

3. Staff Recommendation to Update BP 6146.1 High School Graduation Requirements (Action):

This board policy was brought to the committee on the recommendation made by staff to update the high school graduation requirements for the continuation school so that they align with other continuation schools in the county.

Public Comments: There were no public comments.

Committee Discussion:

Ms. Zazo shared with the committee that recently district staff have been closely monitoring and evaluating the existing continuation school program. Administrators have visited two other continuation schools in the area. AUSD’s graduation requirement for the continuation school is higher than other continuation schools. We do not offer a sufficient number of elective courses at the continuation school.

The recommendation is to reduce the graduation requirements from 200 to 180. Additionally, the requirement of a 3.75 GPA was removed for the comprehensive school a while ago but was missed for the continuation school. This needs to be corrected.

The committee agreed with the staff recommendation. Before taking the policy to the full board for approval at the next regularly scheduled public meeting, staff was requested to add language for the comprehensive school graduation requirements in regard to passing grade required to meet the A-G eligibility component.

Motion to add BP 6146.1 High School Graduation Requirements to the Consent Calendar of the April 15th regular Board meeting for approval.

MOTION: Gary Lym

SECONDED: Liana Lau

STUDENT BOARD MEMBER (PREFERENTIAL) VOTES

AYES: Lau, Kim, Kruger

NOES:

BOARD MEMBER VOTES:

AYES: Lym, LaLonde

NOES:

ABSTAINING:

MOTION APPROVED

4. Recommendation to Update BB 9100 Organization (Action):

This bylaw was brought to the committee by board member's referral. Changes to this bylaw were discussed at the Governance Workshop on February 27 and were reviewed by the district's legal counsel.

Public Comments: There were no public comments.

Committee Discussion:

Board members present clarified that the changes being made were not to alter the Bylaw but to clean up the language to align with past and present practice.

The Board Clerk would be elected annually, and the Board Members would go through the rotation of holding the Board's offices.

Motion to add BB 9100 Organization to the Consent Calendar of the April 15th regular Board meeting for approval.

MOTION: Eugene Kruger

SECONDED: Liana Lau

STUDENT BOARD MEMBER (PREFERENTIAL) VOTES

AYES: Kim, Lau, Kruger

NOES:

BOARD MEMBER VOTES:

AYES: LaLonde, Lym

NOES:
ABSTAINING:

MOTION APPROVED

5. Calendaring of Board Policy Subcommittee Meetings for 2025 (Action):
The committee collectively decided on dates for the next three meetings in 2025 from the dates proposed in the table attached to the agenda.

The dates selected were: May 22nd, September 30th, and November 6th, 2025.

- E. ADJOURNMENT:** The meeting was adjourned at 5:18 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.

- BB 9224 Oath of Affirmation
- BB 9260 Legal Protection
- BP 1312.2 Complaints Concerning Instructional Materials
- BP 1340 Access to District Records
- BP 4151/4251/4351 Employee Compensation
- BP 4158/4258/4358 Employee Security
- BP 5131 Conduct
- BP 5131.6 Alcohol and Other Drugs
- BP 5144.1 Suspension and Expulsion/Due Process
- BP 6142.93 Science Instruction
- BP 6142.94 History Social Science Instruction
- BP 6159 Individualized Education Program
- BP 6159.2 Nonpublic/Nonsectarian School and Agency Services for Special Education

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
▣ BB 9224_Oath of Affirmation	5/20/2025	Backup Material
▣ BB 9260_Legal Protection	5/20/2025	Backup Material
▣ BP 1312.2_Complaints Concerning Instructional Materials	5/15/2025	Backup Material
▣ BP 1340_Access to District Records	5/15/2025	Backup Material
▣ BP 4151_4251_4351_Employee Compensation	5/15/2025	Backup Material
▣ BP 4158_4258_4358_Employee Security	5/15/2025	Backup Material
▣ BP 5131_Conduct	5/15/2025	Backup Material
▣ BP 5131.6_Alcohol and Other Drugs	5/15/2025	Backup Material
▣ BP 5144.1_Suspension and Expulsion_Due Process	5/15/2025	Backup Material
▣ BP 6142.93_Science Instruction	5/15/2025	Backup Material
▣ BP 6142.94_History Social Science Instruction	5/15/2025	Backup Material
▣ BP 6159_Individualized Education Program	5/15/2025	Backup Material
▣ BP 6159.2_Nonpublic_Nonsectarian School and Agency	5/15/2025	Backup Material

Bylaw 9224: Oath Or Affirmation

Status: ADOPTED

Original Adopted Date: ~~08/25/2009~~09/01/1991 | Last Revised Date: 03/01/2025 | Last
Reviewed Date: ~~08/25/2009~~03/01/2025

Prior to entering upon the duties of ~~their~~the office, ~~all members of the Board~~a Governing Board member or exercising any function of Education~~a Board member, each Board member~~ shall take the oath or affirmation required by law. (California Constitution, Article 20, Section 3; Government Code 1360)

The oath or affirmation may be administered and certified by a Board member, the secretary or assistant secretary to the Board, the Superintendent, ~~deputy or assistant superintendent, principal,~~ or the County Superintendent of Schools, the Superintendent of Public Instruction, or any other person authorized in Education Code 60:

or Government Code 1225.

The executed oath shall be filed with the County Clerk. (Government Code 1363)

-

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 Governing Board~~board~~ to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State

CA Constitution Article 20, Section 3 [Oath of office](#)

Ed. Code 60 [Persons authorized to administer and certify oaths](#)

Gov. Code 1225 [Right to administer and certify oaths](#)

Gov. Code 1303 [Exercising functions of office without having qualified](#)

Gov. Code 1360-1369 [Oath of office](#)

Gov. Code 3100-3109 [Oath or affirmation of allegiance](#)

Management Resources

Court Decision [Description](#)
Chilton v. Contra Costa Community College District
(1976) 55 Cal. App. 3d 544

Bylaw 9224: Oath Or Affirmation**Status:** ADOPTED**Original Adopted Date:** 08/25/2009 | **Last Revised Date:** | **Reviewed Date:**

Prior to entering upon the duties of the office of a Governing Board member or exercising any function of a Board member, each Board member shall take the oath or affirmation required by law. (California Constitution, Article 20, Section 3; Government Code 1360)

The oath or affirmation may be administered and certified by a Board member, the secretary or assistant secretary to the Board, the Superintendent, the County Superintendent of Schools, the Superintendent of Public Instruction, or any other person authorized in Education Code 60 or Government Code 1225.

The executed oath shall be filed with the County Clerk. (Government Code 1363)

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 20, Section 3	Oath of office
Ed. Code 60	Persons authorized to administer and certify oaths
Gov. Code 1225	Right to administer and certify oaths
Gov. Code 1303	Exercising functions of office without having qualified
Gov. Code 1360-1369	Oath of office
Gov. Code 3100-3109	Oath or affirmation of allegiance
Management Resources	Description
Court Decision	Chilton v. Contra Costa Community College District (1976) 55 Cal. App. 3d 544
Court Decision	Vogel v. County of Los Angeles (1967) 68 Cal. 2d 18, 22
Website	CSBA District and County Office of Education Legal Services

Cross References

Code	Description
4112.3	Oath Or Affirmation

Bylaw 9260: Legal Protection

Status: ADOPTED

Original Adopted Date: ~~08/25/2009~~03/01/1988 | Last Revised Date: 03/01/2025 | Last
Reviewed Date: ~~08/25/2009~~03/01/2025

Liability Insurance

The Governing Board ~~of Education~~ shall provide insurance necessary to protect Board members ~~and employees while acting from liability caused by a negligent act or omission that occurs~~ within the scope of ~~their~~the Board member's office ~~or employment~~ in accordance with Education Code 35208.

Protection Against Personal Liability

No Board member shall be liable for any harm caused by ~~his/her~~the Board member's negligent act or omission when acting within the scope of ~~district~~the Board member's responsibilities, including, but not limited to, Board responsibilities as specified in Board Bylaw 9000 - Role Of The actBoard. Additionally, no Board member shall be vicariously liable for injuries caused by the district's acts or omission must be in omissions. (Education Code 35208; Government Code 820.9)

In addition, no Board member shall be liable for any harm caused by the Board member's act or omission if the Board member was acting within the scope of the Board member's responsibilities, made in conformity with federal, state, and local laws, and made in furtherance of an effort to control, discipline, expel or suspend a student, or maintain order or control in the classroom or school. (20 USC ~~6736~~)

~~The~~7946)

This protection against liability shall not apply when: (20 USC ~~6736~~)7946)

1. The Board member acted with willful or criminal misconduct, gross negligence, recklessness, or a conscious, flagrant indifference to the harmed person's right to safety.
2. The Board member caused harm by operating a motor vehicle.
3. The Board member was not properly licensed, if required, by the State for such activities.
4. The Board member was found by a court to have violated a federal or state civil rights law.

5. The Board member was under the influence of alcohol or any drug at the time of the misconduct.
6. The misconduct constituted a crime of violence pursuant to 18 USC 16 or an act of terrorism for which the Board member has been convicted in a court.
7. The misconduct involved a sexual offense for which the Board member has been convicted in a court.

-Nothing in this Board bylaw is intended to protect a Board member from criminal or civil liability for injury caused by the Board member's own wrongful conduct, for certain violations of law, including the Brown Act, or for liability from the requirement to reimburse the district under certain circumstances as specified in law. (Government Code 820.9, 825, 825.6, 54959, 54960)

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 ~~Governing Board~~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 17029.5	Contract funding; board liability
Ed. Code 35208	Liability insurance
Ed. Code 35214	Liability insurance (self-insurance or a combination of self-insurance and insurance through an insurance company)
Gov. Code 1090-1098	Prohibitions applicable to specified officers
Gov. Code 54950-54963	The Ralph M. Brown Act
Gov. Code 815.3	Intentional torts
Gov. Code 820-823	Tort claims act
Gov. Code 825-825.6	Indemnification of elected officials
Gov. Code 87100-89503	Conflicts of interest
Federal	Description
18 USC 16	Crime of violence; definition
20 USC 7941-7948	Teacher liability protection
Management Resources	Description
Court Decision	Caldwell v. Montoya (1995) 10 Cal 4th 972
Website	CSBA District and County Office of Education Legal Services

Bylaw 9260: Legal Protection

Status: ADOPTED

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

Liability Insurance

The Governing Board shall provide insurance necessary to protect Board members from liability caused by a negligent act or omission that occurs within the scope of the Board member's office in accordance with Education Code 35208.

Protection Against Personal Liability

No Board member shall be liable for any harm caused by the Board member's negligent act or omission when acting within the scope of the Board member's responsibilities, including, but not limited to, Board responsibilities as specified in Board Bylaw 9000 - Role Of The Board. Additionally, no Board member shall be vicariously liable for injuries caused by the district's acts or omissions. (Education Code 35208; Government Code 820.9)

In addition, no Board member shall be liable for any harm caused by the Board member's act or omission if the Board member was acting within the scope of the Board member's responsibilities, made in conformity with federal, state, and local laws, and made in furtherance of an effort to control, discipline, expel or suspend a student, or maintain order or control in the classroom or school. (20 USC 7946)

This protection against liability shall not apply when: (20 USC 7946)

1. The Board member acted with willful or criminal misconduct, gross negligence, recklessness, or a conscious, flagrant indifference to the harmed person's right to safety
2. The Board member caused harm by operating a motor vehicle
3. The Board member was not properly licensed, if required, by the State for such activities
4. The Board member was found by a court to have violated a federal or state civil rights law
5. The Board member was under the influence of alcohol or any drug at the time of the misconduct
6. The misconduct constituted a crime of violence pursuant to 18 USC 16 or an act of terrorism for which the Board member has been convicted in a court
7. The misconduct involved a sexual offense for which the Board member has been convicted in a court

Nothing in this Board Bylaw is intended to protect a Board member from criminal or civil liability for injury caused by the Board member's own wrongful conduct, for certain violations of law, including

the Brown Act, or for liability from the requirement to reimburse the district under certain circumstances as specified in law. (Government Code 820.9, 825, 825.6, 54959, 54960)

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 17029.5

Description

[Contract funding; board liability](#)

Ed. Code 35208

[Liability insurance](#)

Ed. Code 35214

[Liability insurance \(self-insurance or a combination of self-insurance and insurance through an insurance company\)](#)

Gov. Code 1090-1098

[Prohibitions applicable to specified officers](#)

Gov. Code 54950-54963

[The Ralph M. Brown Act](#)

Gov. Code 815.3

[Intentional torts](#)

Gov. Code 820-823

[Tort claims act](#)

Gov. Code 825-825.6

Indemnification of elected officials

Gov. Code 87100-89503

[Conflicts of interest](#)

Federal

18 USC 16

Description

[Crime of violence; definition](#)

20 USC 7941-7948

Teacher liability protection

Management Resources

Court Decision

Description

Caldwell v. Montoya (1995) 10 Cal 4th 972

Website

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

Cross References**Code**

1330.1

Description

Joint Use Agreements

3530

Risk Management/Insurance

3530

Risk Management/Insurance

4119.1

Civil And Legal Rights

4219.1

Civil And Legal Rights

Policy 1312.2: Complaints Concerning Instructional Materials

Status: ADOPTED

Original Adopted Date: ~~08/25/2009~~09/01/1988 | Last Revised Date: 03/01/09/20242025 |
Last Reviewed Date: 03/01/09/20242025

The Governing Board uses a comprehensive process to adopt district instructional materials that is based on selection criteria established by law and Board policy and includes opportunities for the involvement of district staff, parents/guardians, and community members, and, as appropriate, students. Complaints concerning the content or use of instructional materials, including textbooks, supplementary instructional materials, library materials, or other instructional materials and equipment, shall be properly and fairly considered using established complaint procedures.

Parents/guardians are encouraged to discuss any concerns regarding instructional materials with their ~~child's~~student's teacher and/or the school principal. If the situation remains unresolved, a complaint may be filed using the process specified in the accompanying administrative regulation and exhibit.

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

However, a complaint related to the use or prohibited use of any existing textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or other resource in a school library that alleges unlawful discrimination based on a violation of Education Code 243 or 244 shall be filed, investigated, and resolved in accordance with Board Policy 1312.3 - Uniform Complaint Procedures.

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

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

Additionally, the Superintendent, or any designee or committee established by the Superintendent to the review materials, shall not authorize the continued use of an adopted textbook, instructional material, supplemental instructional material, or curriculum for classroom instruction if the use would subject a student to unlawful discrimination pursuant to Education Code 220.

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

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

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

-

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 ~~Governing Board~~board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
5 CCR 4600-4670	Uniform complaint procedures
Ed. Code 1240	County superintendent of schools; duties
Ed. Code 18111	Exclusion of books by Governing board that are sectarian, partisan, or denominational character
Ed. Code 220	Prohibition of discrimination
Ed. Code 240-244	Prohibition of discrimination; instructional materials
Ed. Code 35010	Control of district; prescription and enforcement of rules
Ed. Code 35160	Powers and duties of school boards
Ed. Code 35186	Williams uniform complaint procedures
Ed. Code 44805	Teacher enforcement of course of studies; use of textbooks, rules and regulations

Policy 1312.2: Complaints Concerning Instructional Materials

Status: ADOPTED

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

The Governing Board uses a comprehensive process to adopt district instructional materials that is based on selection criteria established by law and Board policy and includes opportunities for the involvement of district staff, parents/guardians, and community members, and, as appropriate, students. Complaints concerning the content or use of instructional materials, including textbooks, supplementary instructional materials, library materials, or other instructional materials and equipment, shall be properly and fairly considered using established complaint procedures.

Parents/guardians are encouraged to discuss any concerns regarding instructional materials with their student's teacher and/or the school principal. If the situation remains unresolved, a complaint may be filed using the process specified in the accompanying administrative regulation and exhibit.

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

However, a complaint related to the use or prohibited use of any existing textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or other resource in a school library that alleges unlawful discrimination based on a violation of Education Code 243 or 244 shall be filed, investigated, and resolved in accordance with Board Policy 1312.3 - Uniform Complaint Procedures.

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

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

Additionally, the Superintendent, or any designee or committee established by the Superintendent to review materials, shall not authorize the continued use of an adopted textbook, instructional

material, supplemental instructional material, or curriculum for classroom instruction if the use would subject a student to unlawful discrimination pursuant to Education Code 220.

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

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

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

Policy Reference Disclaimer:

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

State	Description
5 CCR 4600-4670	Uniform complaint procedures
Ed. Code 1240	<u>County superintendent of schools; duties</u>
Ed. Code 18111	<u>Exclusion of books by Governing board that are sectarian, partisan, or denominational character</u>
Ed. Code 220	<u>Prohibition of discrimination</u>
Ed. Code 240-244	Prohibition of discrimination; instructional materials
Ed. Code 35010	<u>Control of district; prescription and enforcement of rules</u>
Ed. Code 35160	<u>Powers and duties of school boards</u>
Ed. Code 35186	<u>Williams uniform complaint procedures</u>
Ed. Code 44805	<u>Teacher enforcement of course of studies; use of textbooks, rules and regulations</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 51204.5	<u>Social sciences instruction; contributions of specified groups</u>
Ed. Code 51501	<u>Nondiscriminatory subject matter</u>
Ed. Code 51511	<u>Religious matters properly included in courses of study</u>
Ed. Code 51933	<u>Sexual health education and HIV prevention materials</u>

Policy 1340: Access To District Records

Status: ADOPTED

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

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

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

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

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

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 Governing 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 430-438	Individual student records
CA Constitution Article 1, Section 3	Right of access to governmental information
Ed. Code 234.7	Student protections relating to immigration and citizenship status
Ed. Code 35145	Public meetings
Ed. Code 35170	Authority to secure copyrights
Ed. Code 35250	Duty to keep certain records and reports
Ed. Code 35266	Cybersecurity

Policy 1340: Access To District Records

Status: ADOPTED

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

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

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

The district may charge for copies of public records or other materials requested by individuals or groups, in accordance with law and as specified in the accompanying administrative regulation.

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

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 Governing 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 430-438	<u>Individual student records</u>
CA Constitution Article 1, Section 3	<u>Right of access to governmental information</u>
Ed. Code 234.7	<u>Student protections relating to immigration and citizenship status</u>
Ed. Code 35145	<u>Public meetings</u>
Ed. Code 35170	<u>Authority to secure copyrights</u>
Ed. Code 35250	<u>Duty to keep certain records and reports</u>
Ed. Code 35266	Cybersecurity
Ed. Code 41020	<u>Requirement for annual audit</u>
Ed. Code 42103	<u>Budget notification</u>

Policy 4151: Employee Compensation

Status: ADOPTED

Original Adopted Date: ~~08/25/2009~~02/01/1997 | Last Revised Date: ~~08/13/2024~~03/01/2025 |
Last Reviewed Date: ~~08/13/2024~~03/01/2025

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

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

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

~~1. Administrative and Supervisory Employee shall mean the following:~~

~~-~~

~~a. A certificated or classified employee in a position with responsibilities as defined in Government Code 3540.1(m) and who is not subject to the district's collective bargaining agreements~~

~~-~~

~~b. A certificated or classified employee in a management position with responsibilities pursuant to Government Code 3540.1(g)~~

~~-~~

~~2. Confidential Employee shall mean an employee in a position with responsibilities as defined in Section 3540.1(c) of the California Government Code.~~

~~-~~

~~3. Licensed Personnel shall mean an employee in the positions of psychologist, behavioral therapist or occupational therapist and who is not subject to the district's collective bargaining agreements.~~

~~-~~

~~4. Full Time Employee shall mean an employee who is regularly assigned to work five (5) days per week, seven (7) to eight (8) hours a day, 35 (thirty-five) to 40 (forty) hours per week, and who is employed for either the fiscal or academic year.~~

The Board shall adopt separate salary schedules for ~~Administrative and Supervisory Employees, Confidential and Licensed Personnel. These schedules shall~~certificated, classified, and supervisory and administrative personnel that comply with law and ~~be determined by the Board at the recommendation of the Superintendent or designee.~~applicable collective bargaining agreements. (Education Code 45022, ~~45023~~, 45160, 45162, 45268)

~~Employees shall be placed~~Each certificated employee, except an employee in an administrative or

supervisory position, shall be classified on the appropriate salary schedule in accordance with the following: the number basis of verified uniform allowance for education level and years of management experience.

If any, unless the Board and employee organization negotiate and mutually agree to a salary schedule based on different criteria. Certificated employees shall not be placed in different classifications on the schedule, nor paid different salaries, solely on the basis of the grade levels at which they teach. (Education Code 45028)

Salary schedules for staff who are not a part of a bargaining unit in the district receives a compensation increase, the shall be determined by the Board at the recommendation of the Superintendent or designee.

The salary schedules of Administrative and Supervisory Employees, Confidential and Licensed Personnel shall receive the same increase.

The adopted by the Board shall be printed and made available for review at the district office. (Education Code 45023)

Additionally, by January 31, 2026, and annually thereafter, the Superintendent or designee shall ensure that the district's payroll system complies with all applicable laws including, but not limited to, timelines regarding payment of compensation.

In extraordinary circumstances or emergency situations, the Board may determine to continue to compensate employees during periods of extended closure or disruption of normal complete the Salary and Benefit Schedule for Bargaining Units (Form J-90) for classified and certificated staff assigned to a district operations when permitted by laws school site and report the Form J-90 to the California Department of Education. (Education Code 42238.016)

Unless otherwise provided for in any applicable collective bargaining agreement, district employees shall be paid (insert frequency) and consistent with collective bargaining agreements in equal payments over the year. However, if the district participates in the Classified School Employee Summer Assistance Program, eligible classified employees may elect to have up to 10 percent of the employee's monthly salary withheld and memoranda of understanding paid out during the summer recess in either one or two payments. (Education Code 45038, 45039, 45048, 45165, 45500)

The Superintendent or designee shall post a notice explaining the Fair Labor Standards Act's wage and hour provisions in a conspicuous place at each work site. (29 CFR 516.4)

Work Year

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

Administrative and Supervisory, Confidential and Licensed Personnel shall submit their annual work

~~calendar for the following school year to their immediate supervisor no later than June 15 or within 10 days of the date of hire.~~

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

On Duty Schedule

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

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

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

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

Additional Work Days

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

Overtime Compensation

District employees shall be paid an overtime rate of not less than one and one-half times their regular rate of pay for any hours worked in excess of eight hours in one day and/or 40 hours in one work week, ~~or twice their regular rate of pay for any hours worked in excess of 12 hours in one day or eight hours on the seventh consecutive day of work.~~ However, teachers, school administrators, and other employees in positions established by the Board as executive, administrative, or professional shall be exempt from overtime rules.—(Education Code 45128, 45130; 29 USC 213; 29 CFR 541.~~0-204~~, 541.~~710~~303, 541.600 , 553.27, 553.32)

If the district requires a classified employee in an exempt position to work on a holiday designated in law or by the Board, the employee shall be paid the regular pay for that day plus compensation or compensatory time off at a rate not less than the employee's normal rate of pay. (Education Code 45130)

When authorized in a collective bargaining agreement or other agreement between the district and employees, an employee may take compensatory time off in lieu of overtime compensation, provided the employee has not accrued compensatory time in excess of the limits specified in 29 USC 207. An employee who has requested the use of compensatory time shall be allowed to use such time within 12 calendar months ~~after making following~~ the ~~request month the overtime was~~ worked if the use of the compensatory time does not unduly disrupt district operations.— (Education Code 45129; 29 USC 207; 29 CFR 553.20-553.25)

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

Wage Overpayment

If the district determines an employee has been overpaid, the district shall notify the employee in writing of the overpayment, afford the employee an opportunity to respond before commencing any recoupment actions, and inform the employee of the employee's rights to dispute the existence or amount of the claimed overpayment. If the employee agrees there was an overpayment in the claimed amount, reimbursement shall be made to the district through one of the methods described in Education Code 44042.5, as mutually agreed upon by the employee and the district.— (Education Code 44042.5)

If a mutual agreement on a method of reimbursement is not reached, within 30 days of the employee verifying the overpayment amount, the district shall recoup the overpayment through payroll deductions in accordance with Education Code 44042.5.

If the employee does not respond or disputes the existence or amount of the district's claimed overpayment, the district ~~shall, with board approval, initiate a legal action to may only~~ recover the overpayment.— after pursuing appropriate legal action. (Education Code 44042.5)

If the employee separates from the district before the overpayment is fully repaid, the district shall withhold the remaining balance due from any money owed to the employee upon separation, provided that the state minimum wage is still paid to the employee as required by Education Code 44042.5. The Superintendent or designee may consult with legal counsel to calculate the amount to withhold.

If an outstanding overpayment balance still remains, the district ~~shall, with Board approval, may~~ exercise any legal means to recover the remaining amount owed by the employee.— (Education Code 44042.5)

Legal action to recover any overpayment under this policy shall be initiated within three years from the date of the overpayment, which for leave credits is the date that the employee receives compensation in exchange for leave erroneously credited to the employee.— (Education Code 44042.5)

-

-

Policy 4151: Employee Compensation

Status: ADOPTED

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

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

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

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

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

The Board shall adopt separate salary schedules for Administrative and Supervisory Employees, Confidential and Licensed Personnel. These schedules shall comply with law and be determined by the Board at the recommendation of the Superintendent or designee. (Education Code 45022, 45023, 45160, 45162, 45268)

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

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

The Superintendent or designee shall complete the Salary and Benefit Schedule for Bargaining Units (Form J-90) for classified and certificated staff assigned to a district school site and report the Form J-90 to the California Department of Education. (Education Code 42238.016)

Unless otherwise provided for in any applicable collective bargaining agreement, district employees shall be paid monthly and in 10, 11, or 12 equal payments over the year. However, if the district participates in the Classified School Employee Summer Assistance Program, eligible classified employees may elect to have up to 10 percent of the employee's monthly salary withheld and paid

out during the summer recess in either one or two payments. (Education Code 45038, 45039, 45048, 45165, 45500)

In extraordinary circumstances or emergency situations, the Board may determine to continue to compensate employees during periods of extended closure or disruption of normal district operations when permitted by law and consistent with collective bargaining agreements and memoranda of understanding.

The Superintendent or designee shall post a notice explaining the Fair Labor Standards Act's wage and hour provisions in a conspicuous place at each work site. (29 CFR 516.4)

Work Year

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

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

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

On Duty Schedule

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

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

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

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

Additional Work Days

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

Overtime Compensation

District employees shall be paid an overtime rate of not less than one and one-half times their regular rate of pay for any hours worked in excess of eight hours in one day and/or 40 hours in one work week. However, teachers, school administrators, and other employees in positions established by the Board as executive, administrative, or professional shall be exempt from overtime rules. (Education Code 45128, 45130; 29 USC 213; 29 CFR 541.204, 541.303, 541.600 , 553.27, 553.32)

If the district requires a classified employee in an exempt position to work on a holiday designated in law or by the Board, the employee shall be paid the regular pay for that day plus compensation or compensatory time off at a rate not less than the employee's normal rate of pay. (Education Code 45130)

When authorized in a collective bargaining agreement or other agreement between the district and employees, an employee may take compensatory time off in lieu of overtime compensation, provided the employee has not accrued compensatory time in excess of the limits specified in 29 USC 207. An employee who has requested the use of compensatory time shall be allowed to use such time within 12 calendar months following the month the overtime was worked if the use of the compensatory time does not unduly disrupt district operations. (Education Code 45129; 29 USC 207; 29 CFR 553.20-553.25)

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

Wage Overpayment

If the district determines an employee has been overpaid, the district shall notify the employee in writing of the overpayment, afford the employee an opportunity to respond before commencing any recoupment actions, and inform the employee of the employee's rights to dispute the existence or amount of the claimed overpayment. If the employee agrees there was an overpayment in the claimed amount, reimbursement shall be made to the district through one of the methods described in Education Code 44042.5, as mutually agreed upon by the employee and the district. (Education Code 44042.5)

If a mutual agreement on a method of reimbursement is not reached, within 30 days of the employee verifying the overpayment amount, the district shall recoup the overpayment through payroll deductions in accordance with Education Code 44042.5.

If the employee does not respond or disputes the existence or amount of the district's claimed overpayment, the district may only recover the overpayment after pursuing appropriate legal action. (Education Code 44042.5)

If the employee separates from the district before the overpayment is fully repaid, the district shall withhold the remaining balance due from any money owed to the employee upon separation, provided that the state minimum wage is still paid to the employee as required by Education Code 44042.5. The Superintendent or designee may consult with legal counsel to calculate the amount to withhold.

If an outstanding overpayment balance still remains, the district may exercise any legal means to recover the remaining amount owed by the employee. (Education Code 44042.5)

Legal action to recover any overpayment under this policy shall be initiated within three years from the date of the overpayment, which for leave credits is the date that the employee receives compensation in exchange for leave erroneously credited to the employee. (Education Code 44042.5)

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.

Policy 4251: Employee Compensation

Status: ADOPTED

Original Adopted Date: ~~08/25/2009~~02/01/1997 | Last Revised Date: ~~08/13/2024~~03/01/2025 |
Last Reviewed Date: ~~08/13/2024~~03/01/2025

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

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

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

~~1. Administrative and Supervisory Employee shall mean the following:~~

~~-~~

~~a. A certificated or classified employee in a position with responsibilities as defined in Government Code 3540.1(m) and who is not subject to the district's collective bargaining agreements~~

~~-~~

~~b. A certificated or classified employee in a management position with responsibilities pursuant to Government Code 3540.1(g)~~

~~-~~

~~2. Confidential Employee shall mean an employee in a position with responsibilities as defined in Section 3540.1(c) of the California Government Code.~~

~~-~~

~~3. Licensed Personnel shall mean an employee in the positions of psychologist, behavioral therapist or occupational therapist and who is not subject to the district's collective bargaining agreements.~~

~~-~~

~~4. Full Time Employee shall mean an employee who is regularly assigned to work five (5) days per week, seven (7) to eight (8) hours a day, 35 (thirty-five) to 40 (forty) hours per week, and who is employed for either the fiscal or academic year.~~

The Board shall adopt separate salary schedules for ~~Administrative and Supervisory Employees, Confidential and Licensed Personnel. These schedules shall~~certificated, classified, and supervisory and administrative personnel that comply with law and ~~be determined by the Board at the recommendation of the Superintendent or designee.~~applicable collective bargaining agreements. (Education Code 45022, ~~45023~~, 45160, 45162, 45268)

~~Employees shall be placed~~Each certificated employee, except an employee in an administrative or

supervisory position, shall be classified on the appropriate salary schedule in accordance with the following: the number basis of verified uniform allowance for education level and years of management experience.

If any, unless the Board and employee organization negotiate and mutually agree to a salary schedule based on different criteria. Certificated employees shall not be placed in different classifications on the schedule, nor paid different salaries, solely on the basis of the grade levels at which they teach. (Education Code 45028)

Salary schedules for staff who are not a part of a bargaining unit in the district receives a compensation increase, the shall be determined by the Board at the recommendation of the Superintendent or designee.

The salary schedules of Administrative and Supervisory Employees, Confidential and Licensed Personnel shall receive the same increase.

The adopted by the Board shall be printed and made available for review at the district office. (Education Code 45023)

Additionally, by January 31, 2026, and annually thereafter, the Superintendent or designee shall ensure that the district's payroll system complies with all applicable laws including, but not limited to, timelines regarding payment of compensation.

In extraordinary circumstances or emergency situations, the Board may determine to continue to compensate employees during periods of extended closure or disruption of normal complete the Salary and Benefit Schedule for Bargaining Units (Form J-90) for classified and certificated staff assigned to a district operations when permitted by laws school site and report the Form J-90 to the California Department of Education. (Education Code 42238.016)

Unless otherwise provided for in any applicable collective bargaining agreement, district employees shall be paid (insert frequency) and consistent with collective bargaining agreements in equal payments over the year. However, if the district participates in the Classified School Employee Summer Assistance Program, eligible classified employees may elect to have up to 10 percent of the employee's monthly salary withheld and memoranda of understanding paid out during the summer recess in either one or two payments. (Education Code 45038, 45039, 45048, 45165, 45500)

The Superintendent or designee shall post a notice explaining the Fair Labor Standards Act's wage and hour provisions in a conspicuous place at each work site. (29 CFR 516.4)

Work Year

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

Administrative and Supervisory, Confidential and Licensed Personnel shall submit their annual work

~~calendar for the following school year to their immediate supervisor no later than June 15 or within 10 days of the date of hire.~~

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

On Duty Schedule

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

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

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

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

Additional Work Days

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

Overtime Compensation

District employees shall be paid an overtime rate of not less than one and one-half times their regular rate of pay for any hours worked in excess of eight hours in one day and/or 40 hours in one work week, ~~or twice their regular rate of pay for any hours worked in excess of 12 hours in one day or eight hours on the seventh consecutive day of work.~~ However, teachers, school administrators, and other employees in positions established by the Board as executive, administrative, or professional shall be exempt from overtime rules.—(Education Code 45128, 45130; 29 USC 213; 29 CFR 541.~~0-204~~, 541.~~710~~303, 541.600 , 553.27, 553.32)

If the district requires a classified employee in an exempt position to work on a holiday designated in law or by the Board, the employee shall be paid the regular pay for that day plus compensation or compensatory time off at a rate not less than the employee's normal rate of pay. (Education Code 45130)

When authorized in a collective bargaining agreement or other agreement between the district and employees, an employee may take compensatory time off in lieu of overtime compensation, provided the employee has not accrued compensatory time in excess of the limits specified in 29 USC 207. An employee who has requested the use of compensatory time shall be allowed to use such time within 12 calendar months ~~after making following the request~~ month the overtime was worked if the use of the compensatory time does not unduly disrupt district operations.— (Education Code 45129; 29 USC 207; 29 CFR 553.20-553.25)

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

Wage Overpayment

If the district determines an employee has been overpaid, the district shall notify the employee in writing of the overpayment, afford the employee an opportunity to respond before commencing any recoupment actions, and inform the employee of the employee's rights to dispute the existence or amount of the claimed overpayment. If the employee agrees there was an overpayment in the claimed amount, reimbursement shall be made to the district through one of the methods described in Education Code 44042.5, as mutually agreed upon by the employee and the district.— (Education Code 44042.5)

If a mutual agreement on a method of reimbursement is not reached, within 30 days of the employee verifying the overpayment amount, the district shall recoup the overpayment through payroll deductions in accordance with Education Code 44042.5.

If the employee does not respond or disputes the existence or amount of the district's claimed overpayment, the district ~~shall, with board approval, initiate a legal action to may only~~ recover the overpayment.— after pursuing appropriate legal action. (Education Code 44042.5)

If the employee separates from the district before the overpayment is fully repaid, the district shall withhold the remaining balance due from any money owed to the employee upon separation, provided that the state minimum wage is still paid to the employee as required by Education Code 44042.5. The Superintendent or designee may consult with legal counsel to calculate the amount to withhold.

If an outstanding overpayment balance still remains, the district ~~shall, with Board approval, may~~ exercise any legal means to recover the remaining amount owed by the employee.— (Education Code 44042.5)

Legal action to recover any overpayment under this policy shall be initiated within three years from the date of the overpayment, which for leave credits is the date that the employee receives compensation in exchange for leave erroneously credited to the employee.— (Education Code 44042.5)

Policy 4251: Employee Compensation

Status: ADOPTED

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

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

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

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

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

The Board shall adopt separate salary schedules for Administrative and Supervisory Employees, Confidential and Licensed Personnel. These schedules shall comply with law and be determined by the Board at the recommendation of the Superintendent or designee. (Education Code 45022, 45023, 45160, 45162, 45268)

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

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

The Superintendent or designee shall complete the Salary and Benefit Schedule for Bargaining Units (Form J-90) for classified and certificated staff assigned to a district school site and report the Form J-90 to the California Department of Education. (Education Code 42238.016)

Unless otherwise provided for in any applicable collective bargaining agreement, district employees shall be paid monthly and in 10, 11, or 12 equal payments over the year. However, if the district participates in the Classified School Employee Summer Assistance Program, eligible classified employees may elect to have up to 10 percent of the employee's monthly salary withheld and paid out during the summer recess in either one or two payments. (Education Code 45038, 45039, 12

45048, 45165, 45500)

In extraordinary circumstances or emergency situations, the Board may determine to continue to compensate employees during periods of extended closure or disruption of normal district operations when permitted by law and consistent with collective bargaining agreements and memoranda of understanding.

The Superintendent or designee shall post a notice explaining the Fair Labor Standards Act's wage and hour provisions in a conspicuous place at each work site. (29 CFR 516.4)

Work Year

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

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

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

On Duty Schedule

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

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

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

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

Additional Work Days

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

Overtime Compensation

District employees shall be paid an overtime rate of not less than one and one-half times their regular rate of pay for any hours worked in excess of eight hours in one day and/or 40 hours in one work week. However, teachers, school administrators, and other employees in positions established by the Board as executive, administrative, or professional shall be exempt from overtime rules. (Education Code 45128, 45130; 29 USC 213; 29 CFR 541.204, 541.303, 541.600 , 553.27, 553.32)

If the district requires a classified employee in an exempt position to work on a holiday designated in law or by the Board, the employee shall be paid the regular pay for that day plus compensation or compensatory time off at a rate not less than the employee's normal rate of pay. (Education Code 45130)

When authorized in a collective bargaining agreement or other agreement between the district and employees, an employee may take compensatory time off in lieu of overtime compensation, provided the employee has not accrued compensatory time in excess of the limits specified in 29 USC 207. An employee who has requested the use of compensatory time shall be allowed to use such time within 12 calendar months following the month the overtime was worked if the use of the compensatory time does not unduly disrupt district operations. (Education Code 45129; 29 USC 207; 29 CFR 553.20-553.25)

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

Wage Overpayment

If the district determines an employee has been overpaid, the district shall notify the employee in writing of the overpayment, afford the employee an opportunity to respond before commencing any recoupment actions, and inform the employee of the employee's rights to dispute the existence or amount of the claimed overpayment. If the employee agrees there was an overpayment in the claimed amount, reimbursement shall be made to the district through one of the methods described in Education Code 44042.5, as mutually agreed upon by the employee and the district. (Education Code 44042.5)

If a mutual agreement on a method of reimbursement is not reached, within 30 days of the employee verifying the overpayment amount, the district shall recoup the overpayment through payroll deductions in accordance with Education Code 44042.5.

If the employee does not respond or disputes the existence or amount of the district's claimed overpayment, the district may only recover the overpayment after pursuing appropriate legal action. (Education Code 44042.5)

If the employee separates from the district before the overpayment is fully repaid, the district shall withhold the remaining balance due from any money owed to the employee upon separation, provided that the state minimum wage is still paid to the employee as required by Education Code 44042.5. The Superintendent or designee may consult with legal counsel to calculate the amount to withhold.

If an outstanding overpayment balance still remains, the district may exercise any legal means to recover the remaining amount owed by the employee. (Education Code 44042.5)

Legal action to recover any overpayment under this policy shall be initiated within three years from the date of the overpayment, which for leave credits is the date that the employee receives compensation in exchange for leave erroneously credited to the employee. (Education Code 44042.5)

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.

Policy 4351: Employee Compensation

Status: ADOPTED

Original Adopted Date: ~~08/25/2009~~02/01/1997 | Last Revised Date: ~~08/13/2024~~03/01/2025 |
Last Reviewed Date: ~~08/13/2024~~03/01/2025

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

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

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

~~1. Administrative and Supervisory Employee shall mean the following:~~

~~-~~

~~a. A certificated or classified employee in a position with responsibilities as defined in Government Code 3540.1(m) and who is not subject to the district's collective bargaining agreements~~

~~-~~

~~b. A certificated or classified employee in a management position with responsibilities pursuant to Government Code 3540.1(g)~~

~~-~~

~~2. Confidential Employee shall mean an employee in a position with responsibilities as defined in Section 3540.1(c) of the California Government Code.~~

~~-~~

~~3. Licensed Personnel shall mean an employee in the positions of psychologist, behavioral therapist or occupational therapist and who is not subject to the district's collective bargaining agreements.~~

~~-~~

~~4. Full Time Employee shall mean an employee who is regularly assigned to work five (5) days per week, seven (7) to eight (8) hours a day, 35 (thirty-five) to 40 (forty) hours per week, and who is employed for either the fiscal or academic year.~~

The Board shall adopt separate salary schedules for ~~Administrative and Supervisory Employees, Confidential and Licensed Personnel. These schedules shall~~certificated, classified, and supervisory and administrative personnel that comply with law and ~~be determined by the Board at the recommendation of the Superintendent or designee.~~applicable collective bargaining agreements. (Education Code 45022, ~~45023~~, 45160, 45162, 45268)

~~Employees shall be placed~~Each certificated employee, except an employee in an administrative or

supervisory position, shall be classified on the appropriate salary schedule in accordance with the following: the number basis of verified uniform allowance for education level and years of management experience.

If any, unless the Board and employee organization negotiate and mutually agree to a salary schedule based on different criteria. Certificated employees shall not be placed in different classifications on the schedule, nor paid different salaries, solely on the basis of the grade levels at which they teach. (Education Code 45028)

Salary schedules for staff who are not a part of a bargaining unit in the district receives a compensation increase, the shall be determined by the Board at the recommendation of the Superintendent or designee.

The salary schedules of Administrative and Supervisory Employees, Confidential and Licensed Personnel shall receive the same increase.

The adopted by the Board shall be printed and made available for review at the district office. (Education Code 45023)

Additionally, by January 31, 2026, and annually thereafter, the Superintendent or designee shall ensure that the district's payroll system complies with all applicable laws including, but not limited to, timelines regarding payment of compensation.

In extraordinary circumstances or emergency situations, the Board may determine to continue to compensate employees during periods of extended closure or disruption of normal complete the Salary and Benefit Schedule for Bargaining Units (Form J-90) for classified and certificated staff assigned to a district operations when permitted by laws school site and report the Form J-90 to the California Department of Education. (Education Code 42238.016)

Unless otherwise provided for in any applicable collective bargaining agreement, district employees shall be paid (insert frequency) and consistent with collective bargaining agreements in equal payments over the year. However, if the district participates in the Classified School Employee Summer Assistance Program, eligible classified employees may elect to have up to 10 percent of the employee's monthly salary withheld and memoranda of understanding paid out during the summer recess in either one or two payments. (Education Code 45038, 45039, 45048, 45165, 45500)

The Superintendent or designee shall post a notice explaining the Fair Labor Standards Act's wage and hour provisions in a conspicuous place at each work site. (29 CFR 516.4)

Work Year

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

Administrative and Supervisory, Confidential and Licensed Personnel shall submit their annual work

~~calendar for the following school year to their immediate supervisor no later than June 15 or within 10 days of the date of hire.~~

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

On Duty Schedule

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

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

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

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

Additional Work Days

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

Overtime Compensation

District employees shall be paid an overtime rate of not less than one and one-half times their regular rate of pay for any hours worked in excess of eight hours in one day and/or 40 hours in one work week, ~~or twice their regular rate of pay for any hours worked in excess of 12 hours in one day or eight hours on the seventh consecutive day of work.~~ However, teachers, school administrators, and other employees in positions established by the Board as executive, administrative, or professional shall be exempt from overtime rules.—(Education Code 45128, 45130; 29 USC 213; 29 CFR 541.~~0-204~~, 541.~~710~~303, 541.600 , 553.27, 553.32)

If the district requires a classified employee in an exempt position to work on a holiday designated in law or by the Board, the employee shall be paid the regular pay for that day plus compensation or compensatory time off at a rate not less than the employee's normal rate of pay. (Education Code 45130)

When authorized in a collective bargaining agreement or other agreement between the district and employees, an employee may take compensatory time off in lieu of overtime compensation, provided the employee has not accrued compensatory time in excess of the limits specified in 29 USC 207. An employee who has requested the use of compensatory time shall be allowed to use such time within 12 calendar months ~~after making following~~ the ~~request month the overtime was~~ worked if the use of the compensatory time does not unduly disrupt district operations.— (Education Code 45129; 29 USC 207; 29 CFR 553.20-553.25)

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

Wage Overpayment

If the district determines an employee has been overpaid, the district shall notify the employee in writing of the overpayment, afford the employee an opportunity to respond before commencing any recoupment actions, and inform the employee of the employee's rights to dispute the existence or amount of the claimed overpayment. If the employee agrees there was an overpayment in the claimed amount, reimbursement shall be made to the district through one of the methods described in Education Code 44042.5, as mutually agreed upon by the employee and the district.— (Education Code 44042.5)

If a mutual agreement on a method of reimbursement is not reached, within 30 days of the employee verifying the overpayment amount, the district shall recoup the overpayment through payroll deductions in accordance with Education Code 44042.5.

If the employee does not respond or disputes the existence or amount of the district's claimed overpayment, the district ~~shall, with board approval, initiate a legal action to may only~~ recover the overpayment.— after pursuing appropriate legal action. (Education Code 44042.5)

If the employee separates from the district before the overpayment is fully repaid, the district shall withhold the remaining balance due from any money owed to the employee upon separation, provided that the state minimum wage is still paid to the employee as required by Education Code 44042.5. The Superintendent or designee may consult with legal counsel to calculate the amount to withhold.

If an outstanding overpayment balance still remains, the district ~~shall, with Board approval, may~~ exercise any legal means to recover the remaining amount owed by the employee.— (Education Code 44042.5)

Legal action to recover any overpayment under this policy shall be initiated within three years from the date of the overpayment, which for leave credits is the date that the employee receives compensation in exchange for leave erroneously credited to the employee.— (Education Code 44042.5)

-

Policy 4351: Employee Compensation

Status: ADOPTED

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

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

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

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

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

The Board shall adopt separate salary schedules for Administrative and Supervisory Employees, Confidential and Licensed Personnel. These schedules shall comply with law and applicable collective bargaining agreements. (Education Code 45022, 45023, 45160, 45162, 45268)

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

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

The Superintendent or designee shall complete the Salary and Benefit Schedule for Bargaining Units (Form J-90) for classified and certificated staff assigned to a district school site and report the Form J-90 to the California Department of Education. (Education Code 42238.016)

Unless otherwise provided for in any applicable collective bargaining agreement, district employees shall be paid monthly and in 10, 11, or 12 equal payments over the year. However, if the district participates in the Classified School Employee Summer Assistance Program, eligible classified employees may elect to have up to 10 percent of the employee's monthly salary withheld and paid out during the summer recess in either one or two payments. (Education Code 45038, 45039, 45048, 45165, 45500)

In extraordinary circumstances or emergency situations, the Board may determine to continue to compensate employees during periods of extended closure or disruption of normal district operations when permitted by law and consistent with collective bargaining agreements and memoranda of understanding.

The Superintendent or designee shall post a notice explaining the Fair Labor Standards Act's wage and hour provisions in a conspicuous place at each work site. (29 CFR 516.4)

Work Year

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

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

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

On Duty Schedule

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

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

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

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

Additional Work Days

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

Overtime Compensation

District employees shall be paid an overtime rate of not less than one and one-half times their regular rate of pay for any hours worked in excess of eight hours in one day and/or 40 hours in one work week. However, teachers, school administrators, and other employees in positions established by the Board as executive, administrative, or professional shall be exempt from overtime rules. (Education Code 45128, 45130; 29 USC 213; 29 CFR 541.204, 541.303, 541.600 , 553.27, 553.32)

If the district requires a classified employee in an exempt position to work on a holiday designated in law or by the Board, the employee shall be paid the regular pay for that day plus compensation²⁰

or compensatory time off at a rate not less than the employee's normal rate of pay. (Education Code 45130)

When authorized in a collective bargaining agreement or other agreement between the district and employees, an employee may take compensatory time off in lieu of overtime compensation, provided the employee has not accrued compensatory time in excess of the limits specified in 29 USC 207. An employee who has requested the use of compensatory time shall be allowed to use such time within 12 calendar months following the month the overtime was worked if the use of the compensatory time does not unduly disrupt district operations. (Education Code 45129; 29 USC 207; 29 CFR 553.20-553.25)

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

Wage Overpayment

If the district determines an employee has been overpaid, the district shall notify the employee in writing of the overpayment, afford the employee an opportunity to respond before commencing any recoupment actions, and inform the employee of the employee's rights to dispute the existence or amount of the claimed overpayment. If the employee agrees there was an overpayment in the claimed amount, reimbursement shall be made to the district through one of the methods described in Education Code 44042.5, as mutually agreed upon by the employee and the district. (Education Code 44042.5)

If a mutual agreement on a method of reimbursement is not reached, within 30 days of the employee verifying the overpayment amount, the district shall recoup the overpayment through payroll deductions in accordance with Education Code 44042.5.

If the employee does not respond or disputes the existence or amount of the district's claimed overpayment, the district may only recover the overpayment after pursuing appropriate legal action. (Education Code 44042.5)

If the employee separates from the district before the overpayment is fully repaid, the district shall withhold the remaining balance due from any money owed to the employee upon separation, provided that the state minimum wage is still paid to the employee as required by Education Code 44042.5. The Superintendent or designee may consult with legal counsel to calculate the amount to withhold.

If an outstanding overpayment balance still remains, the district may exercise any legal means to recover the remaining amount owed by the employee. (Education Code 44042.5)

Legal action to recover any overpayment under this policy shall be initiated within three years from the date of the overpayment, which for leave credits is the date that the employee receives compensation in exchange for leave erroneously credited to the employee. (Education Code 44042.5)

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

Policy 4158: Employee Security

Status: ADOPTED

Original Adopted Date: ~~09/13/2011~~07/01/2001 | Last Revised Date: ~~10/11/2022~~03/01/2025 |
Last Reviewed Date: ~~10/11/2022~~03/01/2025

The Governing Board desires to provide a safe and orderly work environment for all employees. -As part of the district's comprehensive safety plan, the Superintendent or designee shall develop strategies for protecting employees from potentially dangerous persons and situations and for providing necessary assistance and support when emergency situations occur.

Any person who threatens the safety of others at any district facility may be removed by the Superintendent or designee in accordance with ~~AR~~Administrative Regulation 3515.2 - Disruptions.

Any employee against whom harassment, violence, or any threat of violence has been directed in the workplace shall notify the Superintendent or designee immediately. As appropriate, the Superintendent or designee shall initiate legal and security measures to protect the employee and others in the workplace. - Such measures may include seeking a temporary restraining order (TRO) on behalf of the employee pursuant to Code of Civil Procedure 527.8 and/or a gun violence restraining order pursuant to Penal Code 18150 and 18170.

Additionally, a collective bargaining representative may seek a TRO on behalf of a district employee against whom harassment, violence, or credible threat of violence has been directed in the workplace, if the collective bargaining representative serves that employee in employment or labor matters at the employee's workplace. (Code of Civil Procedure 527.8)

Upon request by an employee who is a victim of domestic violence, sexual assault, or stalking, the Superintendent or designee shall provide reasonable accommodations in accordance with ~~Labor~~Government Code ~~230-230.1~~12945.8 and the accompanying administrative regulation to protect the employee's safety while at work.

The Superintendent or designee may pursue legal action on behalf of an employee against a student or the student's parent/guardian to recover damages for injury to the employee's person or property caused by the student's willful misconduct that occurred on district property, at a school or district activity, or in retaliation for lawful acts of the employee in the performance of the employee's duties. - (Education Code 48904, 48905)

The Superintendent or designee shall provide staff development in crisis prevention and intervention techniques, which may include training in classroom management, effective communication techniques, procedures for responding to an active shooter situation, and crisis resolution.

In accordance with law, the Superintendent or designee shall inform teachers, administrators, and/or counselors of crimes and offenses committed by students who may pose a danger in the classroom.—(Education Code 48201, 49079; Welfare and Institutions Code 827)

The Superintendent or designee may make available at appropriate locations, including, but not limited to, district and school offices, gyms, and classrooms, communication devices that would enable two-way communication with law enforcement and others when emergencies occur.

Use of Pepper Spray

Employees shall not carry or possess pepper spray on school property or at school activities, except when authorized by the Superintendent or designee for self-defense purposes. -When allowed, an employee may only possess pepper spray in accordance with Board policy, administrative ~~regulations~~regulation, and Penal Code 22810. -Any employee authorized to carry or possess pepper spray on school property who is negligent or careless in the possession or handling of pepper spray is acting outside of the scope of employment and shall be subject to appropriate disciplinary measures.

Reporting of Injurious Objects

Employees shall take immediate action upon being made aware that any person is in possession of a weapon or unauthorized injurious object on ~~school grounds~~district property or at a ~~school~~district related or school-sponsored activity.

Employees shall exercise their best judgment as to the potential danger involved and ~~shall~~ do one of the following:

1. Confiscate the object and deliver it to the principal immediately
2. Immediately notify the principal or supervisor, who shall take appropriate action
3. Immediately call 911 and the principal or supervisor

When informing the principal about the possession or seizure of a weapon or dangerous device, an employee shall report the name(s) of persons involved, witnesses, location, and the circumstances of any seizure.

-

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 ~~Governing Board~~board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State

Civ. Code 51.7

Description

Freedom from violence or intimidation

Policy 4158: Employee Security

Status: ADOPTED

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

The Governing Board desires to provide a safe and orderly work environment for all employees. As part of the district's comprehensive safety plan, the Superintendent or designee shall develop strategies for protecting employees from potentially dangerous persons and situations and for providing necessary assistance and support when emergency situations occur.

Any person who threatens the safety of others at any district facility may be removed by the Superintendent or designee in accordance with Administrative Regulation 3515.2 - Disruptions.

Any employee against whom harassment, violence, or any threat of violence has been directed in the workplace shall notify the Superintendent or designee immediately. As appropriate, the Superintendent or designee shall initiate legal and security measures to protect the employee and others in the workplace. Such measures may include seeking a temporary restraining order (TRO) on behalf of the employee pursuant to Code of Civil Procedure 527.8 and/or a gun violence restraining order pursuant to Penal Code 18150 and 18170.

Additionally, a collective bargaining representative may seek a TRO on behalf of a district employee against whom harassment, violence, or credible threat of violence has been directed in the workplace, if the collective bargaining representative serves that employee in employment or labor matters at the employee's workplace. (Code of Civil Procedure 527.8)

Upon request by an employee who is a victim of domestic violence, sexual assault, or stalking, the Superintendent or designee shall provide reasonable accommodations in accordance with Government Code 12945.8 and the accompanying administrative regulation to protect the employee's safety while at work.

The Superintendent or designee may pursue legal action on behalf of an employee against a student or the student's parent/guardian to recover damages for injury to the employee's person or property caused by the student's willful misconduct that occurred on district property, at a school or district activity, or in retaliation for lawful acts of the employee in the performance of the employee's duties. (Education Code 48904, 48905)

The Superintendent or designee shall provide staff development in crisis prevention and intervention techniques, which may include training in classroom management, effective communication techniques, procedures for responding to an active shooter situation, and crisis resolution.

In accordance with law, the Superintendent or designee shall inform teachers, administrators, and/or counselors of crimes and offenses committed by students who may pose a danger in the classroom. (Education Code 48201, 49079; Welfare and Institutions Code 827)

The Superintendent or designee may make available at appropriate locations, including, but not limited to, district and school offices, gyms, and classrooms, communication devices that would enable two-way communication with law enforcement and others when emergencies occur.

Use of Pepper Spray

Employees shall not carry or possess pepper spray on school property or at school activities, except when authorized by the Superintendent or designee for self-defense purposes. When allowed, an employee may only possess pepper spray in accordance with Board policy, administrative regulation, and Penal Code 22810. Any employee authorized to carry or possess pepper spray on school property who is negligent or careless in the possession or handling of pepper spray is acting outside of the scope of employment and shall be subject to appropriate disciplinary measures.

Reporting of Injurious Objects

Employees shall take immediate action upon being made aware that any person is in possession of a weapon or unauthorized injurious object on district property or at a district related or school-sponsored activity. Employees shall exercise their best judgment as to the potential danger involved and do one of the following:

1. Confiscate the object and deliver it to the principal immediately
2. Immediately notify the principal or supervisor, who shall take appropriate action
3. Immediately call 911 and the principal or supervisor

When informing the principal about the possession or seizure of a weapon or dangerous device, an employee shall report the name(s) of persons involved, witnesses, location, and the circumstances of any seizure.

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 51.7	<u>Freedom from violence or intimidation</u>
Code of Civil Procedure 527.8	<u>Workplace violence safety</u>
Ed. Code 32210-32212	<u>Willful disturbance; public schools or meetings</u>
Ed. Code 32225-32226	<u>Communications devices in classrooms</u>
Ed. Code 32282	School safety plans
Ed. Code 32289.6	Best practices pertaining to school shooter drills
Ed. Code 35208	<u>Liability insurance</u>
Ed. Code 35213	<u>Reimbursement for loss or damage of personal property</u>
Ed. Code 44014	<u>Report of assault by student against school employee</u>
Ed. Code 44807	<u>Teachers' duty concerning conduct of students</u>
Ed. Code 48201	<u>Transfer student's record for acts that resulted in suspension or expulsion</u>
Ed. Code 48900-48926	<u>Suspension and expulsion</u>

Policy 4258: Employee Security

Status: ADOPTED

Original Adopted Date: ~~09/13/2011~~07/01/2001 | Last Revised Date: ~~10/11/2022~~03/01/2025 |
Last Reviewed Date: ~~10/11/2022~~03/01/2025

The Governing Board desires to provide a safe and orderly work environment for all employees. -As part of the district's comprehensive safety plan, the Superintendent or designee shall develop strategies for protecting employees from potentially dangerous persons and situations and for providing necessary assistance and support when emergency situations occur.

Any person who threatens the safety of others at any district facility may be removed by the Superintendent or designee in accordance with ~~AR~~Administrative Regulation 3515.2 - Disruptions.

Any employee against whom harassment, violence, or any threat of violence has been directed in the workplace shall notify the Superintendent or designee immediately. As appropriate, the Superintendent or designee shall initiate legal and security measures to protect the employee and others in the workplace. - Such measures may include seeking a temporary restraining order (TRO) on behalf of the employee pursuant to Code of Civil Procedure 527.8 and/or a gun violence restraining order pursuant to Penal Code 18150 and 18170.

Additionally, a collective bargaining representative may seek a TRO on behalf of a district employee against whom harassment, violence, or credible threat of violence has been directed in the workplace, if the collective bargaining representative serves that employee in employment or labor matters at the employee's workplace. (Code of Civil Procedure 527.8)

Upon request by an employee who is a victim of domestic violence, sexual assault, or stalking, the Superintendent or designee shall provide reasonable accommodations in accordance with ~~Labor~~Government Code ~~230-230.1~~12945.8 and the accompanying administrative regulation to protect the employee's safety while at work.

The Superintendent or designee may pursue legal action on behalf of an employee against a student or the student's parent/guardian to recover damages for injury to the employee's person or property caused by the student's willful misconduct that occurred on district property, at a school or district activity, or in retaliation for lawful acts of the employee in the performance of the employee's duties. - (Education Code 48904, 48905)

The Superintendent or designee shall provide staff development in crisis prevention and intervention techniques, which may include training in classroom management, effective communication techniques, procedures for responding to an active shooter situation, and crisis resolution.

In accordance with law, the Superintendent or designee shall inform teachers, administrators, and/or counselors of crimes and offenses committed by students who may pose a danger in the classroom.—(Education Code 48201, 49079; Welfare and Institutions Code 827)

The Superintendent or designee may make available at appropriate locations, including, but not limited to, district and school offices, gyms, and classrooms, communication devices that would enable two-way communication with law enforcement and others when emergencies occur.

Use of Pepper Spray

Employees shall not carry or possess pepper spray on school property or at school activities, except when authorized by the Superintendent or designee for self-defense purposes. -When allowed, an employee may only possess pepper spray in accordance with Board policy, administrative ~~regulations~~regulation, and Penal Code 22810. -Any employee authorized to carry or possess pepper spray on school property who is negligent or careless in the possession or handling of pepper spray is acting outside of the scope of employment and shall be subject to appropriate disciplinary measures.

Reporting of Injurious Objects

Employees shall take immediate action upon being made aware that any person is in possession of a weapon or unauthorized injurious object on ~~school grounds~~district property or at a ~~school~~district related or school-sponsored activity.

Employees shall exercise their best judgment as to the potential danger involved and ~~shall~~ do one of the following:

1. Confiscate the object and deliver it to the principal immediately
2. Immediately notify the principal or supervisor, who shall take appropriate action
3. Immediately call 911 and the principal or supervisor

When informing the principal about the possession or seizure of a weapon or dangerous device, an employee shall report the name(s) of persons involved, witnesses, location, and the circumstances of any seizure.

-

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 ~~Governing Board~~board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State

Civ. Code 51.7

Description

Freedom from violence or intimidation

Policy 4258: Employee Security

Status: ADOPTED

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

The Governing Board desires to provide a safe and orderly work environment for all employees. As part of the district's comprehensive safety plan, the Superintendent or designee shall develop strategies for protecting employees from potentially dangerous persons and situations and for providing necessary assistance and support when emergency situations occur.

Any person who threatens the safety of others at any district facility may be removed by the Superintendent or designee in accordance with Administrative Regulation 3515.2 - Disruptions.

Any employee against whom harassment, violence, or any threat of violence has been directed in the workplace shall notify the Superintendent or designee immediately. As appropriate, the Superintendent or designee shall initiate legal and security measures to protect the employee and others in the workplace. Such measures may include seeking a temporary restraining order (TRO) on behalf of the employee pursuant to Code of Civil Procedure 527.8 and/or a gun violence restraining order pursuant to Penal Code 18150 and 18170.

Additionally, a collective bargaining representative may seek a TRO on behalf of a district employee against whom harassment, violence, or credible threat of violence has been directed in the workplace, if the collective bargaining representative serves that employee in employment or labor matters at the employee's workplace. (Code of Civil Procedure 527.8)

Upon request by an employee who is a victim of domestic violence, sexual assault, or stalking, the Superintendent or designee shall provide reasonable accommodations in accordance with Government Code 12945.8 and the accompanying administrative regulation to protect the employee's safety while at work.

The Superintendent or designee may pursue legal action on behalf of an employee against a student or the student's parent/guardian to recover damages for injury to the employee's person or property caused by the student's willful misconduct that occurred on district property, at a school or district activity, or in retaliation for lawful acts of the employee in the performance of the employee's duties. (Education Code 48904, 48905)

The Superintendent or designee shall provide staff development in crisis prevention and intervention techniques, which may include training in classroom management, effective communication techniques, procedures for responding to an active shooter situation, and crisis resolution.

In accordance with law, the Superintendent or designee shall inform teachers, administrators, and/or counselors of crimes and offenses committed by students who may pose a danger in the classroom. (Education Code 48201, 49079; Welfare and Institutions Code 827)

The Superintendent or designee may make available at appropriate locations, including, but not limited to, district and school offices, gyms, and classrooms, communication devices that would enable two-way communication with law enforcement and others when emergencies occur.

Use of Pepper Spray

Employees shall not carry or possess pepper spray on school property or at school activities, except when authorized by the Superintendent or designee for self-defense purposes. When allowed, an employee may only possess pepper spray in accordance with Board policy, administrative regulation, and Penal Code 22810. Any employee authorized to carry or possess pepper spray on school property who is negligent or careless in the possession or handling of pepper spray is acting outside of the scope of employment and shall be subject to appropriate disciplinary measures.

Reporting of Injurious Objects

Employees shall take immediate action upon being made aware that any person is in possession of a weapon or unauthorized injurious object on district property or at a district related or school-sponsored activity. Employees shall exercise their best judgment as to the potential danger involved and do one of the following:

1. Confiscate the object and deliver it to the principal immediately
2. Immediately notify the principal or supervisor, who shall take appropriate action
3. Immediately call 911 and the principal or supervisor

When informing the principal about the possession or seizure of a weapon or dangerous device, an employee shall report the name(s) of persons involved, witnesses, location, and the circumstances of any seizure.

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 51.7	<u>Freedom from violence or intimidation</u>
Code of Civil Procedure 527.8	<u>Workplace violence safety</u>
Ed. Code 32210-32212	<u>Willful disturbance; public schools or meetings</u>
Ed. Code 32225-32226	<u>Communications devices in classrooms</u>
Ed. Code 32282	School safety plans
Ed. Code 32289.6	Best practices pertaining to school shooter drills
Ed. Code 35208	<u>Liability insurance</u>
Ed. Code 35213	<u>Reimbursement for loss or damage of personal property</u>
Ed. Code 44014	<u>Report of assault by student against school employee</u>
Ed. Code 44807	<u>Teachers' duty concerning conduct of students</u>
Ed. Code 48201	<u>Transfer student's record for acts that resulted in suspension or expulsion</u>
Ed. Code 48900-48926	<u>Suspension and expulsion</u>

Policy 4358: Employee Security

Status: ADOPTED

Original Adopted Date: ~~09/13/2011~~07/01/2001 | Last Revised Date: ~~10/11/2022~~03/01/2025 |
Last Reviewed Date: ~~10/11/2022~~03/01/2025

The Governing Board desires to provide a safe and orderly work environment for all employees. -As part of the district's comprehensive safety plan, the Superintendent or designee shall develop strategies for protecting employees from potentially dangerous persons and situations and for providing necessary assistance and support when emergency situations occur.

Any person who threatens the safety of others at any district facility may be removed by the Superintendent or designee in accordance with ~~AR~~Administrative Regulation 3515.2 - Disruptions.

Any employee against whom harassment, violence, or any threat of violence has been directed in the workplace shall notify the Superintendent or designee immediately. As appropriate, the Superintendent or designee shall initiate legal and security measures to protect the employee and others in the workplace. - Such measures may include seeking a temporary restraining order (TRO) on behalf of the employee pursuant to Code of Civil Procedure 527.8 and/or a gun violence restraining order pursuant to Penal Code 18150 and 18170.

Additionally, a collective bargaining representative may seek a TRO on behalf of a district employee against whom harassment, violence, or credible threat of violence has been directed in the workplace, if the collective bargaining representative serves that employee in employment or labor matters at the employee's workplace. (Code of Civil Procedure 527.8)

Upon request by an employee who is a victim of domestic violence, sexual assault, or stalking, the Superintendent or designee shall provide reasonable accommodations in accordance with ~~Labor~~Government Code ~~230-230.1~~12945.8 and the accompanying administrative regulation to protect the employee's safety while at work.

The Superintendent or designee may pursue legal action on behalf of an employee against a student or the student's parent/guardian to recover damages for injury to the employee's person or property caused by the student's willful misconduct that occurred on district property, at a school or district activity, or in retaliation for lawful acts of the employee in the performance of the employee's duties. - (Education Code 48904, 48905)

The Superintendent or designee shall provide staff development in crisis prevention and intervention techniques, which may include training in classroom management, effective communication techniques, procedures for responding to an active shooter situation, and crisis resolution.

In accordance with law, the Superintendent or designee shall inform teachers, administrators, and/or counselors of crimes and offenses committed by students who may pose a danger in the classroom.—(Education Code 48201, 49079; Welfare and Institutions Code 827)

The Superintendent or designee may make available at appropriate locations, including, but not limited to, district and school offices, gyms, and classrooms, communication devices that would enable two-way communication with law enforcement and others when emergencies occur.

Use of Pepper Spray

Employees shall not carry or possess pepper spray on school property or at school activities, except when authorized by the Superintendent or designee for self-defense purposes. -When allowed, an employee may only possess pepper spray in accordance with Board policy, administrative ~~regulations~~regulation, and Penal Code 22810. -Any employee authorized to carry or possess pepper spray on school property who is negligent or careless in the possession or handling of pepper spray is acting outside of the scope of employment and shall be subject to appropriate disciplinary measures.

Reporting of Injurious Objects

Employees shall take immediate action upon being made aware that any person is in possession of a weapon or unauthorized injurious object on ~~school grounds~~district property or at a ~~school~~district related or school-sponsored activity. -

Employees shall exercise their best judgment as to the potential danger involved and ~~shall~~ do one of the following:

1. Confiscate the object and deliver it to the principal immediately
2. Immediately notify the principal or supervisor, who shall take appropriate action
3. Immediately call 911 and the principal or supervisor

When informing the principal about the possession or seizure of a weapon or dangerous device, an employee shall report the name(s) of persons involved, witnesses, location, and the circumstances of any seizure.

-

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 ~~Governing Board~~board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State

Civ. Code 51.7

Description

Freedom from violence or intimidation

Policy 4358: Employee Security

Status: ADOPTED

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

The Governing Board desires to provide a safe and orderly work environment for all employees. As part of the district's comprehensive safety plan, the Superintendent or designee shall develop strategies for protecting employees from potentially dangerous persons and situations and for providing necessary assistance and support when emergency situations occur.

Any person who threatens the safety of others at any district facility may be removed by the Superintendent or designee in accordance with Administrative Regulation 3515.2 - Disruptions.

Any employee against whom harassment, violence, or any threat of violence has been directed in the workplace shall notify the Superintendent or designee immediately. As appropriate, the Superintendent or designee shall initiate legal and security measures to protect the employee and others in the workplace. Such measures may include seeking a temporary restraining order (TRO) on behalf of the employee pursuant to Code of Civil Procedure 527.8 and/or a gun violence restraining order pursuant to Penal Code 18150 and 18170.

Additionally, a collective bargaining representative may seek a TRO on behalf of a district employee against whom harassment, violence, or credible threat of violence has been directed in the workplace, if the collective bargaining representative serves that employee in employment or labor matters at the employee's workplace. (Code of Civil Procedure 527.8)

Upon request by an employee who is a victim of domestic violence, sexual assault, or stalking, the Superintendent or designee shall provide reasonable accommodations in accordance with Government Code 12945.8 and the accompanying administrative regulation to protect the employee's safety while at work.

The Superintendent or designee may pursue legal action on behalf of an employee against a student or the student's parent/guardian to recover damages for injury to the employee's person or property caused by the student's willful misconduct that occurred on district property, at a school or district activity, or in retaliation for lawful acts of the employee in the performance of the employee's duties. (Education Code 48904, 48905)

The Superintendent or designee shall provide staff development in crisis prevention and intervention techniques, which may include training in classroom management, effective communication techniques, procedures for responding to an active shooter situation, and crisis resolution.

In accordance with law, the Superintendent or designee shall inform teachers, administrators, and/or counselors of crimes and offenses committed by students who may pose a danger in the classroom. (Education Code 48201, 49079; Welfare and Institutions Code 827)

The Superintendent or designee may make available at appropriate locations, including, but not limited to, district and school offices, gyms, and classrooms, communication devices that would enable two-way communication with law enforcement and others when emergencies occur.

Use of Pepper Spray

Employees shall not carry or possess pepper spray on school property or at school activities, except when authorized by the Superintendent or designee for self-defense purposes. When allowed, an employee may only possess pepper spray in accordance with Board policy, administrative regulation, and Penal Code 22810. Any employee authorized to carry or possess pepper spray on school property who is negligent or careless in the possession or handling of pepper spray is acting outside of the scope of employment and shall be subject to appropriate disciplinary measures.

Reporting of Injurious Objects

Employees shall take immediate action upon being made aware that any person is in possession of a weapon or unauthorized injurious object on district property or at a district related or school-sponsored activity. Employees shall exercise their best judgment as to the potential danger involved and do one of the following:

1. Confiscate the object and deliver it to the principal immediately
2. Immediately notify the principal or supervisor, who shall take appropriate action
3. Immediately call 911 and the principal or supervisor

When informing the principal about the possession or seizure of a weapon or dangerous device, an employee shall report the name(s) of persons involved, witnesses, location, and the circumstances of any seizure.

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 51.7	<u>Freedom from violence or intimidation</u>
Code of Civil Procedure 527.8	<u>Workplace violence safety</u>
Ed. Code 32210-32212	<u>Willful disturbance; public schools or meetings</u>
Ed. Code 32225-32226	<u>Communications devices in classrooms</u>
Ed. Code 32282	School safety plans
Ed. Code 32289.6	Best practices pertaining to school shooter drills
Ed. Code 35208	<u>Liability insurance</u>
Ed. Code 35213	<u>Reimbursement for loss or damage of personal property</u>
Ed. Code 44014	<u>Report of assault by student against school employee</u>
Ed. Code 44807	<u>Teachers' duty concerning conduct of students</u>
Ed. Code 48201	<u>Transfer student's record for acts that resulted in suspension or expulsion</u>
Ed. Code 48900-48926	<u>Suspension and expulsion</u>

Policy 5131: Conduct

Status: ADOPTED

Original Adopted Date: ~~08/10~~03/01/2010 | Last Revised Date: 03/~~22/2022~~01/2025 | Last Reviewed Date: 03/~~22/2022~~01/2025

The Governing Board believes that all students have the right to be educated in a safe and positive learning environment free from disruptions. -Students shall be expected to exhibit appropriate conduct that does not infringe upon the rights of others or interfere with the school program while on school grounds, going to or coming from school, at school activities, or using district transportation.

~~(cf. 0450 - Comprehensive Safety Plan)~~
~~(cf. 5131.1 - Bus Conduct)~~
~~(cf. 5137 - Positive School Climate)~~
~~(cf. 6145.2 - Athletic Competition)~~

The Superintendent or designee shall ensure that each school develops standards of conduct and discipline consistent with Board policies and administrative regulations. Students and parents/guardians shall be notified of district and school rules related to conduct.

Prohibited student conduct includes, but is not limited to:

1. _____

1. Conduct that endangers students, staff, or others, including, but not limited to, physical violence, possession of a firearm or other weapon, and terrorist threats

~~(cf. 5131.7 - Weapons and Dangerous Instruments)~~
~~(cf. 5142 - Safety)~~

2. _____

2. Discrimination, harassment, intimidation, or bullying of students or staff, including sexual harassment, hate-motivated behavior, cyberbullying, hazing or initiation activity, extortion, or any other verbal, written, or physical conduct that causes or threatens to cause violence, bodily harm, or substantial disruption to the school program

~~(cf. 5131.2 -)~~

3. ~~Bullying)~~
~~(cf. 5145.3 - Nondiscrimination/Harassment)~~
~~(cf. 5145.7 - Sexual Harassment)~~
~~(cf. 5145.9 - Hate-Motivated Behavior)~~

3. _____ Conduct that disrupts the orderly classroom or school environment

~~(cf. 5131.4—
4. Student Disturbances)~~

4.——Willful defiance of staff's authority

~~5.——~~
5. Damage to or theft of property belonging to students, staff, or the district

~~(cf. 3515.4—Recovery for Property Loss or Damage)
(cf. 5131.5—Vandalism and Graffiti)~~

~~6.——~~
6. Obscene acts or use of profane, vulgar, or abusive language

~~(cf. 5145.2—Freedom of Speech/Expression)~~

~~7.——~~
7. Possession, use, or being under the influence of tobacco, alcohol, or other prohibited substances

~~(cf. 5131.6—Alcohol and Other Drugs)
(cf. 5131.62—~~

~~8. Tobacco)
(cf. 5131.63—Steroids)~~

8.——Possession or use of a laser pointer, unless for a valid instructional or other school-related purpose with prior permission of the principal or designee (Penal Code 417.27)

~~9.——~~
9. Use of a cell phone, smart watch, pager, smartphone or other mobile communication device during instructional time or in an unauthorized manner ~~in violation of district policy~~

~~(cf. 5131.8—~~

~~10. Mobile Communication Devices)
(cf. 6163.4—Student Use of Technology)~~

10.——Plagiarism or dishonesty on school work or tests

~~(cf. 5131.9—~~
11. Academic Honesty)
~~(cf. 6162.54—Test Integrity/Test Preparation)
(cf. 6162.6—Use of Copyrighted Materials)~~

11.——Wearing of any attire that violates district or school dress codes, including gang-related apparel

~~(cf. 5132—Dress and Grooming)
(cf. 5136—~~

~~12. Gangs)~~

12.——Tardiness or unexcused absence from school

~~(cf. 5113—Absences and Excuses)~~

~~(cf. 5113.1—Chronic Absence and Truancy)~~
~~(cf. 5113.11—)~~
13. Attendance Supervision)
~~(cf. 5113.12—District School Attendance Review Board)~~

~~13.—~~ Failure to remain on school premises in accordance with school rules

~~(cf. 5112.5—)~~
14. Other conduct prohibited by Education Code 48900-48915-48915

~~Open/Closed Campus)~~

Employees are expected to enforce standards of conduct and, when they observe or receive a report of a violation of these standards, to appropriately intervene, or seek assistance. As necessary, the employee shall refer the matter to a supervisor or the principal or designee.

When a school employee suspects that a search of a student or a student's belongings will turn up evidence of the student's violation of the law or school rules, such a search shall be conducted in accordance with BP/AR Board Policy and Administrative Regulation 5145.12 - Search and Seizure.

~~(cf. 5145.12—Search and Seizure)~~

When a student uses any prohibited device, or uses a permitted device in an unauthorized manner, a district employee may confiscate the device. -The employee shall store the device securely until it is returned to the student or turned over to the principal or designee, as appropriate.

Students who violate district or school rules and regulations may be subject to discipline including, but not limited to, suspension, expulsion, transfer to alternative programs, referral to a student success team or counseling services, or denial of participation in extracurricular or cocurricular activities or other privileges in accordance with Board policy and administrative regulation. ~~The Superintendent or designee shall notify local law enforcement as appropriate.~~

~~(cf. 1400—Relations Between Other Governmental Agencies and the Schools)~~
~~(cf. 5020—Parent Rights and Responsibilities)~~
~~(cf. 5127—Graduation Ceremonies and Activities)~~
~~(cf. 5138—The Superintendent or designee shall notify local law enforcement as appropriate.~~
~~Conflict Resolution/Peer Mediation)~~
~~(cf. 5144—Discipline)~~
~~(cf. 5144.1—Suspension and Expulsion/Due Process)~~
~~(cf. 5144.2—Suspension and Expulsion/Due Process (Students with Disabilities))~~
~~(cf. 6020—Parent Involvement)~~
~~(cf. 6145—Extracurricular and Cocurricular Activities)~~
~~(cf. 6159.4—Behavioral Interventions for Special Education Students)~~
~~(cf. 6164.2—Guidance/Counseling Services)~~
~~(cf. 6164.5—Student Success Teams)~~
~~(cf. 6184—Continuation Education)~~
~~(cf. 6185—Community Day School)~~

Students also may be subject to discipline, in accordance with law, Board policy, or administrative

regulation, for any off-campus conduct during nonschool hours which poses a threat or danger to the safety of students, staff, or district property, or substantially disrupts school activities.

-

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 ~~Governing Board~~board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State

5 CCR 300-307

Civ. Code 1714.1

Ed. Code 200-270

Ed. Code 32280-32289.5

Ed. Code 35181

Ed. Code 35291-35291.5

Ed. Code 44807

Ed. Code 48900-48925

Ed. Code 51512

Pen. Code 288.2

Pen. Code 313

Pen. Code 417.25-417.27

Pen. Code 647

Pen. Code 653.2

Veh. Code 23123-23124

Description

[Duties of students](#)

[Liability of parent or guardian for act of willful misconduct by a minor](#)

[Prohibition of discrimination](#)

[School safety plans](#)

[Governing board authority to set policy on responsibilities of students](#)

[Rules](#)

[Teachers' duty concerning conduct of students](#)

[Suspension and expulsion](#)

[Prohibition against electronic listening or recording device in classroom without permission](#)

[Harmful matter with intent to seduce](#)

[Harmful matter](#)

[Laser scope or laser pointer](#)

[Use of camera or other instrument to invade person's privacy; misdemeanor](#)

[Electronic communication devices; threats to safety](#)

[Prohibitions against use of electronic devices while driving](#)

Federal

20 USC 1681-1688

Description

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

Management Resources

California Department of Education
Publication

Description

[Bullying at School, 2003](#)

Policy 5131: Conduct

Status: ADOPTED

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

The Governing Board believes that all students have the right to be educated in a safe and positive learning environment free from disruptions. Students shall be expected to exhibit appropriate conduct that does not infringe upon the rights of others or interfere with the school program while on school grounds, going to or coming from school, at school activities, or using district transportation.

The Superintendent or designee shall ensure that each school develops standards of conduct and discipline consistent with Board policies and administrative regulations. Students and parents/guardians shall be notified of district and school rules related to conduct.

Prohibited student conduct includes, but is not limited to:

1. Conduct that endangers students, staff, or others, including, but not limited to, physical violence, possession of a firearm or other weapon, and terrorist threats
2. Discrimination, harassment, intimidation, or bullying of students or staff, including sexual harassment, hate-motivated behavior, cyberbullying, hazing or initiation activity, extortion, or any other verbal, written, or physical conduct that causes or threatens to cause violence, bodily harm, or substantial disruption to the school program
3. Conduct that disrupts the orderly classroom or school environment
4. Willful defiance of staff's authority
5. Damage to or theft of property belonging to students, staff, or the district
6. Obscene acts or use of profane, vulgar, or abusive language
7. Possession, use, or being under the influence of tobacco, alcohol, or other prohibited substances
8. Possession or use of a laser pointer, unless for a valid instructional or other school-related purpose with prior permission of the principal or designee (Penal Code 417.27)
9. Use of a smartphone or other mobile communication device in an unauthorized manner
10. Plagiarism or dishonesty on schoolwork or tests
11. Wearing of any attire that violates district or school dress codes, including gang-related apparel
12. Tardiness or unexcused absence from school
13. Failure to remain on school premises in accordance with school rules

14. Other conduct prohibited by Education Code 48900-48915-48915

Employees are expected to enforce standards of conduct and when they observe or receive a report of a violation of these standards, to appropriately intervene, or seek assistance. As necessary, the employee shall refer the matter to a supervisor or the principal or designee.

When a school employee suspects that a search of a student or a student's belongings will turn up evidence of the student's violation of the law or school rules, such a search shall be conducted in accordance with Board Policy and Administrative Regulation 5145.12 - Search and Seizure.

When a student uses any prohibited device, or uses a permitted device in an unauthorized manner, a district employee may confiscate the device. The employee shall store the device securely until it is returned to the student or turned over to the principal or designee, as appropriate.

Students who violate district or school rules and regulations may be subject to discipline including, but not limited to, suspension, expulsion, transfer to alternative programs, referral to a student success team or counseling services, or denial of participation in extracurricular or cocurricular activities or other privileges in accordance with Board policy and administrative regulation. The Superintendent or designee shall notify local law enforcement as appropriate.

Students also may be subject to discipline, in accordance with law, Board policy, or administrative regulation, for any off-campus conduct during non-school hours which poses a threat or danger to the safety of students, staff, or district property, or substantially disrupts school activities.

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 300-307	<u>Duties of students</u>
Civ. Code 1714.1	<u>Liability of parent or guardian for act of willful misconduct by a minor</u>
Ed. Code 200-270	<u>Prohibition of discrimination</u>
Ed. Code 32280-32289.5	<u>School safety plans</u>
Ed. Code 35181	<u>Governing board authority to set policy on responsibilities of students</u>
Ed. Code 35291-35291.5	<u>Rules</u>
Ed. Code 44807	<u>Teachers' duty concerning conduct of students</u>
Ed. Code 48900-48925	<u>Suspension and expulsion</u>
Ed. Code 51512	<u>Prohibition against electronic listening or recording device in classroom without permission</u>

Policy 5131.6: Alcohol And Other Drugs

Status: ADOPTED

Original Adopted Date: 08/25/200902/01/1996 | Last Revised Date: 03/01/2025 | Last
Reviewed Date: 08/25/200903/01/2025

The Governing Board of Education believes that the use of alcohol or other drugs adversely affects a student's ability to achieve academic success, is physically and emotionally harmful, and has serious social and legal consequences. ~~The Board desires to keep district schools free of alcohol and other drugs in order to help prevent violence, promote school safety and create a well-disciplined environment conducive to learning.~~ The Superintendent or designee shall develop comprehensive programs and activities to foster safe, healthy, and drug-free environments that support academic achievement.

The district's alcohol and drug prevention and intervention programs shall be coordinated with other school and community-based services and programs and shall promote the involvement of parents/guardians. The Superintendent or designee may collaborate with the county office of education, community-based organizations, health providers, law enforcement agencies, local child welfare agencies, postsecondary institutions, businesses, and other public and private entities in program planning, implementation, and evaluation.

Prevention and intervention programs and activities may include, but are not limited to: (20 USC 7118)

~~The Superintendent or designee shall develop, implement and evaluate a comprehensive prevention and intervention program that is coordinated with other school and community-based services and programs. The district's program shall be scientifically based and designed to prevent or reduce alcohol or other drug use and the possession and distribution of illegal drugs. It shall include primary prevention activities such as decision-making skills and conflict management, instruction, referral to a rehabilitation program, enforcement/discipline, activities that promote the involvement of parents/guardians and coordination with appropriate community agencies and organizations.~~

~~The Board and Superintendent shall agree upon performance measures that will be used to monitor and determine the effectiveness of the district's program in reducing drug and alcohol use. The Superintendent or designee shall develop and implement an evaluation process that includes ongoing assessment and analysis of objective data regarding the incidence of drug and alcohol use among district students, including discipline problems, and the prevalence of risk factors.~~

~~The Superintendent or designee shall consult with principals, teachers, other school personnel, students and parents/guardians when developing the district's program.~~

~~The Superintendent or designee shall clearly communicate to all students, staff and parents/guardians the district's policies, regulations and school rules related to the use of alcohol~~

~~and other drugs on school campuses or at school activities. Information about program needs and goals shall be widely distributed in the community.~~

~~Staff should encourage students to participate as responsible partners in efforts to maintain a safe, constructive school climate.~~

~~The Board encourages the establishment of site-level advisory groups to assist in promoting alcohol and drug-free schools.~~

~~The district's drug education program shall augment county drug education services, if any. District staff shall take every opportunity to cooperate with county and county office of education staff in planning and implementing collaborative alcohol and drug prevention programs.~~

1. Evidence-based drug and violence prevention activities and programs that educate students against the use of alcohol, tobacco, cannabis, smokeless tobacco products, and electronic cigarettes
2. Professional development and training for school staff, specialized instructional support personnel, and interested community members on drug prevention, education, early identification, intervention mentoring, recovery support services, and, where appropriate, rehabilitation referral
3. School-based mental health services, including early identification of drug use and referrals to counseling services, and/or partnerships with public or private health care entities that have qualified mental and behavioral health professionals
4. Programs and activities that provide mentoring and school counseling to all students, including students who are at risk of drug use and abuse

Instruction

and Notification

The district shall provide science-based preventative instruction, consistent with law, the accompanying administrative regulation, and Board Policy 5141.52 - Suicide Prevention, which has been proven effective in helping students avoid the use of alcohol and other drugs.

All instruction and related materials shall consistently state that unlawful use of alcohol or other drugs is ~~wrong and harmful, prohibited~~. Instruction shall not include ~~the concept of any message on responsible use of drugs or alcohol when such use of drugs or alcohol when such use is illegal.~~ (20 USC 7114, 7162; (Health and Safety Code 11999.2)

The district shall offer staff development activities for staff who implement the comprehensive drug and alcohol prevention and intervention program.

The district shall annually inform parents/guardians at the beginning of the first semester or quarter of the regular school year about the dangers associated with the use of synthetic drugs that are not prescribed by a physician, such as fentanyl, the possibility that dangerous drugs can be found in 2

counterfeit pills, and the risks of social media being used as a way to market and sell synthetic drugs. Additionally, the district, and each school that maintains its own website, shall post such information on its website. (Education Code 48985.5)

Intervention, Referral, and Student Assistance Programs

School

The Superintendent or designee shall inform school staff, students, and parents/guardians ~~shall be informed~~ about early warning signs, which may indicate alcohol and other drug use, and about appropriate agencies offering intervention programs, counseling, referral, and other student assistance programs.

The Board strongly encourages any student who is using alcohol or drugs to discuss the matter with ~~his/her~~ the student's parent/guardian or with any staff member. Students who disclose their use of alcohol or other drugs when seeking help from an intervention or recovery program shall not be disciplined for such use.

Enforcement/Discipline

~~The Superintendent or designee shall take appropriate action to eliminate possession, use or sale of alcohol and other drugs, including that, in accordance with Education Code 48900, students who voluntarily disclose their use of a tobacco product, controlled substance, alcohol, or an intoxicant of any kind in order to seek help through services or supports shall not be suspended.~~

Opioid Antagonists

Students in middle school, junior high school, high school, or adult school, may carry fentanyl test strips or a federally approved opioid antagonist for the emergency treatment of persons suffering, or reasonably believed to be suffering, from an opioid overdose, while on a school site or participating in a school activity. (Education Code 49414.6)

Additionally, students 12 years of age or older, while on a school site or participating in school activities, may carry and administer a naloxone hydrochloride nasal spray or any other opioid overdose reversal medication that is federally approved for over-the counter nonprescription use for the purpose of providing emergency treatment to persons who are suffering, or reasonably believed to be suffering, from an opioid overdose. (Education Code 49414.35)

Enforcement and Discipline

Unless otherwise authorized by law, students shall not possess, use, or sell alcohol or other drugs and related paraphernalia on school grounds or at school-sponsored activities.

~~Students possessing, using or~~

The Superintendent or designee shall clearly communicate to all students, staff, and parents/guardians the district's policies, regulations, and school rules related to the use of alcohol and other drugs.

~~Any student found by the Board to be selling alcohol or other drugs or related paraphernalia shall be subject to disciplinary procedures including suspension or a controlled substance listed in Health and Safety Code 11053-11058 shall be recommended for expulsion and/or referral to law enforcement in accordance with law, Board policy and administrative regulation. In addition, such students may Policy/Administrative Regulation 5144.1 - Suspension and Expulsion/Due Process. A student found to have committed another drug or alcohol offense, including possession or intoxication, shall be referred to an appropriate counseling program, transferred appropriate behavioral interventions or student assistance programs, and may be subject to discipline on a case-by-case basis.~~

~~The district may use alternatives to an the referral of a student to a law enforcement agency in response to an incident involving the student's misuse of an opioid, to the extent any alternative placement, and/or be restricted from extracurricular utilized is not in conflict with any law requiring that referral. (Education Code 49414.4)~~

Program Evaluation

~~The Board and Superintendent shall agree upon performance measures that will be used to monitor and determine the effectiveness of district programs in reducing drug and alcohol use. The Superintendent or designee shall periodically report to the Board on the effectiveness of district activities, including athletics, in achieving identified objectives and outcomes. (20 USC 7116)~~

-

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 ~~Governing Board~~board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
Bus. Code 25608	<u>Alcohol on school property; use in connection with instruction</u>
Ed. Code 32282	School safety plans
Ed. Code 44049	<u>Known or suspected alcohol or drug abuse by student</u>
Ed. Code 44645	<u>In-service training anabolic steroids</u>
Ed. Code 48900	<u>Grounds for suspension or expulsion</u>
Ed. Code 48900.5	<u>Suspension, limitation on imposition; exception</u>
Ed. Code 48901	<u>Smoking or use of tobacco prohibited</u>
Ed. Code 48901.5	<u>Prohibition of electronic signaling devices</u>

Policy 5131.6: Alcohol And Other Drugs

Status: ADOPTED

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

The Governing Board believes that the use of alcohol or other drugs adversely affects a student's ability to achieve academic success, is physically and emotionally harmful, and has serious social and legal consequences. The Superintendent or designee shall develop comprehensive programs and activities to foster safe, healthy, and drug-free environments that support academic achievement.

The district's alcohol and drug prevention and intervention programs shall be coordinated with other school and community-based services and programs and shall promote the involvement of parents/guardians. The Superintendent or designee may collaborate with the county office of education, community-based organizations, health providers, law enforcement agencies, local child welfare agencies, postsecondary institutions, businesses, and other public and private entities in program planning, implementation, and evaluation.

Prevention and intervention programs and activities may include, but are not limited to: (20 USC 7118)

1. Evidence-based drug and violence prevention activities and programs that educate students against the use of alcohol, tobacco, cannabis, smokeless tobacco products, and electronic cigarettes
2. Professional development and training for school staff, specialized instructional support personnel, and interested community members on drug prevention, education, early identification, intervention mentoring, recovery support services, and, where appropriate, rehabilitation referral
3. School-based mental health services, including early identification of drug use and referrals to counseling services, and/or partnerships with public or private health care entities that have qualified mental and behavioral health professionals
4. Programs and activities that provide mentoring and school counseling to all students, including students who are at risk of drug use and abuse

Instruction and Notification

The district shall provide science-based preventative instruction, consistent with law, the accompanying administrative regulation, and Board Policy 5141.52 - Suicide Prevention, which has been proven effective in helping students avoid the use of alcohol and other drugs.

All instruction and related materials shall consistently state that unlawful use of alcohol or other drugs is prohibited. Instruction shall not include any message on responsible use of drugs or alcohol when such use is illegal. (Health and Safety Code 11999.2)

The district shall offer staff development activities for staff who implement the comprehensive drug and alcohol prevention and intervention program.

The district shall annually inform parents/guardians at the beginning of the first semester or quarter of the regular school year about the dangers associated with the use of synthetic drugs that are not prescribed by a physician, such as fentanyl, the possibility that dangerous drugs can be found in ⁵

counterfeit pills, and the risks of social media being used as a way to market and sell synthetic drugs. Additionally, the district, and each school that maintains its own website, shall post such information on its website. (Education Code 48985.5)

Intervention, Referral, and Student Assistance Programs

The Superintendent or designee shall inform school staff, students, and parents/guardians about early warning signs, which may indicate alcohol and other drug use, and about appropriate agencies offering intervention programs, counseling, referral, and other student assistance programs.

The Board strongly encourages any student who is using alcohol or drugs to discuss the matter with the student's parent/guardian or with any staff member. Students who disclose their use of alcohol or other drugs when seeking help from an intervention or recovery program shall not be disciplined for such use, including that, in accordance with Education Code 48900, students who voluntarily disclose their use of a tobacco product, controlled substance, alcohol, or an intoxicant of any kind in order to seek help through services or supports shall not be suspended.

Opioid Antagonists

Students in middle school, junior high school, high school, or adult school, may carry fentanyl test strips or a federally approved opioid antagonist for the emergency treatment of persons suffering, or reasonably believed to be suffering, from an opioid overdose, while on a school site or participating in a school activity. (Education Code 49414.6)

Additionally, students 12 years of age or older, while on a school site or participating in school activities, may carry and administer a naloxone hydrochloride nasal spray or any other opioid overdose reversal medication that is federally approved for over-the counter nonprescription use for the purpose of providing emergency treatment to persons who are suffering, or reasonably believed to be suffering, from an opioid overdose. (Education Code 49414.35)

Enforcement and Discipline

Unless otherwise authorized by law, students shall not possess, use, or sell alcohol or other drugs and related paraphernalia on school grounds or at school-sponsored activities.

The Superintendent or designee shall clearly communicate to all students, staff, and parents/guardians the district's policies, regulations, and school rules related to the use of alcohol and other drugs.

Any student found by the Board to be selling a controlled substance listed in Health and Safety Code 11053-11058 shall be recommended for expulsion in accordance with Board Policy/Administrative Regulation 5144.1 - Suspension and Expulsion/Due Process. A student found to have committed another drug or alcohol offense, including possession or intoxication, shall be referred to appropriate behavioral interventions or student assistance programs, and may be subject to discipline on a case-by-case basis.

The district may use alternatives to the referral of a student to a law enforcement agency in response to an incident involving the student's misuse of an opioid, to the extent any alternative utilized is not in conflict with any law requiring that referral. (Education Code 49414.4)

Program Evaluation

The Board and Superintendent shall agree upon performance measures that will be used to monitor and determine the effectiveness of district programs in reducing drug and alcohol use. The Superintendent or designee shall periodically report to the Board on the effectiveness of district activities in achieving identified objectives and outcomes. (20 USC 7116)

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

~~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 6142.93: Science Instruction

Status: ADOPTED

Original Adopted Date: ~~11/26/1996~~10/01/1995 | Last Revised Date: ~~11/14/2017~~03/01/2025 |
Last Reviewed Date: ~~11/14/2017~~03/01/2025

The Governing Board believes that science education should focus on giving students an understanding of the biological and physical aspects of science, including the place of humans in ecological systems, the causes and effects of climate change and the methods to mitigate and adapt to climate change, key scientific concepts, and methods of scientific inquiry and investigation through experiments and other activities that foster critical thinking. Students should become familiar with the natural world and the interrelationship of science, mathematics, technology, and engineering. As part of science instruction, students should learn how to apply scientific knowledge and reasoning.

Philosophical and religious theories that are based, at least in part, on faith and are not subject to scientific test and refutation shall not be discussed during science instruction.

The ~~district's~~Board shall adopt academic standards for science ~~instruction shall that~~ meet or exceed the California Next Generation Science Standards (CA-NGSS) and describe the knowledge and skills students are expected to possess at each grade level, with an instructional focus on understanding the process of science, the fundamental ideas within each discipline of science, and underlying themes that are common to all sciences. The Superintendent or designee shall ensure that curricula used in district schools are aligned with these standards and the state curriculum framework.

The Superintendent or designee shall ensure that students have access to and are enrolled in a broad course of study including science courses.

The Superintendent or designee shall provide certificated staff with opportunities to participate in professional development activities designed to enhance their knowledge of district-adopted academic standards, instructional strategies for teaching science, and changes in scientific theories.

The Superintendent or designee shall develop and implement appropriate safety measures for 1

science laboratory classes [in accordance with Administrative Regulation 5142 - Safety](#), including, but not limited to, staff and student safety training, use of eye safety devices, hearing protection, first aid procedures, regular equipment maintenance, safe use of heat sources, safe use and disposal of hazardous chemicals, proper ventilation, prevention of exposure to bloodborne pathogens from sharp instruments, fire prevention and control, an emergency response plan, and evacuation procedures. Parents/guardians shall be informed of the types of science laboratory activities that will be conducted and encouraged to sign consent forms for their child's participation.

The Superintendent or designee shall regularly report to the Board regarding the implementation and effectiveness of the science curriculum at each grade level. At a minimum, each report shall address the extent to which the program is aligned with the CA-NGSS, any applicable student assessment results, and feedback from students, parents/guardians, and staff regarding the program.

-

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 [Governing 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 14030	Preliminary procedure, planning and approval of school facilities
8 CCR 5191	Chemical hygiene plan
Ed. Code 32030-32034	Eye safety
Ed. Code 32255-32255.6	Student's right to refrain from harmful or destructive use of animals
Ed. Code 33475-33475.5	Model curriculum on stem cell science
Ed. Code 33548	Media and artificial intelligence literacy
Ed. Code 49340-49341	Hazardous substances education
Ed. Code 51210	Course of study for grades 1-6
Ed. Code 51210.3	Elementary science coach
Ed. Code 51220	Course of study for grades 7-12
Ed. Code 51225.3	High school graduation requirements
Ed. Code 52059.5-52077	Local control and accountability plan
Ed. Code 60640-60648.5	California Assessment of Student Performance and Progress

Policy 6142.93: Science Instruction

Status: ADOPTED

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

The Governing Board believes that science education should focus on giving students an understanding of the biological and physical aspects of science, including the place of humans in ecological systems, the causes and effects of climate change and the methods to mitigate and adapt to climate change, key scientific concepts, and methods of scientific inquiry and investigation through experiments and other activities that foster critical thinking. Students should become familiar with the natural world and the interrelationship of science, mathematics, technology, and engineering. As part of science instruction, students should learn how to apply scientific knowledge and reasoning.

Philosophical and religious theories that are based, at least in part, on faith and are not subject to scientific test and refutation shall not be discussed during science instruction.

The Board shall adopt academic standards for science that meet or exceed the California Next Generation Science Standards (CA-NGSS) and describe the knowledge and skills students are expected to possess at each grade level, with an instructional focus on understanding the process of science, the fundamental ideas within each discipline of science, and underlying themes that are common to all sciences. The Superintendent or designee shall ensure that curricula used in district schools are aligned with these standards and the state curriculum framework.

The Superintendent or designee shall ensure that students have access to and are enrolled in a broad course of study including science courses.

The Superintendent or designee shall provide certificated staff with opportunities to participate in professional development activities designed to enhance their knowledge of district-adopted academic standards, instructional strategies for teaching science, and changes in scientific theories.

The Superintendent or designee shall develop and implement appropriate safety measures for science laboratory classes in accordance with Administrative Regulation 5142 - Safety, including, but not limited to, staff and student safety training, use of eye safety devices, hearing protection, first aid procedures, regular equipment maintenance, safe use of heat sources, safe use and disposal of hazardous chemicals, proper ventilation, prevention of exposure to bloodborne pathogens from sharp instruments, fire prevention and control, an emergency response plan, and evacuation procedures. Parents/guardians shall be informed of the types of science laboratory activities that will be conducted and encouraged to sign consent forms for their child's participation.

The Superintendent or designee shall regularly report to the Board regarding the implementation and effectiveness of the science curriculum at each grade level. At a minimum, each report shall address the extent to which the program is aligned with the CA-NGSS, any applicable student assessment results, and feedback from students, parents/guardians, and staff regarding the program.

Policy 6142.94: History-Social Science Instruction

Status: ADOPTED

Original Adopted Date: ~~11/14/2017~~07/01/2009 | Last Revised Date: 03/01/2025 | Last Reviewed Date: ~~11/14/2017~~03/01/2025

The Governing Board believes that the study of history and other social sciences is essential to prepare students to engage in responsible citizenship, comprehend complex global interrelationships, and understand the vital connections among the past, present, and future. as well as to establish a foundation for the appreciation of different ethnicities, the wise use of natural resources, and the responsible management of personal finance. The district's history-social science education program shall include, at appropriate grade levels, instruction in American and world history, geography, economics, political science, anthropology, psychology, and sociology.

The Board shall adopt academic standards for history-social science which meet or exceed state content standards and describe the knowledge and skills students are expected to possess at each grade level.

The Superintendent or designee shall develop and submit to the Board for approval a comprehensive, sequential curriculum aligned with the district standards and consistent with the state's curriculum framework for history-social science. The curriculum shall be designed to develop students' core knowledge in history and social science and their skills in chronological and spatial thinking, research, and historical interpretation. History-social science instruction shall also include an explicit focus on developing students' literacy in reading, writing, speaking, listening, and other language skills.

The Board shall adopt standards-aligned instructional materials for history-social science in accordance with applicable law, Board policy, and administrative regulation. ~~In addition~~Additionally, teachers are encouraged to supplement the curriculum, in accordance with Board Policy 6161.11 - Supplementary Instructional Materials, by using biographies, original documents, diaries, letters, legends, speeches, other narrative artifacts, and literature from and about the period being studied.

Personal testimony from persons who can provide first-hand accounts of significant historical events is encouraged and may be provided through oral histories, videos, or other multimedia formats. If oral history is used for instruction related to the role of Americans in World War II or the Vietnam War, such testimony shall exemplify the personal sacrifice and courage of the wide range

of ordinary citizens who were called upon to participate in the war, provide views and comments concerning reasons for participating in the war, and provide commentary on the aftermath of the war in Eastern Europe and the former Soviet Union. ~~(Education Code 51221.3, 51221.4)~~

~~(Education Code 51221.3, 51221.4)~~

District high schools shall annually observe, during the week that includes April 28, "Workplace Readiness Week" by providing information to students on their rights as workers, including topics specified in Education Code 49110.5. For students in grades 11 and 12, the "Workplace Readiness Week" observances shall be integrated into the regular school program, consistent with the history-social science framework. (Education Code 49110.5)

The Superintendent or designee shall provide a standards-based professional development program designed to increase teachers' knowledge of adopted instructional materials and instructional strategies for teaching history-social science.

The Superintendent or designee shall regularly evaluate and report to the Board regarding the implementation and effectiveness of the history-social science curriculum at each grade level, including, but not limited to, the extent to which the program is aligned with state standards, any applicable student assessment results, and feedback from students, parents/guardians, and staff regarding the program.

-

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 ~~Governing Board~~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 33540	History-social science framework course requirements
Ed. Code 33540.2	Model curriculum related to Vietnamese American refugee experience
Ed. Code 33540.4	Model curriculum related to Cambodian American history and heritage
Ed. Code 33540.6	Model curriculum related to Hmong history and cultural studies
Ed. Code 33548	Media literacy and artificial intelligence literacy curriculum frameworks
Ed. Code 49110.5	Workplace readiness week
Ed. Code 51008-51009	<u>Instruction on farm labor movement</u>

Policy 6142.94: History-Social Science Instruction

Status: ADOPTED

Original Adopted Date: 11/14/2017 | **Last Revised Date:** | **Reviewed Date:**

The Governing Board believes that the study of history and other social sciences is essential to prepare students to engage in responsible citizenship, comprehend complex global interrelationships, and understand the vital connections among the past, present, and future, as well as to establish a foundation for the appreciation of different ethnicities, the wise use of natural resources, and the responsible management of personal finance. The district's history-social science education program shall include, at appropriate grade levels, instruction in American and world history, geography, economics, political science, anthropology, psychology, and sociology.

The Board shall adopt academic standards for history-social science which meet or exceed state content standards and describe the knowledge and skills students are expected to possess at each grade level.

The Superintendent or designee shall develop and submit to the Board for approval a comprehensive, sequential curriculum aligned with the district standards and consistent with the state's curriculum framework for history-social science. The curriculum shall be designed to develop students' core knowledge in history and social science and their skills in chronological and spatial thinking, research, and historical interpretation. History-social science instruction shall also include an explicit focus on developing students' literacy in reading, writing, speaking, listening, and other language skills.

The Board shall adopt standards-aligned instructional materials for history-social science in accordance with applicable law, Board policy, and administrative regulation. Additionally, teachers are encouraged to supplement the curriculum, in accordance with Board Policy 6161.11 - Supplementary Instructional Materials, by using biographies, original documents, diaries, letters, legends, speeches, other narrative artifacts, and literature from and about the period being studied.

Personal testimony from persons who can provide first-hand accounts of significant historical events is encouraged and may be provided through oral histories, videos, or other multimedia formats. If oral history is used for instruction related to the role of Americans in World War II or the Vietnam War, such testimony shall exemplify the personal sacrifice and courage of the wide range of ordinary citizens who were called upon to participate in the war, provide views and comments concerning reasons for participating in the war, and provide commentary on the aftermath of the war in Eastern Europe and the former Soviet Union. (Education Code 51221.3, 51221.4)

District high schools shall annually observe, during the week that includes April 28, "Workplace Readiness Week" by providing information to students on their rights as workers, including topics specified in Education Code 49110.5. For students in grades 11 and 12, the "Workplace Readiness Week" observances shall be integrated into the regular school program, consistent with the history-social science framework. (Education Code 49110.5)

The Superintendent or designee shall provide a standards-based professional development program designed to increase teachers' knowledge of adopted instructional materials and instructional strategies for teaching history-social science.

The Superintendent or designee shall regularly evaluate and report to the Board regarding the implementation and effectiveness of the history-social science curriculum at each grade level, including, but not limited to, the extent to which the program is aligned with state standards, any applicable student assessment results, and feedback from students, parents/guardians, and staff regarding the program.

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 33540	History-social science framework course requirements
Ed. Code 33540.2	Model curriculum related to Vietnamese American refugee experience
Ed. Code 33540.4	Model curriculum related to Cambodian American history and heritage
Ed. Code 33540.6	Model curriculum related to Hmong history and cultural studies
Ed. Code 33548	Media literacy and artificial intelligence literacy curriculum frameworks
Ed. Code 49110.5	Workplace readiness week
Ed. Code 51008-51009	Instruction on farm labor movement
Ed. Code 51204	Course of study designed for student's needs
Ed. Code 51204.5	History of California; contributions of specified groups
Ed. Code 51210	Course of study for grades 1-6
Ed. Code 51220	Course of study for grades 7-12
Ed. Code 51220.2	Instruction in legal system; teen or peer court programs
Ed. Code 51221	Social science course of study; inclusion of instruction in use of natural resources
Ed. Code 51221.1	California Teachers Collaborative for Holocaust and Genocide Education
Ed. Code 51221.3-51221.4	Instruction on World War II and Vietnam War; use of oral histories

Policy 6159: Individualized Education Program

Status: ADOPTED

Original Adopted Date: ~~08/25/2009~~03/01/2003 | **Last Revised Date:** ~~08/22/2023~~03/01/2025 |
Last Reviewed Date: ~~08/22/2023~~03/01/2025

~~The Governing Board recognizes its responsibility to provide a free appropriate public education to students with disabilities in accordance with law. When the district is unable to provide direct special education and/or related services to students with disabilities, the Board may enter into a contract with a nonpublic, nonsectarian school or agency (NPS/A) to meet student needs consistent with the comprehensive local plan of the Special Education Local Plan Area.~~

~~Prior to entering into a contract to place any student in an NPS/A, the Superintendent or designee shall verify that the school or agency is certified to provide special education and related services to individuals with disabilities and complies with staff training requirements in accordance with Education Code 56366 and 56366.1. In addition, the Superintendent or designee shall monitor, on an ongoing basis, the certification of any NPS/A with which the district has a contract to ensure that the certification has not expired.~~

~~No district student with a disability shall be referred to, or placed in, an NPS/A unless the student's individualized education program (IEP) team has determined that the placement is appropriate for the student. (Education Code 56342.1)~~

~~The district shall pay to the NPS/A the full amount of the tuition or fees, as applicable, for students with disabilities who are enrolled in programs or receiving services provided by the NPS/A pursuant to the contract. (Education Code 56365)~~

~~In accordance with law, any student with disabilities placed in an NPS/A shall have all the rights and protections to which students with disabilities are generally entitled, including, but not limited to, procedural safeguards, due process rights, and periodic review of the student's IEP.~~

~~During the period when any student with disabilities is placed in an NPS/A, the student's IEP team shall retain responsibility for monitoring the student's progress towards meeting the goals identified in the IEP.~~

~~The Superintendent or designee shall ensure that any contract with an NPS/A contains a requirement for the NPS/A to comply with district policy, procedures, and practices related to student rights, health, and safety, including the use of seclusion and restraint. All NPS/A staff that serve district students shall be made aware of, and trained in such policies, procedures, and practices.~~

~~The Superintendent or designee shall notify the Board prior to approving an out-of-state placement for any district student.~~

~~The Superintendent or designee may apply to the Superintendent of Public Instruction to waive any of the requirements of Education Code 56365, 56366, and 56366.6. (Education Code 56366.2)~~

-

The Governing Board desires to provide full educational opportunities to all students with exceptional needs. Students with exceptional needs shall receive a free appropriate public education (FAPE) and, to the maximum extent possible, shall be educated in the least restrictive environment with nondisabled students.

For each student with exceptional needs, an individualized education program (IEP) shall be developed which identifies the special education instruction and related services to be provided to the student. The Superintendent or designee shall develop administrative regulations regarding the membership of the IEP team, the team's responsibility to develop and regularly review the IEP, the contents of the IEP, and the development, review, and revision processes.

The district shall make FAPE available to individuals with disabilities ages 3-21 who reside in the district, including: (Education Code 56040; 20 USC 1412; 34 CFR 300.17, 300.101, 300.104)

1. Students who have been suspended or expelled from school
2. Students who are placed by the district in a nonpublic, nonsectarian school
3. Individuals age 18-21 years who are incarcerated in an adult correctional facility and were identified as being an individual with disabilities or had an IEP in their prior educational placement

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 3021-3029	<u>Identification, referral and assessment</u>
5 CCR 3040-3043	<u>Instructional planning and the individualized education program</u>
5 CCR 3051-3053	<u>Implementation of the individualized education program</u>
5 CCR 853-853.5	<u>State assessments; accommodations</u>
Ed. Code 46392	<u>Emergencies</u>
Ed. Code 48853.5	Students in foster care
Ed. Code 51225.3	<u>High school graduation requirements</u>
Ed. Code 56040.3	<u>Availability of assistive technology device</u>
Ed. Code 56040.6	Deaf and hard of hearing supports
Ed. Code 56043	Transition plans
Ed. Code 56049.1	Data related to least restrictive environment

Policy 6159: Individualized Education Program

Status: ADOPTED

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

The Governing Board desires to provide full educational opportunities to all students with exceptional needs. Students with exceptional needs shall receive a free appropriate public education (FAPE) and, to the maximum extent possible, shall be educated in the least restrictive environment with nondisabled students.

For each student with exceptional needs, an individualized education program (IEP) shall be developed which identifies the special education instruction and related services to be provided to the student. The Superintendent or designee shall develop administrative regulations regarding the membership of the IEP team, the team's responsibility to develop and regularly review the IEP, the contents of the IEP, and the development, review, and revision processes.

The district shall make FAPE available to individuals with disabilities ages 3-21 who reside in the district, including: (Education Code 56040; 20 USC 1412; 34 CFR 300.17, 300.101, 300.104)

1. Students who have been suspended or expelled from school
2. Students who are placed by the district in a nonpublic, nonsectarian school
3. Individuals aged 18-21 years who are incarcerated in an adult correctional facility and were identified as being an individual with disabilities or had an IEP in their prior educational placement

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 3021-3029	<u>Identification, referral and assessment</u>
5 CCR 3040-3043	<u>Instructional planning and the individualized education program</u>
5 CCR 3051-3053	<u>Implementation of the individualized education program</u>
5 CCR 853-853.5	<u>State assessments; accommodations</u>
Ed. Code 46392	<u>Emergencies</u>
Ed. Code 48853.5	Students in foster care
Ed. Code 51225.3	<u>High school graduation requirements</u>

Policy 6159.2: Nonpublic, Nonsectarian School And Agency Services For Special Education **Status: ADOPTED**

Original Adopted Date: ~~08/25/2009~~06/01/1995 | Last Revised Date: ~~05/11/2021~~03/01/2025 |
Last Reviewed Date: ~~05/11/2021~~03/01/2025

The Governing Board recognizes its responsibility to provide a free appropriate public education to students with ~~disabilities~~exceptional needs in accordance with law. When the district is unable to provide direct special education and/or related services to students with ~~disabilities~~exceptional needs, the Board may enter into a contract with a nonpublic, nonsectarian school or agency (NPS/A) to meet student needs consistent with the comprehensive local plan of the Special Education Local Plan Area.

Prior to entering into a contract to place any student in an NPS/A, the Superintendent or designee shall verify that the school or agency is certified to provide special education and related services to individuals with ~~disabilities~~exceptional needs and complies with staff training requirements in accordance with Education Code 56366 and 56366.1. ~~In addition~~

Additionally, the Superintendent or designee, such as the district's liaison for foster youth, shall verify that for any student served by an NPS/A who is a foster youth, the NPS/A agrees to serve as the school of origin of the foster youth and allow the foster youth to continue the foster youth's education in the NPS/A in accordance with Education Code 56366.1.

The Superintendent or designee shall monitor, on an ongoing basis, the certification of any NPS/A with which the district has a contract to ensure that the certification has not expired.

Within 14 days of becoming aware of any change to the certification status of an NPS/A, including, but not limited to, receiving notification of a determination to suspend or revoke the certification of the NPS/A pursuant to Education Code 56366.4, the district shall notify, through email or regular mail, the parents/guardians of any district student who attends the NPS/A of the change in certification status, which includes a copy of procedural safeguards. The district shall maintain a record of such notice and make the notice available for inspection upon request by the California Department of Education. (Education Code 56366.45)

No district student with exceptional needs shall be referred to, or placed in, an NPS/A unless the student's individualized education program (IEP) team has determined that ~~an appropriate public education alternative does not exist and that the~~ the placement is appropriate for the student. ~~—~~ (Education Code 56342.1)

The district shall pay to the NPS/A the full amount of the tuition or fees, as applicable, for students with disabilitiesexceptional needs who are enrolled in programs or receiving services provided by the NPS/A- pursuant to the contract. (Education Code 56365)

In accordance with law, any student with disabilitiesexceptional needs placed in an NPS/A shall have all the rights and protections to which students with disabilitiesexceptional needs are generally entitled, including, but not limited to, procedural safeguards, due process rights, and periodic review of the student's IEP.

During the period when any student with disabilitiesexceptional needs is placed in an NPS/A, the student's IEP team shall retain responsibility for monitoring the student's progress towards meeting the goals identified in the IEP.

The Superintendent or designee shall ensure that any contract with an NPS/A contains a requirement for the NPS/A to comply with district policy, procedures, and practices related to student rights, health, and safety, including the use of seclusion and restraint. All NPS/A staff that serve district students shall be made aware of, and trained in such policies, procedures, and practices.

The Superintendent or designee shall notify the Board prior to approving an out-of-state placement for any district student.

The Superintendent or designee may apply to the Superintendent of Public Instruction to waive any of the requirements of Education Code 56365, 56366, and 56366.6. (Education Code 56366.2)

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 3001	Definitions
5 CCR 3051-3051.24	Special education; standards for related services and staff qualifications
5 CCR 3060-3070	Nonpublic, nonsectarian school and agency services
Ed. Code 51225.3	High school graduation requirements
Ed. Code 51225.31-51225.32	Graduation exemption for students with exceptional needs
Ed. Code 56034-56035	Definitions of nonpublic, nonsectarian school and agency
Ed. Code 56042	Placement not to be recommended by attorney or advocate with conflict of interest

Policy 6159.2: Nonpublic, Nonsectarian School And Agency Services For Special Education **Status: ADOPTED**

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

The Governing Board recognizes its responsibility to provide a free appropriate public education to students with exceptional needs in accordance with law. When the district is unable to provide direct special education and/or related services to students with exceptional needs, the Board may enter into a contract with a nonpublic, nonsectarian school or agency (NPS/A) to meet student needs consistent with the comprehensive local plan of the Special Education Local Plan Area.

Prior to entering into a contract to place any student in an NPS/A, the Superintendent or designee shall verify that the school or agency is certified to provide special education and related services to individuals with exceptional needs and complies with staff training requirements in accordance with Education Code 56366 and 56366.1.

Additionally, the Superintendent or designee, such as the district's liaison for foster youth, shall verify that for any student served by an NPS/A who is a foster youth, the NPS/A agrees to serve as the school of origin of the foster youth and allow the foster youth to continue the foster youth's education in the NPS/A in accordance with Education Code 56366.1.

The Superintendent or designee shall monitor, on an ongoing basis, the certification of any NPS/A with which the district has a contract to ensure that the certification has not expired.

Within 14 days of becoming aware of any change to the certification status of an NPS/A, including, but not limited to, receiving notification of a determination to suspend or revoke the certification of the NPS/A pursuant to Education Code 56366.4, the district shall notify, through email or regular mail, the parents/guardians of any district student who attends the NPS/A of the change in certification status, which includes a copy of procedural safeguards. The district shall maintain a record of such notice and make the notice available for inspection upon request by the California Department of Education. (Education Code 56366.45)

No district student with exceptional needs shall be referred to, or placed in, an NPS/A unless the student's individualized education program (IEP) team has determined that the placement is appropriate for the student. (Education Code 56342.1)

The district shall pay to the NPS/A the full amount of the tuition or fees, as applicable, for students with exceptional needs who are enrolled in programs or receiving services provided by the NPS/A pursuant to the contract. (Education Code 56365)

In accordance with law, any student with exceptional needs placed in an NPS/A shall have all the rights and protections to which students with exceptional needs are generally entitled, including, but not limited to, procedural safeguards, due process rights, and periodic review of the student's IEP.

During the period when any student with exceptional needs is placed in an NPS/A, the student's IEP team shall retain responsibility for monitoring the student's progress towards meeting the goals identified in the IEP.

The Superintendent or designee shall ensure that any contract with an NPS/A contains a requirement for the NPS/A to comply with district policy, procedures, and practices related to student rights, health, and safety, including the use of seclusion and restraint. All NPS/A staff that serve district students shall be made aware of, and trained in such policies, procedures, and practices.

The Superintendent or designee shall notify the Board prior to approving an out-of-state placement for any district student.

The Superintendent or designee may apply to the Superintendent of Public Instruction to waive any of the requirements of Education Code 56365, 56366, and 56366.6. (Education Code 56366.2)

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 3001	<u>Definitions</u>
5 CCR 3051-3051.24	<u>Special education; standards for related services and staff qualifications</u>
5 CCR 3060-3070	<u>Nonpublic, nonsectarian school and agency services</u>
Ed. Code 51225.3	<u>High school graduation requirements</u>
Ed. Code 51225.31-51225.32	Graduation exemption for students with exceptional needs
Ed. Code 56034-56035	<u>Definitions of nonpublic, nonsectarian school and agency</u>
Ed. Code 56042	<u>Placement not to be recommended by attorney or advocate with conflict of interest</u>
Ed. Code 56101	<u>Waivers</u>
Ed. Code 56163	<u>Certification</u>
Ed. Code 56168	<u>Responsibility for education of student in hospital or health facility school</u>
Ed. Code 56195.8	<u>Adoption of policies</u>
Ed. Code 56342.1	<u>Individualized education program; placement</u>

ALAMEDA UNIFIED SCHOOL DISTRICT
SPECIAL AGENDA ITEM

Item Title: CSBA Recommended Update to BP 5125: Student Records (10 Mins/Action)

Item Type: Action

Background: ***BP 5125 Student Records:*** This policy was part of the March 2025 CSBA Policy Update packet. It is being brought as a seperate item for review and discussion.

- BP 5125 Student Records

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:

Fiscal Analysis

Amount (Savings) (Cost):

Recommendation: Other

Submitted for review and discussion by staff.

AUSD Guiding Principle:

Submitted By: Kirsten Zazo, Assistant Superintendent of Educational Services

ATTACHMENTS:

Description	Upload Date	Type
□ BP 5125_Student Records	5/20/2025	Cover Memo

Policy 5125: Student Records

Status: ADOPTED

Original Adopted Date: 01/23/2001 | Last Revised Date: 10/09/2018 | Last Reviewed Date: 10/09/2018

The Governing Board recognizes the importance of keeping accurate, comprehensive student records as required by law. The Superintendent or designee shall establish administrative regulations governing the identification, collection, retention, disclosure and security of student records. These regulations shall ensure the rights of authorized persons to have timely access to student records while maintaining the confidentiality of student records ~~consistent~~ in accordance with state and federal law.

The Superintendent or designee shall designate a certificated employee to serve as custodian of records with responsibility for student records at the district level. At each school, the principal or a certificated employee shall be designated as custodian of records for students enrolled at that school. The custodian of records shall be responsible for implementing Board policy and administrative regulation regarding student records. (5 CCR 431)

If student records containing covered information which is not subject to the California Consumer Privacy Act are under the control of the operator of a website, online service or application, or mobile application, and the student's parent/guardian or the student, if 18 years of age or older, requests deletion of such records, the Superintendent or designee shall provide documentation to the operator that the student has not been enrolled in the district for at least 60 days. (Business and Professions Code 22584)

All appropriate personnel shall receive training regarding district policies and procedures for gathering and handling sensitive student information, including which information should not be solicited.

The district shall not collect or solicit social security numbers or the last four digits of social security numbers of students or their parents/guardians, unless otherwise required to do so by state or federal law. (Education Code 49076.7)

No information or documents regarding the citizenship or immigration status of students or their family members shall be collected, except as required by state or federal law or as required to administer a state or federally supported educational program. ~~The~~ In accordance with board Policy 5145.13 - Response to Immigrant Enforcement, the Superintendent or designee shall not disclose student records to a person, agency, or organization for immigration enforcement purposes without parental consent, a court order, or a judicial subpoena/warrant. If a district employee receives such a request, ~~he/she the employee~~ shall immediately report the request respond in accordance with Board Policy 5145.13 - Response to the Superintendent Immigrant Enforcement. The Superintendent shall report the request to the Board in a timely manner that ensures the confidentiality and privacy of any potentially identifying information. (Education Code 234.7)

The ~~Superintendent or designee district or any district employee~~ shall not compile a list, registry, or database based on students' national origin, ethnicity, or religious belief, practice, or affiliation, ~~nor shall he/she or~~ disclose student information to federal government authorities for the purpose of compiling such a list, registry, or database for purposes of immigration enforcement. Such This prohibition does not apply to information may only be compiled or exchanged with other local,

~~state, or federal agencies if the~~ information that is aggregated and is not personally identifiable. (Government Code 8310.3)

The Superintendent or designee shall develop protocols to comply with a court's restraining order that prohibits a party from accessing specified records and information pertaining to a student. (Family Code 6323.5)

Student Records from Social Media

The Superintendent or designee may gather and maintain information from the social media of any district student, provided that the district first notifies students and parents/guardians about the proposed program, offers an opportunity for public comment at a regularly scheduled Board meeting, and gathers only information that directly pertains to school safety or student safety. (Education Code 49073.6)

~~Contract for Digital Storage, Management~~ Retention, Disclosure, and ~~Retrieval~~ Security of Student Records

The Superintendent or designee shall ensure the confidentiality of student records as required by law and shall establish processes and procedures to safeguard data against damage, loss, or theft, including damage, loss, or theft, which may be caused by the use of technology, including artificial intelligence and breaches to the district's digital infrastructure, in the retention or disclosure of student records. Additionally, in accordance with Board Policy 5145.13 – Response to Immigration Enforcement, all district staff shall avoid the disclosure of information that may indicate a student's or family's citizenship or immigration status if the disclosure is not authorized by law.

The Superintendent or designee shall ensure that employees receive information and training about cybersecurity, including ways to protect student records from breaches to the district's digital infrastructure.

If the district experiences a cyberattack that impacts more than 500 students or personnel, the Superintendent or designee shall report the cyberattack to the California Cybersecurity Integration Center. (Education Code 35266)

The Superintendent or designee may enter into a contract with a third party for the digital storage, management, and retrieval of student records and/or to authorize a third party provider of digital software to access, store, and use student records, provided that the contract meets the requirements of Education Code 49073.1 and other applicable state and federal laws.

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 Governing 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 16020-16027	Destruction of records of school districts
5 CCR 430-438	Individual student records
Bus. and Prof. Code 22580-22582	Privacy rights for California minors in the digital world

Policy 5125: Student Records

Status: ADOPTED

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

The Governing Board recognizes the importance of keeping accurate, comprehensive student records as required by law. The Superintendent or designee shall establish administrative regulations governing the identification, collection, retention, disclosure and security of student records. These regulations shall ensure the rights of authorized persons to have timely access to student records while maintaining the confidentiality of student records in accordance with state and federal law.

The Superintendent or designee shall designate a certificated employee to serve as custodian of records with responsibility for student records at the district level. At each school, the principal or a certificated employee shall be designated as custodian of records for students enrolled at that school. The custodian of records shall be responsible for implementing Board policy and administrative regulation regarding student records. (5 CCR 431)

If student records containing covered information which is not subject to the California Consumer Privacy Act are under the control of the operator of a website, online service or application, or mobile application, and the student's parent/guardian or the student, if 18 years of age or older, requests deletion of such records, the Superintendent or designee shall provide documentation to the operator that the student has not been enrolled in the district for at least 60 days. (Business and Professions Code 22584)

All appropriate personnel shall receive training regarding district policies and procedures for gathering and handling sensitive student information, including which information should not be solicited.

The district shall not collect or solicit social security numbers or the last four digits of social security numbers of students or their parents/guardians, unless otherwise required to do so by state or federal law. (Education Code 49076.7)

No information or documents regarding the citizenship or immigration status of students or their family members shall be collected, except as required by state or federal law or as required to administer a state or federally supported educational program. In accordance with board Policy 5145.13 – Response to Immigrant Enforcement, the Superintendent or designee shall not disclose student records to a person, agency, or organization for immigration enforcement purposes without parental consent, a court order, or a judicial subpoena/warrant. If a district employee receives such a request, the employee shall respond in accordance with Board Policy 5145.13 – Response to Immigrant Enforcement. The Superintendent shall report the request to the Board in a timely manner that ensures the confidentiality and privacy of any potentially identifying information. (Education Code 234.7)

The district or any district employee shall not compile a list, registry, or database based on students' national origin, ethnicity, or religious belief, practice, or affiliation, or disclose student information to federal government authorities for the purpose of compiling such a list, registry, or database for purposes of immigration enforcement. This prohibition does not apply to information that is aggregated and is not personally identifiable. (Government Code 8310.3)

The Superintendent or designee shall develop protocols to comply with a court's restraining order that prohibits a party from accessing specified records and information pertaining to a student. (Family Code 6323.5)

Student Records from Social Media

The Superintendent or designee may gather and maintain information from the social media of any district student, provided that the district first notifies students and parents/guardians about the proposed program, offers an opportunity for public comment at a regularly scheduled Board meeting, and gathers only information that directly pertains to school safety or student safety. (Education Code 49073.6)

Retention, Disclosure, and Security of Student Records

The Superintendent or designee shall ensure the confidentiality of student records as required by law and shall establish processes and procedures to safeguard data against damage, loss, or theft, including damage, loss, or theft, which may be caused by the use of technology, including artificial intelligence and breaches to the district's digital infrastructure, in the retention or disclosure of student records. Additionally, in accordance with Board Policy 5145.13 – Response to Immigration Enforcement, all district staff shall avoid the disclosure of information that may indicate a student's or family's citizenship or immigration status if the disclosure is not authorized by law.

The Superintendent or designee shall ensure that employees receive information and training about cybersecurity, including ways to protect student records from breaches to the district's digital infrastructure.

If the district experiences a cyberattack that impacts more than 500 students or personnel, the Superintendent or designee shall report the cyberattack to the California Cybersecurity Integration Center. (Education Code 35266)

The Superintendent or designee may enter into a contract with a third party for the digital storage, management, and retrieval of student records and/or to authorize a third-party provider of digital software to access, store, and use student records, provided that the contract meets the requirements of Education Code 49073.1 and other applicable state and federal laws.

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 Governing 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 16020-16027	Destruction of records of school districts
5 CCR 430-438	<u>Individual student records</u>
Bus. and Prof. Code 22580-22582	<u>Privacy rights for California minors in the digital world</u>
Bus. and Prof. Code 22584-22585	<u>K-12 Pupil Online Personal Information Protection Act</u>
Bus. and Prof. Code 22586-22587	<u>Early Learning Personal Information Protection Act</u>

ALAMEDA UNIFIED SCHOOL DISTRICT
SPECIAL AGENDA ITEM

Item Title: CSBA Recommended Update to BP 5145.13: Response to Immigration Enforcement (10 Mins/Action)

Item Type: Action

Background: ***BP 5145.13 Response to Immigration Enforcement:*** This policy was part of the March 2025 CSBA Policy Update packet. It is being brought as a separate item for review and discussion.

- BP 5145.13 Response to Immigration Enforcement

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:

Fiscal Analysis

Amount (Savings) (Cost):

Recommendation: Other

Submitted for review and discussion by staff.

AUSD Guiding Principle:

Submitted By: Kirsten Zazo, Assistant Superintendent of Educational Services

ATTACHMENTS:

Description	Upload Date	Type
BP 5145.13_Response to Immigration Enforcement	5/20/2025	Backup Material

Policy 5145.13: Response To Immigration Enforcement

Status: ADOPTED

Original Adopted Date: ~~07/06~~05/01/2018 | Last ~~Revised~~ Date: 03/01/2025 | Last Reviewed
Date: ~~07/06/2018~~03/01/2025

The Governing Board is committed to the success of all students and believes that every school site should be a safe and welcoming place for all students and their families irrespective of their citizenship or immigration status.

District staff shall not solicit or collect information or documents, and shall not seek or require information or documents to the exclusion of other permissible information or documents, regarding the citizenship or immigration status of ~~students~~a student or ~~their~~the student's family members ~~or provide assistance with immigration enforcement at district schools, except as may be required by state and federal law.~~ (Education Code 234.7)

~~No~~

In accordance with law, Board Policy 0410 - Nondiscrimination in District Programs and Activities, and Board Policy 5145.3 - Nondiscrimination/Harassment, no student shall be denied equal rights and opportunities, nor be subjected to unlawful discrimination, harassment, intimidation, or bullying in the district's programs and activities on the basis of ~~his/her immigration status. (Education Code 200, 220, 234.1)~~

the student's or family's immigration status or for the refusal to provide information related to the student's or family's immigration status. (Education Code 200, 220, 234.1)

Resources and data collected by the district shall not be used, directly or by others, to compile a list, registry, or database of individuals based on national origin, immigration status, religion, or other category of individual characteristics protected against unlawful discrimination. (Government Code 8310.3)

The Superintendent or designee shall notify parents/guardians regarding their children's right to a free public education regardless of immigration status or religious beliefs and their rights related to immigration enforcement. (Education Code 234.7)

~~Consistent with requirements of the California Office of the Attorney General, the~~

The Superintendent or designee shall develop procedures for addressing any immigration-related requests by a law enforcement officer for access to district records, school sites, or students ~~for the purpose of immigration enforcement.~~

~~Teachers, school administrators, and other school staff shall receive.~~

~~The Superintendent or designee may provide~~ training ~~to staff~~ regarding immigration issues, including information on responding to a request from ~~an immigration~~ law enforcement officer to visit a school site or to have access to a student.

The Superintendent or designee shall report to the Board in a timely manner any requests for information or access to a school site by ~~an officer or employee of~~ a law enforcement ~~agency~~ officer for the purpose of enforcing the immigration laws. Such notification shall be provided in a manner that ensures the confidentiality and privacy of any potentially identifying information. (Education Code 234.7)

Policy Reference Disclaimer:

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

State

Ed. Code 200

Description

[Equal rights and opportunities in state educational institutions](#)

Ed. Code 220

[Prohibition of discrimination](#)

Ed. Code 234.1

[Student protections relating to discrimination, harassment, intimidation, and bullying](#)

Ed. Code 234.7

[Student protections relating to immigration and citizenship status](#)

Ed. Code 48204.4

[Evidence of residency for school enrollment](#)

Ed. Code 48980

[Parent/Guardian notifications](#)

Ed. Code 48985

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

Gov. Code 8310.3

[California Religious Freedom Act](#)

Pen. Code 422.55

[Definition of hate crime](#)

Pen. Code 627-627.10

[Access to school premises](#)

Federal

20 USC 1232g

Description

[Family Educational Rights and Privacy Act \(FERPA\) of 1974](#)

Management Resources

CA Office of the Attorney General
Publication

Description

[Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's](#)

Policy 5145.13: Response To Immigration Enforcement

Status: ADOPTED

Original Adopted Date: 07/06/2018 | **Last Revised Date:** | **Reviewed Date:**

The Governing Board is committed to the success of all students and believes that every school site should be a safe and welcoming place for all students and their families irrespective of their citizenship or immigration status.

District staff shall not solicit or collect information or documents, and shall not seek or require information or documents to the exclusion of other permissible information or documents, regarding the citizenship or immigration status of a student or the student's family members. (Education Code 234.7)

In accordance with law, Board Policy 0410 - Nondiscrimination in District Programs and Activities, and Board Policy 5145.3 - Nondiscrimination/Harassment, no student shall be denied equal rights and opportunities, nor be subjected to unlawful discrimination, harassment, intimidation, or bullying in the district's programs and activities on the basis of the student's or family's immigration status or for the refusal to provide information related to the student's or family's immigration status. (Education Code 200, 220, 234.1)

Resources and data collected by the district shall not be used, directly or by others, to compile a list, registry, or database of individuals based on national origin, immigration status, religion, or other category of individual characteristics protected against unlawful discrimination. (Government Code 8310.3)

The Superintendent or designee shall notify parents/guardians regarding their children's right to a free public education regardless of immigration status or religious beliefs and their rights related to immigration enforcement. (Education Code 234.7)

The Superintendent or designee shall develop procedures for addressing any immigration-related requests by a law enforcement officer for access to district records, school sites, or students.

The Superintendent or designee may provide training to staff regarding immigration issues, including information on responding to a request from a law enforcement officer to visit a school site or to have access to a student.

The Superintendent or designee shall report to the Board in a timely manner any requests for information or access to a school site by a law enforcement officer for the purpose of enforcing the immigration laws. Such notification shall be provided in a manner that ensures the confidentiality and privacy of any potentially identifying information. (Education Code 234.7)

ALAMEDA UNIFIED SCHOOL DISTRICT
SPECIAL AGENDA ITEM

Item Title: Staff Recommendation to Update BP and AR 3471.1: Citizens' Parcel Tax Oversight Committee (10 Mins/Action)

Item Type: Action

Background: The policy and regulation were last updated in 2021, after the Board voted to allow Measures B1 and A to be overseen by one unified Parcel Tax Oversight Committee.

Measures B1 and A will be replaced by Measure E on July 1, 2025. As such, the language in the policy and regulation needs to reflect the new letter, the new name, the new rate, and the new uses of the parcel tax.

- BP/AR 3471.1 Citizens' Parcel Tax Oversight Committee

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:

Fiscal Analysis

Amount (Savings) (Cost):

Recommendation: Other

Submitted for review and discussion by staff.

AUSD Guiding Principle:

Submitted By: Kirsten Zazo, Assistant Superintendent of Educational Services

ATTACHMENTS:

	Description	Upload Date	Type
▣	BP 3471.1 Citizens' Parcel Tax Oversight Committee	5/15/2025	Backup Material
▣	AR 3471.1 Citizens' Parcel Tax Oversight Committee	5/15/2025	Backup Material

BP 3471.1 Citizens' Parcel Tax Oversight Committee

~~Use and Oversight of Parcel Taxes~~

~~A. Use and Oversight of~~ Measure ~~B1-E~~ Parcel Tax Funds

The Board of Education shall use funds generated from AUDS's ~~Preserving Local Support for Quality Local Schools Measure of 2016~~ Teacher Retention & Local Academic Excellence Measure of 2024 (Measure ~~B1-E~~) only for those educational programs and activities set forth in the Measure. The Board shall annually establish funding priorities and approve all allocations in accordance with the terms of the Measure.

Specifically, ~~a~~Available ~~r~~Revenues could be used ~~to~~for:

- Sustaining strong academic programs in reading, writing, math, arts, and sciences, including Advanced Placement Courses
- Attracting and retaining high-quality teachers and school employees by keeping salaries and benefits competitive
- Supporting teachers and counselors in keeping struggling students on the right track
- Providing funding for small class sizes in a manner which may not be achieved solely with support from the District's General Fund
- Preparing students for 21st-century jobs and careers
- Protecting art, music, sports, and performing arts programs
- Investing in a network of thriving TK-12 schools
- _____
- _____

The Board may fund approved programs at amounts other than the stated percentages in cases of Severe Fiscal Emergency or Changed Funding Conditions of Alameda's public schools. In no event shall revenues of the Measure be used for purposes other than those stated herein.

1. ——— Small Class Sizes: 13-14 percent of the Available Revenues of this Measure shall be dedicated annually to maintaining manageable elementary class sizes with student to teacher ratios no greater than 25 to 1 in K-3 classrooms. Revenues from this Measure will support small class sizes in a manner which may not be achieved solely with support from the district's General Fund. In the event the State of California fully funds class-size reduction to support student to teacher ratios of 20 to 1 in K-3 classrooms such that supplemental parcel tax funds are no longer required to maintain small class sizes, the Board may recommend that revenues which were allocated for small class size be reapportioned to the remaining programs supported by this Measure.

-

2. ——— Neighborhood Elementary Schools: 7-8 percent of the Available Revenues of this Measure shall be dedicated annually to maintaining high quality neighborhood elementary schools. For purposes of this Measure, high quality shall be determined by external measurements, parental choice, and student outcomes. Revenues from this Measure may be used to support programs designed to maximize enrollment in neighborhood schools, such as magnet programs, and programs which improve the academic proficiency of all students through effective instruction

and implementation of a challenging and engaging curriculum as more specifically set forth in the district's Master Plan document.

-

3. ~~Secondary School Choice Initiative and AP Courses: 7-8 percent of the Available Revenues of this Measure shall be dedicated annually to maintaining Advanced Placement Courses and to supporting the secondary school choice initiative to create different educational pathways to careers and college. Revenues from this Measure may be used to create and support more personalized learning environments which are aligned with student interest and coupled with rigorous, relevant and interesting curricula to engage young learners as more specifically set forth in the Master Plan. Revenues from this Measure may also be used to sustain secondary courses with student to teacher ratios less than 35 to 1.~~

-

4. ~~Programs to Close the Achievement Gap: 15-16 percent of the Available Revenues of this Measure shall be dedicated annually to supporting programs which are specifically designed to close the achievement gap. Revenues from this Measure may be used to support professional development for teachers and staff to accomplish district-wide learning initiatives and to provide targeted intervention and support. Revenues from this Measure will also be used to restore the school year to 180 days of instruction for all students.~~

-

5. ~~High School Athletic Programs: 4 percent of the Available Revenues of this Measure shall be dedicated annually to maintaining high school athletic programs. Revenues from this Measure may be used to support stipends for athletic coaches, transportation costs for athletic events, equipment and other operational costs.~~

-

6. ~~Enrichment Programs: 9-10 percent of the Available Revenues of this Measure shall be dedicated annually to maintaining art, music and drama as integral subjects of the K-12 curriculum. Funds may be used to support enrichment programs such as Physical Education and Media Centers in elementary schools and to support highly qualified visual and performing arts professionals, supplies, equipment and facilities.~~

-

7. ~~Attract and Retain Excellent Teachers: 25-26 percent of the Available Revenues of this Measure will be dedicated annually to attracting and retaining highly qualified and excellent teachers.~~

-

8. ~~Counseling and Student Support Services: 6 percent of the Available Revenues of this Measure shall be dedicated annually to providing a lower and more effective ratio of students to counselors and support providers. Revenues from this Measure may be used to provide students with a range of support services, including college and career counseling.~~

-

9. ~~Alameda Charter Students: 3-4 percent of the Available Revenues of this Measure shall be dedicated annually to supporting Alameda students in Alameda's public charter schools in~~

existence at the approval of this Measure. This revenue shall be annually distributed to existing charter schools in proportion to each charter's enrollment of Alameda resident students.

-

10. Technology: 5 percent of the Available Revenues of this Measure shall be dedicated annually to providing and maintaining technology at all sites consistent with the district's technology plan as approved by the Board.

-

11. Adult Education: 4 percent of the Available Revenues of this Measure shall be dedicated annually to supporting the Alameda Adult School to provide lifelong educational opportunities and services for adult learners.

~~"Available Revenues" shall mean the amount of money provided by the Measure after the deduction of one and one-half to two percent of the Measure's revenues to paying for the following: the cost of the parcel tax election, authorized collection charges by the county or city for collection of the tax and, payment of necessary fees and expenses to administer the district's parcel tax, and costs to implement accountability provisions to ensure fiscal transparency through public information, translation services for the district families, and support of the Oversight Committee.~~

~~"Severe Fiscal Emergency" may be declared by a majority of the Board when the emergency is the result of financial events which are out of the control of the Board; and either (a) the district's Interim Financial Report is "Qualified" or "Negative" pursuant to AB 1200 and AB 2756 and the Alameda County Office of Education concurs with this determination; or (b) the Alameda County Office of Education has disapproved the district's annual budget.~~

~~"Changed Funding Conditions" may be declared by a majority of the Board when local, state or federal funding for programs supported by this Measure is reduced below the 2010-2011 levels of funding as of October 2010, including the receipt of the statutory cost of living adjustment, such that the changed conditions increase the cost of providing the programs supported by this Measure. Changed Funding Conditions may also be declared by a majority of the Board in the event local, state or federal funding for programs supported by this Measure is increased above the 2010-2011 levels of funding such that supplemental parcel tax funds are no longer required to maintain the program and the Board may reapportion revenues to the remaining programs supported by this Measure.~~

Amount and Basis of Tax

1. Definitions

~~"Available Revenues" shall mean the amount of money provided by the Measure after paying for the following: authorized collection charges by the county or city for collection of the tax and payment of necessary fees and expenses to administer the district's parcel tax.~~

~~"Building" is defined as any structure having a roof supported by columns or by walls and designed for the shelter or housing of any person or property of any kind. The word "Building" includes the word "structure" and encompasses, without limitation, all residential, commercial and industrial structures.~~

"Parcel of Taxable Real Property" is any unit of real property in the district that receives a separate tax bill for property taxes from the County Treasurer-Tax collector's Office, including any parcel of public real property which is not exempt from ad valorem taxes.

"Improved Parcel" is defined as a Parcel of ~~Taxable~~ Taxable Real Property on which exists any building.

~~1.~~ "Unimproved Parcel" is defined as a Parcel of Taxable Real Property on which no building exists.

2. Annual Rate

Taxable Real Property with buildings shall be assessed the lesser of \$0.~~32~~585 per building square foot, not to exceed ~~\$7,999~~15,998 per parcel. All other real property shall be assessed \$~~299~~598 per parcel.

3. Building Square Footage Determination

In determining the building square footage of Taxable Real Property, the district shall refer to the data reported to the County Assessor's Office, except in cases of demonstrable error, in which case either the property owner may file a claim with the district for re-computation of the tax or the district will re-compute the tax and provide notice to the owner of the computation and the right to appeal in accordance with procedures set forth in the Administrative Regulation.

4. Exemptions

Any person who is 65 years of age or older and who owns and occupies a parcel of Taxable Real Property as his/her principal place of residence, may apply for an exemption from the tax.

Any person, regardless of age, who receives Supplemental Social Security Income for a disability and who owns and occupies a parcel of Taxable Real Property as his/her principal place of residence, may apply for an exemption from the tax.

~~4.~~ Any person, regardless of age, who is receiving social Security Disability Insurance, whose yearly income does not exceed 250 percent of the 2012 federal poverty guidelines

The Superintendent or his/her designee shall establish and publish procedures for the submission of senior citizen and SSI exemptions. The procedures shall not require senior citizens to submit multiple applications for an exemption on the same parcel.

Accountability Measures

1. Public Information and Fiscal Transparency

The Superintendent or his/her designees shall ensure that ~~the use of Measure B1 information regarding the use of funds from this Measure is provided to the public in a timely and transparent manner through frequent communication with the Alameda community, presentation of information to the Oversight Committee, and use of the District website. All financial reports and information regarding the use of these funds shall be translated for District families upon request. funds are regularly reported to the Board and to the public through the website and other means of communication. All financial reports and information related to the use of Measure B1 funds shall be translated for district families upon request.~~

2. Separate Account

Proceeds of the Measure shall be deposited into a separate account from all other accounts in the district.

3. Financial Oversight

The Superintendent or his/her designee shall provide at least three reports each fiscal year for the duration of the Measure: a report recommending expenditures for the next fiscal year before adoption of the district's annual budget; at least one report concurrently with State-required interim reports; and an annual report on Measure B1-E ("Annual Report"). The Annual Report will display the revenues generated by the Measure, the expenditures of the revenues, and a report on the status of the projects funded by the Measure. These reports can be combined with reports about other parcel taxes in existence in the District to create unified "AUSD Parcel Tax Program" reports, as long as the information about each individual parcel tax program is clearly demarcated.

4. Independent Auditor's Report and Audit Committee

The Superintendent or his/her designee shall provide an annual audit by an independent auditor to determine that funds generated by Measure B1 have been allocated and expended in compliance with the provisions of the Measure. An audit of the parcel tax funds will be included in the District's annual financial audit.

5. Oversight Committee

Pursuant to the terms of Measure B1-E, an Oversight Committee shall be formed to annually review the district's compliance with the terms of the Measure. This Oversight Committee may be merged with any other parcel tax Oversight Committee, so as to form one unified "AUSD Parcel Tax Program Oversight Committee." Members of any Unified Oversight Committee shall take into account any differences in the types and amounts of expenditures authorized by each Measure. Appointments to the Oversight Committee shall be made annually by the Superintendent of Schools and approved by the Board of Education at a regularly scheduled

meeting on or before October 31 of each year. The Committee shall consist of 11 members, all of whom must be residents of the City of Alameda. The Superintendent shall recommend a committee representing the diverse interests of parents/guardians, staff members, students, and community members from all attendance areas in the district.

The committee will adhere to all provisions of the Brown Act. Minutes, agendas and relevant communications and information will be posted to the district website.

A chair will be selected from among voting members to conduct the meetings and to serve in a representative capacity as needed.

Policy Adopted: [August 23, 2011](#)

Revised: [February 26, 2019](#)

B. ~~Use Of Measure A Parcel Tax Funds~~

~~The Board of Education shall use funds generated from AUSD's Alameda Teacher/Staff Retention Measure of 2020 (Measure A) only for the purposes set forth in the Measure. The Board shall annually establish funding priorities and approve all allocations in accordance with the terms of the Measure~~

~~Specifically, Available Revenues could be used to:~~

- ~~1. Retain and attract excellent teachers and school employees through increased salaries and benefits~~
~~-~~
- ~~2. Provide high-quality teachers needed for strong instruction in core academic programs like reading, writing, math, arts and sciences~~
~~-~~
- ~~3. Support teachers and counselors in keeping struggling students on the right track~~
~~-~~
- ~~4. Reduce turnover among teachers and staff, which helps build instructional depth, continuity, and consistency~~
~~-~~
- ~~5. Recruit top talent in hard to find subject areas, such as special education and mathematics~~
~~-~~
- ~~6. Help teachers and counselors prepare students for 21st-century jobs and careers~~

~~"Available Revenues" is defined as net money remaining after the deduction of the Measure's revenues to pay for the following: the cost of the parcel tax election, authorized charges by the county or city related to the tax, payment of necessary fees and expenses to administer or defend the District's parcel tax, and costs to implement accountability provisions to ensure fiscal transparency through public information, translation services for the District families, and support of the Oversight Committee.~~

Amount and Basis of Tax

1. Definitions

For purposes of the tax levy, the following definitions shall apply:

"Parcel of Taxable Real Property" is defined as any unit of real property in the District that receives a separate tax bill for property taxes from the County Treasurer Tax Collector's Office. All public property that is otherwise exempt from or upon which no ad valorem property taxes are levied in any year shall also be exempt from the special tax in such year.

"Building" is defined as any structure having a roof supported by columns or by walls and designed for the shelter or housing of any person or property of any kind. The word "building" includes the word "structure" and encompasses, without limitation, all residential, commercial, and industrial structures.

"Improved parcel" is defined as a parcel on which exists any building. *"Vacant parcel"* is defined as a parcel on which no building exists.

-

2. Annual Rate

Taxable Real Property with buildings shall be assessed the lesser of \$.265 per building square foot or \$7999 per parcel. All other real property shall be assessed \$299 per parcel.

-

3. Building Square Footage Determination

In determining the building square footage of Taxable Real Property, the District shall refer to the data reported by the County Assessor's Office, except in cases of demonstrable error, in which case either the property owner may file a claim with the District for recomputation of the tax or the District will re-compute the tax and provide notice to the owner of the recomputation and the right to appeal in accordance with the procedures set forth in the Administrative Regulation.

-

4. Exemptions

Any person who is 65 years of age or older and who owns and occupies a parcel of Taxable Real Property as his/her principal place of residence, may apply for an exemption from the tax.

Any person, regardless of age, who receives Supplemental Social Security Income for a disability and who owns and occupies a parcel of Taxable Real Property as his/her principal place of residence, may apply for an exemption from the tax.

The Superintendent or his/her designee shall establish and publish procedures for the

~~submission of senior citizen and SSI exemptions. The procedures shall not require senior citizens to submit multiple applications for an exemption on the same parcel.~~

Accountability Measures

1. ~~Public Information and Fiscal Transparency~~

~~The Superintendent or his/her designees shall ensure that the use of Measure A funds are regularly reported to the Board and to the public through the website and other means of communication. All financial reports and information related to the use of Measure A funds shall be translated for district families upon request.~~

~~-~~

2. ~~Separate Account~~

~~Proceeds of Measure shall be deposited into a separate account from all other accounts in the district.~~

~~-~~

3. ~~Financial Oversight~~

~~The Superintendent or his/her designee shall provide at least three reports each fiscal year for the duration of the Measure: a report recommending expenditures for the next fiscal year before adoption of the district's annual budget; at least one report concurrently with State-required interim reports; and an annual report on Measure A ("Annual Report"). The Annual Report will display the revenues generated by the Measure, the expenditures of the revenues, and a report on the status of the projects funded by the Measure.~~

~~The Annual Report will also include a certification from each charter school physically located in the City of Alameda and receiving a portion of Measure A revenue, documenting that the parcel tax revenue was specifically used for employee salaries.~~

~~These reports can be combined with reports about other parcel taxes in existence in the District to create unified "AUSD Parcel Tax Program" reports, as long as the information about each individual parcel tax program is clearly demarcated.~~

~~-~~

4. ~~Independent Auditor's Report and Audit Committee~~

~~The Superintendent or his/her designee shall provide an annual audit by an independent auditor to determine that funds generated by Measure A have been allocated and expended in compliance the provisions of the Measure.~~

~~-~~

5.1. Oversight Committee

~~Pursuant to the terms of Measure A, an Oversight Committee shall be formed to annually review~~

~~the district's compliance with the terms of the Measure. This Oversight Committee may be merged with any other parcel tax Oversight Committee, so as to form one unified "AUSD Parcel Tax Program Oversight Committee." Members of any Unified Oversight Committee shall take into account any differences in the types and amounts of expenditures authorized by each measure. Appointments to the Oversight Committee shall be made annually by the Superintendent of Schools and approved by the Board of Education at a regularly scheduled meeting on or before October 31 of each school year.~~

~~The Committee shall consist of 11 members, all of whom must be residents of the City of Alameda. The Superintendent shall recommend a committee representing the diverse interests of parents/guardians, staff members, students, and community members from all attendance areas in the district.~~

~~The committee will adhere to all provisions of the Brown Act. Minutes, agendas and relevant communications and information will be posted to the district website.~~

~~A chair will be selected from among voting members to conduct the meetings and to serve in a representative capacity as needed.~~

Policy Adopted: ~~October 27, 2020~~

BP 3471.1 Citizens' Parcel Tax Oversight Committee

Use and Oversight of Measure E Parcel Tax Funds

The Board of Education shall use funds generated from AUSD's Teacher Retention & Local Academic Excellence Measure of 2024 (Measure E) only for those educational programs and activities set forth in the Measure. The Board shall annually establish funding priorities and approve all allocations in accordance with the terms of the Measure.

Specifically, available revenues could be used for:

- Sustaining strong academic programs in reading, writing, math, arts, and sciences, including Advanced Placement Courses
- Attracting and retaining high-quality teachers and school employees by keeping salaries and benefits competitive
- Supporting teachers and counselors in keeping struggling students on the right track
- Providing funding for small class sizes in a manner which may not be achieved solely with support from the District's General Fund
- Preparing students for 21st-century jobs and careers
- Protecting art, music, sports, and performing arts programs
- Investing in a network of thriving TK-12 schools

Amount and Basis of Tax

1. Definitions

"Available Revenues" shall mean the amount of money provided by the Measure after paying for the following: authorized collection charges by the county or city for collection of the tax and payment of necessary fees and expenses to administer the district's parcel tax.

"Building" is defined as any structure having a roof supported by columns or by walls and designed for the shelter or housing of any person or property of any kind. The word "building" includes the word "structure" and encompasses, without limitation, all residential, commercial and industrial structures.

"Parcel of Taxable Real Property" is any unit of real property in the district that receives a separate tax bill for property taxes from the County Treasurer-Tax collector's Office, including any parcel of public real property which is not exempt from ad valorem taxes.

"Improved Parcel" is defined as a Parcel of Taxable Real Property on which exists any building.

"Unimproved Parcel" is defined as a Parcel of Taxable Real Property on which no building exists.

2. Annual Rate

Taxable Real Property with buildings shall be assessed the lesser of \$0.585 per building square foot, not to exceed \$15,998 per parcel. All other real property shall be assessed \$598 per parcel.

3. Building Square Footage Determination

In determining the building square footage of Taxable Real Property, the district shall refer to the data reported to the County Assessor's Office, except in cases of demonstrable error, in which case either the property owner may file a claim with the district for re-computation of the tax or the district will re-compute the tax and provide notice to the owner of the computation and the right to appeal in accordance with procedures set forth in the Administrative Regulation.

4. Exemptions

Any person who is 65 years of age or older and who owns and occupies a parcel of Taxable Real Property as his/her principal place of residence, may apply for an exemption from the tax.

Any person, regardless of age, who receives Supplemental Social Security Income for a disability and who owns and occupies a parcel of Taxable Real Property as his/her principal place of residence, may apply for an exemption from the tax.

Any person, regardless of age, who is receiving social Security Disability Insurance, whose yearly income does not exceed 250 percent of the 2012 federal poverty guidelines

The Superintendent or his/her designee shall establish and publish procedures for the submission of senior citizen and SSI exemptions. The procedures shall not require senior citizens to submit multiple applications for an exemption on the same parcel.

Accountability Measures

1. Public Information and Fiscal Transparency

The Superintendent or his/her designees shall ensure that information regarding the use of funds from this Measure is provided to the public in a timely and transparent manner through frequent communication with the Alameda community, presentation of information to the Oversight Committee, and use of the District website. All financial reports and information regarding the use of these funds shall be translated for District families upon request.

2. Separate Account

Proceeds of the Measure shall be deposited into a separate account from all other accounts in the district.

3. Financial Oversight

The Superintendent or his/her designee shall provide at least three reports each fiscal year for the duration of the Measure: a report recommending expenditures for the next fiscal year before adoption of the district's annual budget; at least one report concurrently with State-required interim reports; and an annual report on Measure E ("Annual Report"). The Annual Report will display the revenues generated by the Measure, the expenditures of the revenues, and a report on the status of the projects funded by the Measure. These reports can be combined with reports about other parcel taxes in existence in the District to create unified "AUSD Parcel Tax Program" reports, as long as the information about each individual parcel tax program is clearly demarcated.

4. Independent Auditor's Report and Audit Committee

The Superintendent or his/her designee shall provide an annual audit by an independent auditor to determine that funds generated by Measure B1 have been allocated and expended in compliance with the provisions of the Measure. An audit of the parcel tax funds will be included in the District's annual financial audit.

5. Oversight Committee

Pursuant to the terms of Measure E, an Oversight Committee shall be formed to annually review the district's compliance with the terms of the Measure. This Oversight Committee may be merged with any other parcel tax Oversight Committee, so as to form one unified "AUSD Parcel Tax Program Oversight Committee." Members of any Unified Oversight Committee shall take into account any differences in the types and amounts of expenditures authorized by each Measure.

Appointments to the Oversight Committee shall be made annually by the Superintendent of Schools and approved by the Board of Education at a regularly scheduled meeting on or before October 31 of each year. The Committee shall consist of 11 members, all of whom must be residents of the City of Alameda. The Superintendent shall recommend a committee representing the diverse interests of parents/guardians, staff members, students, and community members from all attendance areas in the district.

The committee will adhere to all provisions of the Brown Act. Minutes, agendas and relevant communications and information will be posted to the district website.

A chair will be selected from among voting members to conduct the meetings and to serve in a representative capacity as needed.

Policy Adopted: August 23, 2011
Revised: June 8, 2021

Regulation 3471.1: ^Citizens' Parcel Tax Oversight Committee

~~Original Adopted Date: 08/20/2012 | Last Revised Date: 06/08/2021 | Last Reviewed Date: 06/08/2021~~

Status: ADOPTED

- Use and Oversight of Parcel Taxes

- A. Use of Measure B1 Parcel Taxes

~~Alameda Unified School district (AUSD) shall use funds generated from AUSD's Preserving Local Support for Quality Local Schools Measure of 2016 (Measure B1) only for those educational programs and activities set forth in the eleven categories of Measure B1.~~

~~In cases of Severe Fiscal Emergency or Changed Funding Conditions of Alameda's public schools, the Board may fund approved programs among those eleven categories at amounts other than the beginning percentages listed in Measure B1.~~

~~Measure B1 and Board Policy 3471.01 provide for the following beginning allocations and identify the following purposes for each category:~~

- ~~1. Maintaining Small Class Sizes (25:1 in grades K-3): 13-14%~~

~~Funds shall be dedicated to maintaining manageable elementary class sizes with student to teacher ratios no greater than 25 to 1 in K-3 classrooms.~~

- ~~2. Maintaining High Quality Neighborhood Elementary Schools: 7-8%~~

~~Funds shall be dedicated to maintaining high quality neighborhood elementary schools. High quality shall be determined by external measurements, parental choice, and student outcomes.~~

~~Revenues may be used to support programs designed to maximize enrollment in neighborhood schools, such as magnet programs, and programs which improve the academic proficiency of all students through effective instruction and programs which improve the academic proficiency of all students through effective instruction and implementation of a challenging and engaging curriculum as more specifically set forth in the District's Master Plan document.~~

- ~~3. Secondary School Choice Initiative and AP Courses: 7-8%~~

~~Funds shall be allocated to maintaining Advanced Placement Courses and to supporting the secondary choice initiative to create different educational pathways to careers and college.~~

~~Funds may be allocated to create and support more personalized learning environments which are aligned with student interest and coupled with rigorous, relevant and interesting curricula to engage young learners as more specifically set forth in the Master Plan.~~

~~Funds may also be used to sustain secondary courses with student to teacher ratios~~

~~4. Programs to Close the Achievement Gap: 15-16%~~

~~Funds shall be dedicated to supporting programs which are specifically designed to close the achievement gap including professional development for teachers and staff to accomplish district-wide learning initiatives and to provide targeted intervention and support.~~

~~Funds will also be used to restore the school year to 180 days of instruction for all students.~~

~~5. High School Athletic Programs: 4%~~

~~Funds shall be dedicated to maintaining high school athletic programs. Revenues may be used to support stipends for athletic coaches, transportation costs for athletic events, equipment and other operational costs.~~

~~6. Enrichment Programs: 9-10%~~

~~Funds shall be dedicated to maintaining art, music and drama as integral subjects of the K-12 curriculum.~~

~~Funds may be allocated to support enrichment programs such as Physical Education and Media Centers in elementary schools and to support highly qualified visual and performing arts professionals, supplies, equipment and facilities.~~

~~7. Attract and Retain Excellent Teachers: 25-26%~~

~~Funds will be dedicated to attracting and retaining highly qualified and excellent teachers.~~

~~8. Counseling and Student Support Services: 6%~~

~~Funds shall be dedicated to providing a lower and more effective ratio of students to counselors and support providers and to provide students with a range of support services, including college and career counseling.~~

~~9. Alameda Charter Schools: 3-4%~~

~~Funds shall be dedicated to supporting Alameda students in Alameda's public charter schools in existence at the approval of this Measure. Revenue shall be annually distributed to existing charter schools in proportion to each charter's enrollment of Alameda resident student.~~

~~10. Technology: 5%~~

~~Funds shall be dedicated to providing and maintaining technology at all sites consistent with the~~

~~District's technology plan as approved by the Board of Education.~~

~~11. Adult Education: 4%~~

~~Funds shall be dedicated to supporting the Alameda Adult School to provide life-long educational opportunities and services for adult learners.~~

~~Severe Fiscal Emergency or Changed Funding Conditions~~

~~As set forth in Measure B1, the Board may fund approved programs among the eleven listed categories at amounts other than the beginning percentages listed above in cases of Severe Fiscal Emergency or Changed Funding Conditions of Alameda's public schools.~~

~~1. Definitions: A majority of the Board may declare a Severe Fiscal Emergency when the Alameda County Office of Education agrees that the District's Interim Financial Report is Qualified or Negative or in the event the Alameda County Office of Education disapproves the District's annual budget.~~

~~A majority of the Board may declare Changed Funding Conditions when local, state or federal funding for programs supported by Measure A is reduced below the 2010-2011 funding levels as of October 2010 or when local, state or federal funding for programs supported by Measure A is increased above the 2010-2011 levels of funding such that supplemental parcel tax funds are no longer required to maintain the program.~~

~~2. Declaration of Assumptions Tied to Funding Conditions: The funding allocations set forth in Measure B1 are based on state and federal funding as shown in the District's adopted budget for 2010/11. In addition, allocations assume the same level and type of funding as that which was provided in October 2010 for a variety of programs supported by Measure B1, including but not limited to class size reduction, adult education, professional development and technology. Allocations are based on estimates of total revenue using the best available information at the time. Due to the complexity of California's school finance system, this section does not include a comprehensive list of funding assumptions.~~

~~Before altering the allocations set forth herein, the Superintendent shall recommend the Board take action to declare a severe fiscal emergency or changed funding conditions in a noticed public meeting. Whenever possible, the Superintendent shall first inform the Parcel Tax Oversight Committee that he/she intends to seek such a declaration from the Board.~~

~~Applicable Exemptions~~

~~1. Senior Citizen Exemptions: Any person who is 65 years of age or older and who owns and occupies a parcel of Taxable Real Property as his/her principal place of residence, may apply for an exemption from the tax for that parcel.~~

~~2. SSI Exemptions: Any person who receives Supplemental Social Security Income and who owns and~~

occupies a parcel of Taxable Real Property as his/her principal place of residence, may apply for an exemption from the tax for that parcel.

3. SSDI Exemptions: Any person who receives Social Security Disability Income and who owns and occupies a parcel of Taxable Real Property as his/her principal place of residence, may apply for an exemption from the tax for that parcel.

As used herein, principal place of residence shall have the same definition as the ordinary definition under California tax law.

4. Exemptions for Certain Property Held in Trust: Senior Citizens and SSI recipients whose primary residence is held in a trust may apply for an exemption from the tax provided the eligible individual is a beneficiary of said trust.

Method of Collection

The special tax shall be collected by the County Tax Collector of the County of Alameda ("County Tax Collector"), at the same time, in the same manner, and subject to the same penalties as ad valorem property taxes collected by the County Tax Collector.

The parcel tax administrator, on behalf of the District, shall cause the actions required above to be undertaken for each fiscal year in a timely manner to ensure that the roll of the special tax is received by the County Tax Collector. In the event the County Tax Collector is unable to collect the tax, the parcel tax administrator shall take all reasonable and necessary steps to issue a supplemental assessment.

1. Public Property: All public real property that is otherwise exempt from or upon which no ad valorem property taxes are levied in any year shall also be exempt from Measure B1 in such year. Public property with taxable possessory interests shall be assessed whether or not ad valorem taxes are levied.

2. Exemptions Process: Exempt as is set forth herein, no Senior Citizen Exemption or SSI Exemption shall be granted for a fiscal year (July 1-June 30) unless an application has been completed and submitted before 4:30pm on June 30 of the fiscal year immediately prior to the fiscal year for which the applicant is seeking an exemption.

Eligible Property owners who were granted exemptions under Measure A will continue to be exempted from B1.

The filing of a request for an exemption does not relieve any person of the responsibility to pay the tax assessment. In order to avoid default and other negative consequences that may ensue for failure to pay this and any other tax assessments, all taxpayers should pay the full assessed amount while a request for an exemption is being processed.5. Exemption Application: A request for an exemption should be submitted to the following address: Parcel Tax Administrator, Attn: AUSD

Exemption, 4745 Mangels Blvd, Fairfield, CA 94534.

Applicants for exemptions are advised strongly to keep a copy of their application.

The "Senior" Exemption Request Form, "SSI" Exemption Request Form and "SSDI" Exemption Request Form shall be available electronically from the District's website at <http://www.alameda.k12.ca.us> and at the District Office at 2060 Challenger Drive, Alameda, CA 94501. Applications may also be requested by phone by calling SCI Consulting Group at (800) 273-5167.

Questions about the Exemption Request Forms should be directed to AUDS's parcel tax administrator at (800) 273.5167.

6. Term of Exemption – Renewal: Once an Application has been approved for a particular fiscal year, property owners will not be required to submit an additional Application for exemption for subsequent fiscal years, provided that the circumstances justifying the exemption have not changed. On an annual basis, the District will review existing exemptions and may take reasonable steps to confirm that the circumstances justifying the exemption have not changed.

Property owners who were granted exemptions under Measure A are automatically exempted from B1.

Appeals and Refunds

Any person seeking to appeal the amount or basis of his or her assessment under Measure B1 or seeking a refund must fill out a Measure B1 Parcel Tax Correction Application.

The Measure B1 Parcel Tax Correction Application shall be available electronically from the District's website at <http://www.alamedaunified.org> and at the District Office at 2060 Challenger Drive, Alameda, CA 94501. Measure B1 Parcel Tax Correction Applications may also be requested by phone by calling SCI Consulting Group at (800) 273-5167.

Questions about the Measure B1 Parcel Tax Correction Application should be directed to AUDS's parcel tax administrator at (800) 273.5167. Any completed Measure B1 Parcel Tax Correction Application should be sent to the following address: Parcel Tax Administrator, Attn: AUDS Measure B1 Appeal, 4745 Mangels Blvd, Fairfield, CA 94534.

Unless otherwise required by law, the District will only consider appeals filed in the then current fiscal year. Refunds, when due, shall be limited to one fiscal year.

1. Appeals of Building Square Feet Determination

In determining the building square footage of Taxable Real Property, the District shall refer to the data reported by the County Office of Assessor, except in cases of demonstrable error.

Any person seeking to appeal the building square footage used to determine his or her assessment under Measure B1 must first complete and file a Property Characteristic Change Form at the County Office of Assessor. The Property Characteristic Change Form shall be available electronically from the District's website at <http://www.alameda.k12.ca.us> and the Administrative Assistant to the General Counsel & Senior Program Manager at 2200 Central Ave, Alameda, CA 94501 and from the County Office of Assessor.

If the Assessor grants the requested change, the person must then submit a copy of the Property Characteristic Change Form, including evidence confirming the Assessor's approval of the requested change, and a Measure B1 Parcel Tax Correction Application to the following address: Parcel Tax Administrator, Attn: AUSD Measure A Appeal, 4745 Mangels Blvd, Fairfield, CA 94534.

2. Appeals of Exemption Determination

Any person seeking to appeal the denial of an Application for a Senior Citizen Exemption or SSI Exemption must submit a Measure B1 Parcel Tax Correction Application and must include a copy of the Application and evidence that the Application was submitted in a timely manner. Accordingly, applicants for exemptions are advised strongly to keep a copy of any application for exception they submit.

Any person seeking to appeal the denial of an Application for exemption must submit a Measure B1 Parcel Tax Correction Application to the following address: Parcel Tax Administrator, Attn: AUSD Measure B1 Appeal, 4745 Mangels Blvd, Fairfield, CA 94534.

3. Other Appeals or Refunds

Any person seeking a correction or refund for Measure A on his or her property tax bill for any other reason must submit a Measure A Parcel Tax Correction Application to the following address: Parcel Tax Administrator, Attn: AUSD Measure B1 Appeal, 4745 Mangels Blvd, Fairfield, CA 94534.

4. Importance of Paying All Tax Assessments While Appeal is Ongoing

The parcel tax administrator shall inform the property owner that the filing of an appeal does not relieve any person of the responsibility to pay the tax assessment. In order to avoid default and other negative consequences that may ensue for failure to pay this and any other tax assessments, all taxpayers should pay the full assessed amount pending appeal. If an appeal is granted, the District will issue a refund as soon as reasonably possible.

5. Timeline and Process for Appeals and Refunds

The District and its parcel tax administrator will make every reasonable effort to respond promptly to any appeal and to issue any refund that is due. Except in extraordinary circumstances, District staff will respond no later than 60 days after an appeal or request for refund is submitted to the parcel

tax administrator. Following the District's response, the property owner may appeal District staff's response to the Superintendent within 21 days of receiving District staff's response. The Superintendent will issue a final and binding decision on the appeal or refund within 30 days of receiving the appeal of the District staff's response.

Independent Auditor's Report

The Superintendent or his/her designee shall provide an annual audit by an independent auditor to determine that funds generated by Measure B1 have been allocated and expended in compliance the provisions of the Measure.

The independent annual audit of Measure B1 funds will follow the District's ordinary audit cycle and will include an annual auditor's report.

Oversight Committee

Pursuant to the terms of Measure B1, an Oversight Committee shall be formed to annually review the District's compliance with the terms of the Measure. Appointments of both new and returning members to the Oversight Committee shall be made annually by the Superintendent of Schools and approved by the Board of Education at a regularly scheduled meeting on or before September 30 each school year.

The Committee shall consist of eleven (11) members, all of whom must be residents of the City of Alameda. To the extent reasonably possible while also ensuring the Committee will include members with outstanding skills and qualifications, the Superintendent shall recommend a committee representing the diverse interests of parents/guardians, staff members, students, and community members from all attendance areas in the District.

In order to help ensure continuity, stability and experience among the members of the Oversight Committee, a minority of members of the Committee shall be appointed for three year terms, while a majority of members of the Committee shall be appointed for one year terms.

In the event a member of the Committee resigns from the Committee or leaves the Committee for any other reason, the Superintendent may appoint a well-qualified candidate to serve out the remainder of the term of the Committee member who has left the Committee or may choose to keep the vacancy unfilled until the next annual appointments to the Committee.

The committee will adhere to all provisions of the Brown Act. Minutes, agendas and relevant communications and information will be posted to the District website.

A chair will be selected from among voting members to conduct the meetings and to serve in a representative capacity as needed.

Regulation Approved: August 20, 2012

Revised: February 26, 2019

B. Use and Oversight of Measure ~~A-E~~ Parcel Tax Funds

The Board of Education shall use funds generated from AUD's ~~Alameda Teacher/Staff Retention~~ Teacher Retention & Local Academic Excellence Measure of ~~2020-2024~~ (Measure ~~AE~~) only for the purposes set forth in the Measure. The Board shall annually establish funding priorities and approve all allocations in accordance with the terms of the Measure.

Specifically, ~~a~~Available ~~r~~Revenues could be used ~~to~~for:

Sustaining strong academic programs in reading, writing, math, arts, and sciences, including Advanced Placement Courses

- Attracting and retaining high-quality teachers and school employees by keeping salaries and benefits competitive
- Supporting teachers and counselors in keeping struggling students on the right track
- Providing funding for small class sizes in a manner which may not be achieved solely with support from the District's General Fund
- Preparing students for 21st-century jobs and careers
- Protecting art, music, sports, and performing arts programs
- Investing in a network of thriving TK-12 schools
-

~~1. Retain and attract excellent teachers and school employees through increased salaries and benefits~~

~~2. Provide high-quality teachers needed for strong instruction in core academic programs like reading, writing, math, arts and sciences~~

~~3. Support teachers and counselors in keeping struggling students on the right track~~

~~4. Reduce turnover among teachers and staff, which helps build instructional depth, continuity, and consistency~~

~~5. Recruit top talent in hard-to-find subject areas, such as special education and mathematics~~

~~6. Help teachers and counselors prepare students for 21st-century jobs and careers~~

"Available Revenues" is defined as net money remaining after the deduction of the Measure's revenues to pay for the following: ~~the cost of the parcel tax election,~~ authorized charges by the county or city related to the tax, ~~and~~ payment of necessary fees and expenses to administer or defend the District's parcel tax, ~~and costs to implement accountability provisions to ensure fiscal transparency through public information, translation services for the District families, and support of the Oversight Committee.~~

Applicable Exemptions

1. Any person who is 65 years of age or older and who owns and occupies a parcel of Taxable Real Property as his/her principal place of residence, may apply for an exemption from the tax.

2. Any person, regardless of age, who receives Supplemental Social Security Income for a disability and who owns and occupies a parcel of Taxable Real Property as his/her principal place of residence, may apply for an exemption from the tax.

3. Any person, regardless of age, who is receiving social Security Disability Insurance, whose yearly income does not exceed 250 percent of the 2012 federal poverty guidelines

The Superintendent or his/her designee shall establish and publish procedures for the submission of senior citizen and SSI exemptions. The procedures shall not require senior citizens to submit multiple applications for an exemption on the same parcel.

Method of Collection

The special tax shall be collected by the County Tax Collector of the County of Alameda ("County Tax Collector"), at the same time, in the same manner, and subject to the same penalties as ad valorem property taxes collected by the County Tax Collector.

The parcel tax administrator, on behalf of the District, shall cause the actions required above to be undertaken for each fiscal year in a timely manner to ensure that the roll of the special tax is received by the County Tax Collector. In the event the County Tax Collector is unable to collect the tax, the parcel tax administrator shall take all reasonable and necessary steps to issue a supplemental assessment.

1. Public Property: All public real property that is otherwise exempt from Measure A in such year. Public property with taxable possessory interests shall be assessed whether or not ad valorem taxes are levied.

2. Exemptions Process: Exempt as is set forth herein, no Senior Citizen Exemption or SSI Exemption shall be granted for a fiscal year (July 1-June 30) unless an application has been completed and submitted before 4:30pm on June 30 of the fiscal year immediately prior to the fiscal year for which the applicant is seeking an exemption.

Eligible Property owners who were granted exemptions under Measure B1 and/or Measure A will continue to be exempted from Measure AE.

The filing of a request for an exemption does not relieve any person of the responsibility to pay the tax assessment. In order to avoid default and other negative consequences that may ensue for failure to pay this and any other tax assessments, all taxpayers should pay the full assessed amount while a request for an exemption is being processed.

3. Exemption Application: A request for an exemption should be submitted to the following address: Parcel Tax Administrator, Attn: AUSD Exemption, 4745 Mangels Blvd, Fairfield, CA 94534.

Applicants for exemptions are advised strongly to keep a copy of their application.

The "Senior" Exemption Request Form, "SSI" Exemption Request Form and "SSDI" Exemption Request Form shall be available electronically from the District's website at <http://www.alamedaunified.org> and at the District Office at 2060 Challenger Drive, Alameda, CA 94501. Applications may also be requested by phone by calling SCI Consulting Group at (800) 273-5167.

Questions about the Exemption Request Forms should be directed to AUSD's parcel tax administrator at (800) 273.5167.

6. Term of Exemption - Renewal: Once an Application has been approved for a particular fiscal year, property owners will not be required to submit an additional Application for exemption for subsequent fiscal years, provided that the circumstances justifying the exemption have not changed. On an annual basis, the District will review existing exemptions and may take reasonable steps to confirm that the circumstances justifying the exemption have not changed.

Property owners who were granted exemptions under Measure B1 and/or A are automatically exempted from A-E.

Appeals and Refunds

Any person seeking to appeal the amount or basis of his or her assessment under Measure A-E or seeking a refund must fill out a Measure A-E Parcel Tax Correction Application.

The Measure A-E Parcel Tax Correction Application shall be available electronically from the District's website at <http://www.alamedaunified.org> and at the District Office at 2060 Challenger Drive, Alameda, CA 94501. Measure A-E Parcel Tax Correction Applications may also be requested by phone by calling SCI Consulting Group at (800) 273-5167.

Questions about the Measure A-E Parcel Tax Correction Application should be directed to AUSD's parcel tax administrator at (800) 273.5167. Any completed Measure A-E Parcel Tax Correction Application should be sent to the following address: Parcel Tax Administrator, Attn: AUSD Measure A-E Appeal, 4745 Mangels Blvd, Fairfield, CA 94534.

Unless otherwise required by law, the District will only consider appeals filed in the then-current fiscal year. Refunds, when due, shall be limited to one fiscal year.

1. Appeals of Exemption Determination

Any person seeking to appeal the denial of an Application for a Senior Citizen Exemption or SSI Exemption must submit a Measure A-E Parcel Tax Correction Application and must include a copy of the Application and evidence that the Application was submitted in a timely manner. Accordingly, applicants for exemptions are advised strongly to keep a copy of any application for exception they submit.

Any person seeking to appeal the denial of an Application for exemption must submit a Measure ~~A-E~~ Parcel Tax Correction Application to the following address: Parcel Tax Administrator, Attn: AUSD Measure ~~A-E~~ Appeal, 4745 Mangels Blvd, Fairfield, CA 94534.

2. Other Appeals or Refunds

Any person seeking a correction or refund for Measure ~~A-E~~ on his or her property tax bill for any other reason must submit a Measure ~~A-E~~ Parcel Tax Correction Application to the following address: Parcel Tax Administrator, Attn: AUSD Measure ~~A-E~~ Appeal, 4745 Mangels Blvd, Fairfield, CA 94534.

3. Importance of Paying All Tax Assessments While Appeal is Ongoing

The parcel tax administrator shall inform the property owner that the filing of an appeal does not relieve any person of the responsibility to pay the tax assessment. In order to avoid default and other negative consequences that may ensue for failure to pay this and any other tax assessments, all taxpayers should pay the full assessed amount pending appeal. If an appeal is granted, the District will issue a refund as soon as reasonably possible.

4. Timeline and Process for Appeals and Refunds

The District and its parcel tax administrator will make every reasonable effort to respond promptly to any appeal and to issue any refund that is due. Except in extraordinary circumstances, District staff will respond no later than 60 days after an appeal or request for refund is submitted to the parcel tax administrator. Following the District's response, the property owner may appeal District staff's response to the Superintendent within 21 days of receiving District staff's response. The Superintendent will issue a final and binding decision on the appeal or refund within 30 days of receiving the appeal of the District staff's response.

Independent Auditor's Report and Audit Committee

The Superintendent or his/her designee shall provide an annual audit by an independent auditor to determine that funds generated by Measure ~~E-A~~ have been allocated and expended in compliance the provisions of the Measure. [An audit of the parcel tax funds will be included in the District's annual financial audit.](#)

Oversight Committee

Pursuant to the terms of Measure ~~A-E~~, an Oversight Committee shall be formed to annually review the district's compliance with the terms of the Measure. This Oversight Committee may be merged with any other parcel tax Oversight Committee, so as to form one unified "AUSD Parcel Tax Program Oversight Committee." Members of any Unified Oversight Committee shall take into account any differences in the types and amounts of expenditures authorized by each measure.

Appointments to the Oversight Committee shall be made annually by the Superintendent of Schools and approved by the Board of Education at a regularly scheduled meeting on or before October 31 of each school year.

The Committee shall consist of 11 members, all of whom must be residents of the City of Alameda. The Superintendent shall recommend a committee representing the diverse interests of parents/guardians, staff members, students, and community members from all attendance areas in the district.

In the event a member of the Committee resigns from the Committee or leaves the Committee for any other reason, the Superintendent may appoint a well-qualified candidate to serve out the remainder of the term of the Committee member who has left the Committee or may choose to keep the vacancy unfilled until the next annual appointments to the Committee.

The committee will adhere to all provisions of the Brown Act. Minutes, agendas and relevant communications and information will be posted to the district website.

A chair will be selected from among voting members to conduct the meetings and to serve in a representative capacity as needed.

~~(cf. [3100-Budget](#))~~

Regulation [Adopted: August 20, 2012](#)

[Revised: June 8, 2021](#) ~~[Approved: June 8, 2021](#)~~

~~Copyright © 2025 eBOARDsolutions Inc. -- All rights reserved. | [Privacy Notice](#) | [Accessibility Notice](#)~~

~~Version: 26.2.0.5~~



Use and Oversight of Measure E Parcel Tax Funds

The Board of Education shall use funds generated from AUSD's Teacher Retention & Local Academic Excellence Measure of 2024 (Measure E) only for the purposes set forth in the Measure. The Board shall annually establish funding priorities and approve all allocations in accordance with the terms of the Measure.

Specifically, available revenues could be used for:

- Sustaining strong academic programs in reading, writing, math, arts, and sciences, including Advanced Placement Courses
- Attracting and retaining high-quality teachers and school employees by keeping salaries and benefits competitive
- Supporting teachers and counselors in keeping struggling students on the right track
- Providing funding for small class sizes in a manner which may not be achieved solely with support from the District's General Fund
- Preparing students for 21st-century jobs and careers
- Protecting art, music, sports, and performing arts programs
- Investing in a network of thriving TK-12 schools

"Available Revenues" is defined as net money remaining after the deduction of the Measure's revenues to pay for the following: authorized charges by the county or city related to the tax and payment of necessary fees and expenses to administer or defend the District's parcel tax.

Applicable Exemptions

1. Any person who is 65 years of age or older and who owns and occupies a parcel of Taxable Real Property as his/her principal place of residence may apply for an exemption from the tax.
2. Any person, regardless of age, who receives Supplemental Social Security Income for a disability and who owns and occupies a parcel of Taxable Real Property as his/her principal place of residence, may apply for an exemption from the tax.
3. Any person, regardless of age, who is receiving social Security Disability Insurance, whose yearly income does not exceed 250 percent of the 2012 federal poverty guidelines

The Superintendent or his/her designee shall establish and publish procedures for the submission of senior citizen and SSI exemptions. The procedures shall not require senior citizens to submit multiple applications for an exemption on the same parcel.

Method of Collection

The special tax shall be collected by the County Tax Collector of the County of Alameda ("County Tax Collector"), at the same time, in the same manner, and subject to the same penalties as ad valorem property taxes collected by the County Tax Collector.

The parcel tax administrator, on behalf of the District, shall cause the actions required above to be undertaken for each fiscal year in a timely manner to ensure that the roll of the special tax is received by the County Tax Collector. In the event the County Tax Collector is unable to collect the tax, the parcel tax administrator shall take all reasonable and necessary steps to issue a supplemental assessment.

1. Public Property: All public real property that is otherwise exempt from Measure A in such year. Public property with taxable possessory interests shall be assessed whether or not ad valorem taxes are levied.

2. Exemptions Process: Exempt as is set forth herein, no Senior Citizen Exemption or SSI Exemption shall be granted for a fiscal year (July 1-June 30) unless an application has been completed and submitted before 4:30pm on June 30 of the fiscal year immediately prior to the fiscal year for which the applicant is seeking an exemption.

Eligible Property owners who were granted exemptions under Measure B1 and/or Measure A will continue to be exempted from Measure E.

The filing of a request for an exemption does not relieve any person of the responsibility to pay the tax assessment. In order to avoid default and other negative consequences that may ensue for failure to pay this and any other tax assessments, all taxpayers should pay the full assessed amount while a request for an exemption is being processed.

3. Exemption Application: A request for an exemption should be submitted to the following address: Parcel Tax Administrator, Attn: AUSD Exemption, 4745 Mangels Blvd, Fairfield, CA 94534. Applicants for exemptions are advised strongly to keep a copy of their application.

The "Senior" Exemption Request Form, "SSI" Exemption Request Form and "SSDI" Exemption Request Form shall be available electronically from the District's website at <http://www.alamedaunified.org> and at the District Office at 2060 Challenger Drive, Alameda, CA 94501. Applications may also be requested by phone by calling SCI Consulting Group at (800) 273-5167.

Questions about the Exemption Request Forms should be directed to AUSD's parcel tax administrator at (800) 273.5167.

4. Term of Exemption - Renewal: Once an Application has been approved for a particular fiscal year, property owners will not be required to submit an additional Application for exemption for subsequent fiscal years, provided that the circumstances justifying the exemption have not changed. On an annual basis, the District will review existing exemptions and may take reasonable steps to confirm that the circumstances justifying the exemption have not changed.

Property owners who were granted exemptions under Measure B1 and/or A are automatically exempted from E.

Appeals and Refunds

Any person seeking to appeal the amount or basis of his or her assessment under Measure E or seeking a refund must fill out a Measure E Parcel Tax Correction Application.

The Measure E Parcel Tax Correction Application shall be available electronically from the District's website at <http://www.alamedaunified.org> and at the District Office at 2060 Challenger Drive, Alameda, CA 94501. Measure E Parcel Tax Correction Applications may also be requested by phone by calling SCI Consulting Group at (800) 273-5167.

Questions about the Measure E Parcel Tax Correction Application should be directed to AUSD's parcel tax administrator at (800) 273.5167. Any completed Measure E Parcel Tax Correction Application should be sent to the following address: Parcel Tax Administrator, Attn: AUSD Measure E Appeal, 4745 Mangels Blvd, Fairfield, CA 94534.

Unless otherwise required by law, the District will only consider appeals filed in the then-current fiscal year. Refunds, when due, shall be limited to one fiscal year.

1. Appeals of Exemption Determination

Any person seeking to appeal the denial of an Application for a Senior Citizen Exemption or SSI Exemption must submit a Measure E Parcel Tax Correction Application and must include a copy of the Application and evidence that the Application was submitted in a timely manner. Accordingly, applicants for exemptions are advised strongly to keep a copy of any application for exception they submit.

Any person seeking to appeal the denial of an Application for exemption must submit a Measure E Parcel Tax Correction Application to the following address: Parcel Tax Administrator, Attn: AUSD Measure E Appeal, 4745 Mangels Blvd, Fairfield, CA 94534.

2. Other Appeals or Refunds

Any person seeking a correction or refund for Measure E on his or her property tax bill for any other reason must submit a Measure E Parcel Tax Correction Application to the following address: Parcel Tax Administrator, Attn: AUSD Measure E Appeal, 4745 Mangels Blvd, Fairfield, CA 94534.

3. Importance of Paying All Tax Assessments While Appeal is Ongoing

The parcel tax administrator shall inform the property owner that the filing of an appeal does not relieve any person of the responsibility to pay the tax assessment. In order to avoid default and other negative consequences that may ensue for failure to pay this and any other tax assessments, all taxpayers should pay the full assessed amount pending appeal. If an appeal is granted, the District will issue a refund as

soon as reasonably possible.

4. Timeline and Process for Appeals and Refunds

The District and its parcel tax administrator will make every reasonable effort to respond promptly to any appeal and to issue any refund that is due. Except in extraordinary circumstances, District staff will respond no later than 60 days after an appeal or request for refund is submitted to the parcel tax administrator. Following the District's response, the property owner may appeal District staff's response to the Superintendent within 21 days of receiving District staff's response. The Superintendent will issue a final and binding decision on the appeal or refund within 30 days of receiving the appeal of the District staff's response.

Independent Auditor's Report and Audit Committee

The Superintendent or his/her designee shall provide an annual audit by an independent auditor to determine that funds generated by Measure E have been allocated and expended in compliance the provisions of the Measure. An audit of the parcel tax funds will be included in the District's annual financial audit.

Oversight Committee

Pursuant to the terms of Measure E, an Oversight Committee shall be formed to annually review the district's compliance with the terms of the Measure. This Oversight Committee may be merged with any other parcel tax Oversight Committee, so as to form one unified "AUSD Parcel Tax Program Oversight Committee." Members of any Unified Oversight Committee shall take into account any differences in the types and amounts of expenditures authorized by each measure.

Appointments to the Oversight Committee shall be made annually by the Superintendent of Schools and approved by the Board of Education at a regularly scheduled meeting on or before October 31 of each school year.

The Committee shall consist of 11 members, all of whom must be residents of the City of Alameda. The Superintendent shall recommend a committee representing the diverse interests of parents/guardians, staff members, students, and community members from all attendance areas in the district.

In the event a member of the Committee resigns from the Committee or leaves the Committee for any other reason, the Superintendent may appoint a well-qualified candidate to serve out the remainder of the term of the Committee member who has left the Committee or may choose to keep the vacancy unfilled until the next annual appointments to the Committee.

The committee will adhere to all provisions of the Brown Act. Minutes, agendas and relevant communications and information will be posted to the district website.

A chair will be selected from among voting members to conduct the meetings and to serve in a

representative capacity as needed.

Regulation Adopted: August 20, 2012

Revised: June 8, 2021

ALAMEDA UNIFIED SCHOOL DISTRICT
SPECIAL AGENDA ITEM

Item Title: Discussion of Future Topics (10 Mins/Information)

Item Type: Information

Background: The committee will discuss topics to bring to future Board Policy Committee meetings.

AUSD LCAP Goals:

Fiscal Analysis

Amount (Savings) (Cost):

Recommendation: Other
Brought to the committee on request by Board Member.

AUSD Guiding Principle:

Submitted By: Board Member Referral
