

CSBA UPDATE CHECKLIST – September 2024

District Name: Happy Valley Elementary School District

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POLICY	TITLE	OPTIONS/BLANKS	ADOPT DATE
BP 0510	School Accountability Report Card		
AR 0510	School Accountability Report Card	NEW REGULATION	
BP 1114	District-Sponsored Social Media		
AR 1114	District-Sponsored Social Media		
AR 1312.4	William’s Uniform Complaint Procedures		
E(1) 1312.4	William’s Uniform Complaint Procedures		
E(2) 1312.4	William’s Uniform Complaint Procedures	Fill in Blanks Superintendent/ Principal	
AR 3517	Facilities Inspection		
E(1) 3517	Facilities Inspection	Fill in Blanks Office Staff 831-429-1456	
BP 4040	Employee Use of Technology		
E(1) 4040	Employee Use of Technology		

BP 5144.1	Suspension and Expulsion/Due Process		
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BP 5147	Dropout Prevention		
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AR 6112	School Day		
BP 6142.92	Mathematics Instruction		
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BB 9010	Public Statements		
BB 9012	Board Member Electronic Communications		

CSBA POLICY GUIDE SHEET

September 2024

Note: Descriptions below identify revisions made to CSBA's sample board policies, administrative regulations, board bylaws, and/or exhibits. Editorial changes have also been made. Districts and county offices of education should review the sample materials and modify their own policies accordingly.

Board Policy 0510 - School Accountability Report Card

Policy updated to reflect that when 15 percent or more of a school's students speak a single primary language other than English, the school accountability report card (SARC) is required to be translated into that other language. Additionally, policy updated to reflect that the SARC is required to be provided in an understandable and uniform format and, to the extent practicable, provided in a language that parents/guardians can understand.

NEW - Administrative Regulation 0510 - School Accountability Report Card

New regulation provides required contents of the school accountability report card.

Board Policy 1114 - District-Sponsored Social Media

Policy updated to align with current terms, language, and practice related to the use of social media. Additionally, policy updated to expand the Governing Board's philosophical statement to recognize the value of sharing district information with families and the community, and the requirement to ensure that content posted by the district on an official district social media account is accessible to individuals with disabilities. In addition, policy updated to clarify that an official district social media account does not create an open public forum or otherwise guarantee an individual's right to free speech even if one or more features on the account permit interaction with and between members of the public. Policy also updated to expand instances where students or staff are subject to discipline to include engaging with an official district social media account in a manner that violates board policies and administrative regulations.

Administrative Regulation 1114 - District-Sponsored Social Media

Regulation updated to align with current terms, language, and practice. Additionally, regulation updated to clarify that a social media account that contains content related to the district or comments about district operations but that has not been created based on authorization or direction from the Superintendent or designee is not an official district social media account. In addition, regulation updated to reflect **NEW COURT DECISION (Lindke v. Freed)**, in which the U.S. Supreme Court held that a district official who limits or prevents critics from speaking, such as by blocking them on social media or deleting their posts, violates the First Amendment only if the official (1) has been granted the power to speak on behalf of the district and (2) claims to be actually exercising that power. Regulation also updated to clarify and expand the conditions under which a user may interact with an official district social media account, including that violations may be reported to the appropriate social media platform, law enforcement, or other third parties, as appropriate, consistent with the Cyberbullying Protection Act, and that a user may be suspended when the listed conditions are met.

Administrative Regulation 1312.4 - Williams Uniform Complaint Procedures

Regulation updated to reflect **NEW LAW (AB 230, 2023)** which extends the requirement to stock the school's restrooms with menstrual products for use in connection with the menstrual cycle free of charge to include schools that serve students in any of grades 3-12, and **NEW LAW (SB 760, 2023)** which requires, starting July 1, 2026, any school that has more than one female and more than one male restroom designated exclusively for student use to provide and maintain one all-gender restroom for student use, as specified. Additionally, regulation updated to clarify that only complaints concerning a facilities condition that poses an emergency or urgent threat to the health or safety of students or staff may be appealed to the Superintendent of Public Instruction.

Exhibit(1) 1312.4 - Williams Uniform Complaint Procedures

Exhibit updated to reflect the California Department of Education's 2024-25 Federal Program Monitoring Instrument which provides that the Williams Uniform Complaint Procedures be used to address deficiencies

related to the identification and resolution of emergency or urgent facilities conditions that pose a threat to the health and safety of students and staff.

Exhibit(2) 1312.4 - Williams Uniform Complaint Procedures

Exhibit updated to reflect the California Department of Education's 2024-25 Federal Program Monitoring Instrument which (1) provides that the Williams Uniform Complaint Procedures (UCP) be used to address deficiencies related to the identification and resolution of emergency or urgent facilities conditions that pose a threat to the health and safety of students and staff, (2) clarifies that the use of the Williams UCP to address deficiencies related to teachers who lack credentials or training to teach English learners does not relieve the district from complying with state or federal law regarding teachers of English learners, (3) specifies that the use of the Williams UCP to address deficiencies related to facilities conditions is in regard to an existing condition that poses an emergency or urgent threat to the health or safety of students or staff while at school, and (4) includes that a complainant may use as much text as is wished to fully describe the situation related to a Williams UCP complaint. Additionally, exhibit updated to reflect **NEW LAW (AB 230, 2023)** which extends the requirement to stock the school's restrooms with menstrual products for use in connection with the menstrual cycle free of charge to include schools that serve students in any of grades 3-12, and **NEW LAW (SB 760, 2023)** which requires, starting July 1, 2026, any school that has more than one female and more than one male restroom designated exclusively for student use to provide and maintain one all-gender restroom for student use, as specified.

Administrative Regulation 3517 - Facilities Inspection

Regulation updated to reflect **NEW LAW (SB 760, 2023)** which (1) authorizes districts to temporarily close a restroom due to a documented student safety concern, an immediate threat to student safety, or the need to repair the facility, and (2) requires, starting July 1, 2026, any school that has more than one female and more than one male restroom designated exclusively for student use to provide and maintain one all-gender restroom for student use, as specified. Additionally, regulation updated to reflect **NEW LAW (AB 230, 2023)** which extends the requirement to stock the school's restrooms with menstrual products for use in connection with the menstrual cycle free of charge to include schools that serve students in any of grades 3-12.

Exhibit(1) 3517 - Facilities Inspection

Exhibit updated to reflect **NEW LAW (AB 230, 2023)** which extends the requirement to stock the school's restrooms with menstrual products for use in connection with the menstrual cycle free of charge to include schools that serve students in any of grades 3-12.

Board Policy 4040 - Employee Use of Technology

Policy updated to provide guidance related to the appropriate use of artificial intelligence (AI) by employees. Additionally, policy updated to expand the Governing Board's philosophical statement related to the recognition that technological resources enhance employee performance to include the enrichment of curriculum and the enhancement of student learning. In addition, policy updated to include "software as a service" and "AI apps" in the definition of "district technology," specify the prohibited and permitted uses of technology, and provide for professional development in the appropriate use of technology resources. Policy also updated to (1) add material related to the regular review of current guidance regarding cybersecurity, data privacy, and digital media awareness and incorporate recommended practices into the districts processes and procedures, and (2) provide that employees may access their mobile or other communications device if there is a need to seek emergency assistance, assess the safety of a situation, or communicate with a person to confirm their safety.

Exhibit(1) 4040 - Employee Use of Technology

Exhibit updated to incorporate by reference the accompanying Board policy, BP 4040 - Employee Use of Technology. Additionally, exhibit updated to include that districts may not prevent or restrict access to an employee's mobile or other communications device(s) if there is a need to seek emergency assistance, assess the safety of a situation, or communicate with a person to confirm the person's safety. In addition, exhibit

updated to include internet searches, browsing history, and use of artificial intelligence in the list of district technology that districts may monitor and record, and expand the list of security problems an employee may become aware of, and is then required to report, to include a cyberattack or phishing.

Board Policy 5144.1 - Suspension and Expulsion/Due Process

Policy updated to reflect **NEW LAW (SB 274, 2023)** which (1) extends the prohibition from suspending a student for disruption or willful defiance, formerly applicable to students in grades K-8, to all students, with the prohibition being effective until July 1, 2029, and (2) prohibits a district from suspending or expelling a student solely on the fact that they are truant, tardy, or otherwise absent from school activities. Additionally, policy updated to clarify that no preschool student may be expelled or unenrolled except in accordance with law and as specified in administrative regulation, and to reflect **NEW LAW (SB 114, 2023)** which defines numerically significant subgroups to include long-term English learners.

Administrative Regulation 5144.1 - Suspension and Expulsion/Due Process

Regulation updated to reflect **NEW LAW (SB 274, 2023)** which extends the prohibition from suspending a student for disruption or willful defiance, formerly applicable to students in grades K-8, to all students, with the prohibition being effective until July 1, 2029. Additionally, regulation update to reflect **NEW LAW (AB 1165, 2023)** which encourages districts to have a student who has been suspended, or for whom other means of correction have been implemented for an incident of racist bullying, harassment, or intimidation, as well as the victim, to engage in a restorative justice practice suitable to address the needs of both the victim and the perpetrator, to require the perpetrator to engage in a culturally sensitive program that promotes racial justice and equity and combats racism and ignorance, and to regularly check on the victim to ensure that the victim is not in danger of suffering from any long-lasting mental health issues. In addition, regulation updated to clarify that the suspension notice to parents/guardians is required to include the date and time when the student may return to school.

Administrative Regulation 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities)

Regulation updated to clarify that (1) the Superintendent, principal, or designee may suspend a student from school for up to five consecutive school days, unless the suspension has been extended following a recommendation for expulsion, (2) a student may usually be suspended from school for up to 20 cumulative school days, or 30 cumulative school days as permitted by Education Code 48903, in a school year as long as the pattern of suspension(s) does not constitute a change in placement, (3) a change of placement is deemed to occur if a decision is made that would result in the removal of the student for more than 10 consecutive school days, and (4) manifestation determination procedural safeguards apply when a decision has been made to suspend a student with a disability.

Board Policy 5147 - Dropout Prevention

Policy updated to include parents/guardians and school staff in collaborative efforts to develop strategies to support student attendance. Additionally, policy updated to reflect **NEW LAW (SB 153, 2024)** which enables the district to implement attendance recovery programs in order to make up lost instructional time and offset absences, and that any attendance recovery program be provided as a voluntary, limited-term option for a classroom-based, regular education program for students in grades Transitional Kindergarten-12. In addition, policy updated to expand the strategies to support students at risk of dropping out of school to include attendance recovery programs; expanded school and/or community support services such as a school nurse, school social worker, school counselor, school psychologist, or other student support personnel for case management and counseling; tracking student attendance and identifying students with attendance problems as early as possible so the school may provide appropriate support services and interventions; creating small, personalized learning communities to facilitate monitoring and support; or offering courses or programs that connect schoolwork with college and career success, including career technical education. Policy also updated to reflect the 2024-25 Federal Program Monitoring Instrument which requires that documentation be maintained for students who transfer from or otherwise withdraw from a school in the district.

Board Policy 6112 - School Day

Policy updated to reflect **NEW LAW (SB 291, 2023)** and **NEW LAW (SB 153, 2024)** which require districts that maintain any of grades K-6 to provide at least one or more periods of recess that total at least 30 minutes on regular instructional days and 15 minutes on early release days. Additionally, policy updated to add

availability of equipment to the list of considerations when the Superintendent or designee is establishing the instructional schedule for secondary schools in order to account for sufficient technology and other equipment that is integral to the instructional program.

Administrative Regulation 6112 - School Day

Regulation updated to clarify the instructional minute requirements for students in grades 9-12 who are in the independent study program. Additionally, regulation updated to delete adult education from the list of programs that have a minimum school day of 180 minutes since adult education programs are now governed by regions with consortia made up of community colleges, county offices of education and/or districts that determine how adult education will be designed and implemented.

Board Policy 6142.92 - Mathematics Instruction

Policy updated to incorporate the, "2023 Mathematics Framework for California Public Schools: Kindergarten through Grade 12," including the framework's goal of removing barriers to students' mathematics success and ensuring access and opportunity for all students to receive high level mathematics instruction.

Board Policy 6163.4 - Student Use of Technology

Policy updated to provide guidance related to the appropriate use of artificial intelligence (AI). Additionally, policy updated to expand the Governing Board's philosophical statement to include the effective use of technology; promotion of digital citizenship; access to the latest digital tools; the alignment of technological resources with district goals, objectives and academic standards; and the use of technology to augment Board adopted instructional materials. In addition, policy updated to include "software as a service" and "AI apps" in the definition of "district technology," and provide that student use of technology be in accordance with district policies on academic honesty, data privacy, nondiscrimination, and copyright laws. Policy also updated to add material related to the regular review of current guidance regarding cybersecurity, data privacy, and digital media awareness and incorporate recommended practices into the districts processes and procedures.

Exhibit(1) 6163.4 - Student Use of Technology

Exhibit updated to incorporate by reference the accompanying Board policy, BP 6163.4 - Student Use of Technology. Additionally, exhibit updated to include that (1) the district makes no guarantee that the functions or services provided by or through the district are without defect, (2) that the district is not responsible for financial obligations arising from the unauthorized use, or misuse, of the system, and (3) that students may not gain unauthorized access, as specified. In addition, exhibit updated to add that students are prohibited from using district technology to create material that is discriminatory, libelous, defamatory, obscene, sexually explicit, or disruptive; share confidential information or personally identifiable information with an open AI system; adjust the privacy settings on any technology tool or AI app unless directed to do so by a teacher or staff member; or violate the direction by teachers or other staff members, age restrictions, or intended use of the technology. In addition, exhibit updated to include internet searches, browsing history, and use of artificial intelligence in the list of district technology that districts may monitor and record, and expand the list of security problems a student may become aware of, and is then required to report, to include a cyberattack or phishing.

Board Bylaw 9010 - Public Statements

Bylaw updated to focus on public statements by Governing Board spokespersons made on behalf of the Board or by individual Board members. Additionally, bylaw updated to permit a Board spokesperson to disclose confidential information or information received in closed session when authorized by law. In addition, bylaw updated to reflect NEW COURT DECISION (Lindke v. Freed), in which the U.S. Supreme Court held that a district official who limits or prevents critics from speaking, such as by blocking them on social media or deleting their posts, violates the First Amendment only if the official (1) has been granted the power to speak on behalf of the district and (2) claims to be actually exercising that power. Bylaw also updated to suggest that a Board member make clear when they are speaking as an individual, and not on behalf of the district, such as by adding a disclaimer to the member's social media page.

Board Bylaw 9012 - Board Member Electronic Communications

Bylaw updated to reference suggestions regarding how to avoid Governing Board member electronic communications that violate the Brown Act. Additionally, bylaw updated to provide that Board members shall make every effort to ensure that their electronic communications conform to Board Bylaw 9010 - Public Statements. In addition, bylaw updated to reference that the Public Records Act applies even to Board member electronic communications regarding district business sent or received on a Board members' personal account or device. Bylaw also updated to reflect **NEW COURT DECISION (Lindke v. Freed)**, in which the U.S. Supreme Court held that a district official who limits or prevents critics from speaking, such as by blocking them on social media or deleting their posts, violates the First Amendment only if the official (1) has been granted the power to speak on behalf of the district and (2) claims to be actually exercising that power, and provide that the bylaw does not apply to Board member electronic communications not related to district business or not conducted by a Board member in the Board member's official capacity.

CSBA Policy Management Console

CSBA Sample District Policy Manual

Policy 0510: School Accountability Report Card

Status: ADOPTED

Original Adopted Date: 11/01/2003 | Last Revised Date: 09/01/2024 | Last Reviewed Date: 09/01/2024

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

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

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

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

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

Notification and Dissemination of SARCs

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

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

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

Policy 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 References	Description
CA Constitution Article 16, Section 8.5(e)	Allocations to State School Fund
Ed. Code 1240	County superintendent of schools; duties
Ed. Code 17002	State School Building Lease-Purchase Law, including definition of good repair
Ed. Code 17014	Plan for building maintenance
Ed. Code 17032.5	Portable classroom maintenance
Ed. Code 17070.15	School Facilities Act; definitions
Ed. Code 17089	Portable classroom maintenance
Ed. Code 33126	School accountability report card
Ed. Code 33126.1	School Accountability Report Card model template

State References

Ed. Code 33126.15
 Ed. Code 33126.2
 Ed. Code 35256
 Ed. Code 35256.1
 Ed. Code 35258
 Ed. Code 41409
 Ed. Code 41409.3
 Ed. Code 46112
 Ed. Code 46113
 Ed. Code 46117
 Ed. Code 46141
 Ed. Code 51225.3
 Ed. Code 52052
 Ed. Code 60119
 Ed. Code 60600-60618
 Ed. Code 60640-60648.5
 Ed. Code 60800

Description

School Accountability Report Card template
 Secretary of Education school accountability report card study
 School Accountability Report Card
 Information required in the School Accountability Report Card
 Internet access to the School Accountability Report Card
 Calculation of statewide averages
 Salary information required in the School Accountability Report Card
 Minimum school day for grades 1 through 3
 Minimum school day for grades 4 through 8
 Minimum kindergarten school day
 Minimum school day (high school)
 High school graduation requirements
 Accountability; numerically significant student subgroups
 Textbook sufficiency
 General provisions
 California Assessment of Student Performance and Progress
 Physical fitness testing

Federal References

20 USC 6311

Description

State plan

Management Resources References

California Department of Education Publication
 California Department of Education Publication
 California Department of Education Publication
 U.S. DOE Guidance
 Website
 Website
 Website

Description

Adjusted Cohort Graduation Rate Federal Program Monitoring Instrument
 SARC Preparation Guide for Public Schools
 Frequently Asked Questions about the School Accountability Report Card
 Opportunities and Responsibilities for State and Local Report Cards under the Elementary and Secondary Education Act of 1965, as Amended by the Every Student Succeeds Act, September 2019
 CSBA District and County Office of Education Legal Services
 California Department of Education, School Accountability Report Card
 U.S. Department of Education

Cross References

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Description

School Plans/Site Councils
 School Plans/Site Councils
 Charter School Authorization
 Charter School Authorization
 Comprehensive Safety Plan
 Comprehensive Safety Plan
 Accountability
 Concepts And Roles
 Communication With The Public

Cross References

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Description

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District And School Websites

District And School Websites

District And School Websites

District-Sponsored Social Media

District-Sponsored Social Media

Facilities Inspection

Facilities Inspection

Parent/Guardian Notifications

Parent/Guardian Notifications

Concepts And Roles

Year-Round Schedules

Physical Education And Activity

Physical Education And Activity

Student Assessment

Evaluation Of The Instructional Program

Role Of The Board

Regulation 0510: School Accountability Report Card

Status: ADOPTED

Original Adopted Date: 09/01/2024 | Last Reviewed Date: 09/01/2024

Contents

Each year the principal or designee at each school shall prepare a school accountability report card (SARC), which shall include, but is not limited to: (Education Code 33126)

1. Student achievement by grade level, as measured by the results of the statewide assessment
2. Progress toward reducing dropout rates, including the one-year dropout rate listed in the California Basic Educational Data System (CBEDS) for the school over the most recent three-year period, and the graduation rate, as defined by the State Board of Education, over the most recent three-year period when available pursuant to Education Code 52052

3. Estimated expenditures per student and types of services funded, including the actual salaries of personnel assigned to the school

The assessment of estimated expenditures per student shall be reported in total, in subtotal by restricted and by unrestricted source, and include a reporting of the average of actual salaries paid to certificated instructional personnel at that school.

4. Progress toward reducing class sizes and teaching loads, including the average class size and the distribution of class sizes at the school by grade level, using CBEDS for the most recent three-year period
5. The total number of the school's fully credentialed teachers, the number of teachers relying upon emergency credentials, the number of teachers working without credentials, any assignment of teachers outside their subject areas of competence, misassignments, including misassignments of teachers of English learners, and the number of vacant teacher positions for the most recent three-year period
6. The quality and currency of textbooks and other instructional materials, including whether textbooks and other materials meet state standards, the ratio of textbooks per student, and the year the textbooks were adopted
7. The availability of sufficient textbooks and other instructional materials, as determined pursuant to Education Code 60119, for each student, including English learners, in each of the areas of the core curriculum areas of reading/language arts, mathematics, science, and history/social science; world language and health; science laboratory equipment for grades 9 to 12, inclusive, as appropriate; and visual and performing arts

If the Governing Board determines, pursuant to Education Code 60119, that there are insufficient textbooks or instructional materials, or both, it shall include information for each school in which an insufficiency exists, identifying the percentage of students who lack sufficient standards-aligned textbooks or instructional materials in each subject area identified above.

8. The availability of qualified personnel to provide counseling and other student support services, including the ratio of academic counselors per student
9. Safety, cleanliness, and adequacy of school facilities, including any needed maintenance to ensure good repair
10. The annual number of school days dedicated to staff development for the most recent three-year period
11. Suspension and expulsion rates for the most recent three-year period
12. The Academic Performance Index, which is reflected in the California School Dashboard, including the disaggregation of student subgroups identified in Education Code 52052, the decile rankings, and a comparison of schools
13. Contact information for organized opportunities for parent/guardian involvement
14. For secondary schools, the percentage of graduates who have passed course requirements for entrance to the

University of California and the California State University, including the course requirements for high school graduation pursuant to Education Code 51225.3, and the percentage of students enrolled in those courses, as reported by CBEDS

15. The number of advanced placement courses offered, by subject

16. Career technical education (CTE) data measures, including:

a. A list of programs offered by the district that students at the school may participate in and are aligned to the model curriculum standards adopted pursuant to Education Code 51226 and program sequences offered by the district

The list shall identify which courses are conducted by a regional occupational center or program and those that are conducted directly by the district.

b. A list of the district's primary representative of the CTE advisory committee and the industries represented

c. The number of students participating in CTE

d. The percentage of students that complete a CTE program and earn a high school diploma

e. The percentage of CTE courses that are sequenced or articulated between a school and postsecondary education schools

Additionally, each SARC shall also include the following information: (Education Code 41409.3)

1. The beginning, median, and highest salary paid to teachers in the district, as reflected in the district's salary scale
2. The average salary for school-site principals in the district
3. The salary of the Superintendent
4. The percentage expended for the salaries of administrative personnel, as specified
5. The percentage expended for the salaries of teachers
6. For Items #1-5 above, the statewide average in districts of the same size and type based on information provided by the State

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Ed. Code 17070.15	School Facilities Act; definitions
Ed. Code 17089	Portable classroom maintenance
Ed. Code 33126	School accountability report card
Ed. Code 33126.1	School Accountability Report Card model template

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Ed. Code 33126.15
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 Ed. Code 41409.3
 Ed. Code 46112
 Ed. Code 46113
 Ed. Code 46117
 Ed. Code 46141
 Ed. Code 51225.3
 Ed. Code 52052
 Ed. Code 60119
 Ed. Code 60600-60618
 Ed. Code 60640-60648.5
 Ed. Code 60800

Federal References

20 USC 6311

Management Resources References

California Department of Education Publication
 California Department of Education Publication
 California Department of Education Publication

 U.S. DOE Guidance

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 Minimum school day (high school)
 High school graduation requirements
 Accountability; numerically significant student subgroups
 Textbook sufficiency
 General provisions
 California Assessment of Student Performance and Progress
 Physical fitness testing

Description

State plan

Description

Adjusted Cohort Graduation Rate Federal Program Monitoring Instrument
 SARC Preparation Guide for Public Schools
 Frequently Asked Questions about the School Accountability Report Card
 Opportunities and Responsibilities for State and Local Report Cards under the Elementary and Secondary Education Act of 1965, as Amended by the Every Student Succeeds Act, September 2019
 CSBA District and County Office of Education Legal Services
 California Department of Education, School Accountability Report Card
 U.S. Department of Education

Description

School Plans/Site Councils
 School Plans/Site Councils
 Charter School Authorization
 Charter School Authorization
 Comprehensive Safety Plan
 Comprehensive Safety Plan
 Accountability
 Concepts And Roles
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6162.5	Student Assessment
6190	Evaluation Of The Instructional Program
9000	Role Of The Board

Policy 1114: District-Sponsored Social Media

Status: ADOPTED

Original Adopted Date: 07/01/2011 | Last Revised Date: 09/01/2024 | Last Reviewed Date: 09/01/2024

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

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

Guidelines for Content

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

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

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

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

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

Privacy

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

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

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

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

State References

Ed. Code 32260-32262
 Ed. Code 35182.5
 Ed. Code 48900
 Ed. Code 48907
 Ed. Code 48950
 Ed. Code 49061
 Ed. Code 49073
 Ed. Code 60048
 Gov. Code 3307.5
 Gov. Code 54952.2
 Gov. Code 7920.000-7930.215

Description

Interagency School Safety Demonstration Act of 1985
 Contracts for advertising
 Grounds for suspension or expulsion
 Exercise of free expression; time, place, and manner rules and regulations
 Speech and other communication
 Definitions; directory information
 Release of directory information
 Commercial brand names, contracts or logos
 Publishing identity of public safety officers
 Brown Act; definition of meeting
 California Public Records Act

Federal References

17 USC 101-1101
 20 USC 1232g
 29 USC 157
 29 USC 794
 34 CFR 99.1-99.67

Description

Federal copyright law
 Family Educational Rights and Privacy Act (FERPA) of 1974
 Employee rights to engage in concerted, protected activity
 Rehabilitation Act of 1973; Section 504
 Family Educational Rights and Privacy

Management Resources References

Court Decision
 Court Decision
 Court Decision
 Court Decision
 Court Decision
 Court Decision
 Facebook Publication
 National Labor Relations Board Decision 18-CA-1908
 Website
 Website
 Website
 Website
 Website

Description

Lindke v. Freed (2024) 601 U.S. 187
 Aaris v. Las Virgenes Unified School District (1998) 64 Cal.App.4th 1112
 Board of Education, Island Trees Union Free School District, et.al. v. Pico (1982) 457 U.S. 853
 Page v. Lexington County School District (2008, 4th Cir.) 531 F.3d 275
 Perry Education Association v. Perry Local Educators' Association (1983) 460 U.S. 37
 Downs v. Los Angeles Unified School District (9th Cir. 2000) 228 F.3d 1003
 Facebook for Educators Guide, 2013
 Sears Holdings, December 4, 2009
 Meta in Education
 CSBA District and County Office of Education Legal Services
 Facebook, privacy resources
 California School Public Relations Association
 CSBA

Cross References

0000
 0410
 0440
 0440

Description

Vision
 Nondiscrimination In District Programs And Activities
 District Technology Plan
 District Technology Plan

Cross References**Description**

0510	School Accountability Report Card
0510	School Accountability Report Card
1100	Communication With The Public
1112	Media Relations
1113	District And School Websites
1113	District And School Websites
1113-E(1)	District And School Websites
1160	Political Processes
1230	School-Connected Organizations
1230	School-Connected Organizations
1260	Educational Foundation
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3-E(1)	Uniform Complaint Procedures
1312.3-E(2)	Uniform Complaint Procedures
1325	Advertising And Promotion
3515.7	Firearms On School Grounds
3516	Emergencies And Disaster Preparedness Plan
3516	Emergencies And Disaster Preparedness Plan
4030	Nondiscrimination In Employment
4030	Nondiscrimination In Employment
4040	Employee Use Of Technology
4040-E(1)	Employee Use Of Technology
4118	Dismissal/Suspension/Disciplinary Action
4118	Dismissal/Suspension/Disciplinary Action
4119.21	Professional Standards
4119.21-E(1)	Professional Standards
4119.23	Unauthorized Release Of Confidential/Privileged Information
4131	Staff Development
4132	Publication Or Creation Of Materials
4218	Dismissal/Suspension/Disciplinary Action
4218	Dismissal/Suspension/Disciplinary Action
4219.21	Professional Standards
4219.21-E(1)	Professional Standards
4219.23	Unauthorized Release Of Confidential/Privileged Information
4231	Staff Development
4232	Publication Or Creation Of Materials
4319.21	Professional Standards
4319.21-E(1)	Professional Standards
4319.23	Unauthorized Release Of Confidential/Privileged Information

Cross References

Cross References	Description
4331	Staff Development
4332	Publication Or Creation Of Materials
5022	Student And Family Privacy Rights
5022	Student And Family Privacy Rights
5125	Student Records
5125	Student Records
5125.1	Release Of Directory Information
5125.1	Release Of Directory Information
5125.1-E(1)	Release Of Directory Information
5131	Conduct
5142.2	Safe Routes To School Program
5142.2	Safe Routes To School Program
5144	Discipline
5144	Discipline
5144.1	Suspension And Expulsion/Due Process
5144.1	Suspension And Expulsion/Due Process
5145.2	Freedom Of Speech/Expression
5145.2	Freedom Of Speech/Expression
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
5145.7	Sex Discrimination and Sex-Based Harassment
5145.7	Sex Discrimination and Sex-Based Harassment
6020	Parent Involvement
6020	Parent Involvement
6145.5	Student Organizations And Equal Access
6145.5	Student Organizations And Equal Access
6162.6	Use Of Copyrighted Materials
6162.6	Use Of Copyrighted Materials
6163.4	Student Use Of Technology
6163.4-E(1)	Student Use Of Technology
9010	Public Statements
9012	Board Member Electronic Communications

Regulation 1114: District-Sponsored Social Media

Status: ADOPTED

Original Adopted Date: 07/01/2011 | Last Revised Date: 09/01/2024 | Last Reviewed Date: 09/01/2024

Definitions

Social media means any online platform for collaboration, interaction, or active participation, or that allows users to post content, including, but not limited to, social networking sites such as Instagram, TikTok, Facebook, X/Twitter, SnapChat, YouTube, and LinkedIn.

An official district social media account is an account on a social media platform authorized by the Superintendent or designee.

An account that contains content related to the district or comments about district operations but that has not been created based on authorization or direction from the Superintendent or designee, such as an account created by a parent-teacher organization, booster club, or other school-connected organization or a student's or employee's personal account, is not an official district social media account.

School-level employees such as teachers and coaches shall obtain authorization from the school principal before creating an official social media account.

Guidelines for Content

Each official district social media account shall contain content that is useful and appropriate for all audiences.

District employees or agents in charge of posting or adding information to an official district social media account shall ensure that copyright laws are not violated in the use of material on official district social media accounts.

The Superintendent or designee shall ensure that official district social media accounts are regularly monitored. Staff members responsible for monitoring content may remove posts or even suspend users from interacting with the account only based on viewpoint-neutral considerations, such as lack of relation to the account's purpose or violation of board policies or administrative regulations.

Each official district social media account shall, as appropriate, prominently display a link to this regulation or a statement that includes Items #1-10, below:

1. The purpose(s) of the account, such as providing information to a class, school community, athletic team, or student club; engaging with the public regarding district decisions and Governing Board meetings; and sharing information regarding employment opportunities with the district
2. Users shall use the site only for those intended purposes
3. The account is regularly monitored and any inappropriate interaction will be promptly removed, blocked, or similarly addressed. Inappropriate interactions include, but are not limited to, interactions that:
 - a. Are obscene, libelous, or so incite students as to create a clear and present danger of the commission of unlawful acts on district premises, violation of district or school rules, or substantial disruption to the district or school's orderly operation
 - b. Are not related to the stated purpose of the account, including, but not limited to, threats, comments of a commercial nature, political activity, and comments prohibited by board policies and administrative regulations
4. Users are expected to communicate in a respectful, courteous, and professional manner and are personally responsible for their use of the account
5. The district is not responsible for the content posted by other users or how other users interact with the

account

6. The views and comments expressed by other users on the account belong to those users and do not necessarily reflect the views of the district
7. Any user's reference to a specific commercial product or service does not imply endorsement or recommendation of that product or service by the district
8. The individual(s) to contact regarding violation of district guidelines on the use of official district social media accounts
9. Violations may be reported to the appropriate social media platform, law enforcement, or other third parties, as appropriate
10. A user may be suspended from interacting with the account for one month upon three prior violations and for six months upon two prior one-month suspensions

Appropriate Use by District Employees

District employees who participate in official district social media accounts shall adhere to all applicable board policies and administrative regulations, including, but not limited to, professional standards related to interactions with students.

When appropriate, employees posting, replying, or otherwise interacting with the public outside of their professional duties or responsibilities on official district social media accounts shall identify themselves by name and district title and include a disclaimer stating that the views and opinions expressed in their post are theirs alone and do not necessarily represent those of the district or school.

All staff shall receive information about appropriate use of the official district social media accounts.

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 References

	Description
Ed. Code 32260-32262	Interagency School Safety Demonstration Act of 1985
Ed. Code 35182.5	Contracts for advertising
Ed. Code 48900	Grounds for suspension or expulsion
Ed. Code 48907	Exercise of free expression; time, place, and manner rules and regulations
Ed. Code 48950	Speech and other communication
Ed. Code 49061	Definitions; directory information
Ed. Code 49073	Release of directory information
Ed. Code 60048	Commercial brand names, contracts or logos
Gov. Code 3307.5	Publishing identity of public safety officers
Gov. Code 54952.2	Brown Act; definition of meeting
Gov. Code 7920.000-7930.215	California Public Records Act

Federal References

	Description
17 USC 101-1101	Federal copyright law
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
29 USC 157	Employee rights to engage in concerted, protected activity
29 USC 794	Rehabilitation Act of 1973; Section 504
34 CFR 99.1-99.67	Family Educational Rights and Privacy

Management Resources References

Court Decision	Lindke v. Freed (2024) 601 U.S. 187
Court Decision	Aaris v. Las Virgenes Unified School District (1998) 64 Cal.App.4th 1112
Court Decision	Board of Education, Island Trees Union Free School District, et.al. v. Pico (1982) 457 U.S. 853
Court Decision	Page v. Lexington County School District (2008, 4th Cir.) 531 F.3d 275
Court Decision	Perry Education Association v. Perry Local Educators' Association (1983) 460 U.S. 37
Court Decision	Downs v. Los Angeles Unified School District (9th Cir. 2000) 228 F.3d 1003
Facebook Publication	Facebook for Educators Guide, 2013
National Labor Relations Board Decision 18-CA-1908	Sears Holdings, December 4, 2009
Website	Meta in Education
Website	CSBA District and County Office of Education Legal Services
Website	Facebook, privacy resources
Website	California School Public Relations Association
Website	CSBA

Description**Cross References**

0000	Vision
0410	Nondiscrimination In District Programs And Activities
0440	District Technology Plan
0440	District Technology Plan
0510	School Accountability Report Card
0510	School Accountability Report Card
1100	Communication With The Public
1112	Media Relations
1113	District And School Websites
1113	District And School Websites
1113-E(1)	District And School Websites
1160	Political Processes
1230	School-Connected Organizations
1230	School-Connected Organizations
1260	Educational Foundation
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3-E(1)	Uniform Complaint Procedures
1312.3-E(2)	Uniform Complaint Procedures
1325	Advertising And Promotion
3515.7	Firearms On School Grounds
3516	Emergencies And Disaster Preparedness Plan
3516	Emergencies And Disaster Preparedness Plan
4030	Nondiscrimination In Employment

Description

Cross References

	Description
4030	Nondiscrimination In Employment
4040	Employee Use Of Technology
4040-E(1)	Employee Use Of Technology
4118	Dismissal/Suspension/Disciplinary Action
4118	Dismissal/Suspension/Disciplinary Action
4119.21	Professional Standards
4119.21-E(1)	Professional Standards
4119.23	Unauthorized Release Of Confidential/Privileged Information
4131	Staff Development
4132	Publication Or Creation Of Materials
4218	Dismissal/Suspension/Disciplinary Action
4218	Dismissal/Suspension/Disciplinary Action
4219.21	Professional Standards
4219.21-E(1)	Professional Standards
4219.23	Unauthorized Release Of Confidential/Privileged Information
4231	Staff Development
4232	Publication Or Creation Of Materials
4319.21	Professional Standards
4319.21-E(1)	Professional Standards
4319.23	Unauthorized Release Of Confidential/Privileged Information
4331	Staff Development
4332	Publication Or Creation Of Materials
5022	Student And Family Privacy Rights
5022	Student And Family Privacy Rights
5125	Student Records
5125	Student Records
5125.1	Release Of Directory Information
5125.1	Release Of Directory Information
5125.1-E(1)	Release Of Directory Information
5131	Conduct
5142.2	Safe Routes To School Program
5142.2	Safe Routes To School Program
5144	Discipline
5144	Discipline
5144.1	Suspension And Expulsion/Due Process
5144.1	Suspension And Expulsion/Due Process
5145.2	Freedom Of Speech/Expression
5145.2	Freedom Of Speech/Expression
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment

Cross References

5145.7

5145.7

6020

6020

6145.5

6145.5

6162.6

6162.6

6163.4

6163.4-E(1)

9010

9012

Description

Sex Discrimination and Sex-Based Harassment

Sex Discrimination and Sex-Based Harassment

Parent Involvement

Parent Involvement

Student Organizations And Equal Access

Student Organizations And Equal Access

Use Of Copyrighted Materials

Use Of Copyrighted Materials

Student Use Of Technology

Student Use Of Technology

Public Statements

Board Member Electronic Communications

Regulation 1312.4: Williams Uniform Complaint Procedures

Status: ADOPTED

Original Adopted Date: 11/01/2010 | Last Revised Date: 09/01/2024 | Last Reviewed Date: 09/01/2024

Types of Complaints

The district shall use the procedures described in this administrative regulation only to investigate and resolve the following:

1. Complaints regarding the insufficiency of textbooks and instructional materials, including any complaint alleging that: (Education Code 35186; 5 CCR 4681)
 - a. A student, including an English learner, does not have standards-aligned textbooks or instructional materials or state- or district-adopted textbooks or other required instructional materials to use in class
 - b. A student does not have access to textbooks or instructional materials to use at home or after school
This does not require two sets of textbooks or instructional materials for each student.
 - c. Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage
 - d. A student was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials
2. Complaints regarding teacher vacancy or misassignment, including any complaint alleging that: (Education Code 35186; 5 CCR 4682)
 - a. A semester begins and a teacher vacancy exists
 - b. A teacher who lacks credentials or training to teach English learners is assigned to teach a class with one or more English learners in the class
 - c. A teacher is assigned to teach a class for which the teacher lacks subject matter competency
Teacher vacancy means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of the semester for an entire semester. (Education Code 35186; 5 CCR 4600)
Beginning of the year or semester means the time period from the first day students attend classes for a year-long course or semester-long course, though not later than 20 business days afterwards. (5 CCR 4600)
Misassignment means the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or credential or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold. (Education Code 35186; 5 CCR 4600)
3. Complaints regarding the condition of school facilities, including any complaint alleging that: (Education Code 35186; 5 CCR 4683)
 - a. A condition poses an emergency or urgent threat to the health or safety of students or staff
Emergency or urgent threat means structures or systems that are in a condition that poses a threat to the health and safety of students or staff while at school, including, but not limited to, gas leaks; nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems; electrical power failure; major sewer line stoppage; major pest or vermin infestation; broken windows or exterior doors or gates that will not lock and that pose a security risk; abatement of hazardous materials previously

undiscovered that pose an immediate threat to students or staff; structural damage creating a hazardous or uninhabitable condition; or any other condition deemed appropriate. (Education Code 17592.72)

- b. A school restroom has not been cleaned, maintained, or kept open in accordance with Education Code 35292.5

Clean or maintained school restroom means a school restroom has been cleaned or maintained regularly, is fully operational, or has been stocked at all times with toilet paper, soap, and paper towels or functional hand dryers. (Education Code 35292.5)

Open restroom means the school has kept all restrooms open during school hours when students are not in classes and has kept a sufficient number of restrooms open during school hours when students are in classes. This does not apply when the temporary closing of the restroom is necessary for a documented student safety concern, an immediate threat to student safety, or to repair the facility. (Education Code 35292.5)

In any school serving students any of grades 3-12, a complaint may be filed alleging noncompliance with the requirement of Education Code 35292.6 to, at all times, stock and make available and accessible free of cost, an adequate supply of menstrual products in every women's and all-gender restroom, and in at least one men's restroom. (Education Code 35292.6)

Additionally, starting July 1, 2026, in any school that has more than one female and more than one male restroom designated exclusively for student use, a complaint may be filed alleging noncompliance with the requirements specified in Education Code 35292.5 to maintain at least one all-gender restroom for student use. (Education Code 35292.5)

Forms and Notices

The Superintendent or designee shall ensure a Williams complaint form is available at each school. However, complainants need not use the district's complaint form in order to file a complaint. (Education Code 35186; 5 CCR 4680)

The Superintendent or designee shall ensure that the district's complaint form specifies the location for filing a complaint and contains a space to indicate whether the complainant desires a response to the complaint. A complainant may add as much text to explain the complaint as desired. (Education Code 35186; 5 CCR 4680)

The Superintendent or designee shall post in each classroom in each school a notice containing the components specified in Education Code 35186. (Education Code 35186)

Filing of Complaint

A complaint alleging any condition(s) specified in the section "Types of Complaints" above shall be filed with the principal or designee at the school in which the complaint arises. A complaint about problems beyond the authority of the principal shall be forwarded to the Superintendent or designee in a timely manner, but not to exceed 10 working days. Complaints may be filed anonymously. (Education Code 35186; 5 CCR 4680)

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

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

Investigation and Response

The principal or a designee of the Superintendent shall make all reasonable efforts to investigate any problem within the principal's or designee's authority. (Education Code 35186; 5 CCR 4685)

The principal or Superintendent's designee shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received. (Education Code 35186; 5 CCR 4685)

If the complainant has indicated on the complaint form a desire to receive a response to the complaint, the principal or Superintendent's designee shall send written resolution of the complaint to the mailing address of the complainant as indicated on the complaint within 45 working days of the initial filing of the complaint. If the principal makes this report, the information shall be reported at the same time to the Superintendent or designee. (Education Code 35186; 5 CCR 4680, 4685)

When Education Code 48985 is applicable and the complainant has requested a response, the response shall be written in English and in the primary language in which the complaint was filed. (Education Code 35186)

If a complainant is not satisfied with the resolution of a complaint, the complainant has the right to describe the complaint to the Governing Board at a regularly scheduled meeting. (Education Code 35186; 5 CCR 4686)

For any complaint concerning a facilities condition that poses an emergency or urgent threat to the health or safety of students or staff as described in Item #3a in the section "Types of Complaints" above, a complainant who is not satisfied with the resolution proffered by the principal or Superintendent or designee may file an appeal to the SPI within 15 days of receiving the district's response. The complainant shall comply with the appeal requirements specified in 5 CCR 4632. (Education Code 35186; 5 CCR 4610, 4687)

However, no other type of complaint regarding the condition of school facilities as described in the section "Types of Complaints" above may be appealed to the SPI. (Education Code 35186; 5 CCR 4610, 4687)

All complaints and written responses shall be public records. (Education Code 35186; 5 CCR 4686)

Reports

On a quarterly basis, the Superintendent or designee shall report, to the Board at a regularly scheduled Board meeting and to the County Superintendent of Schools, summarized data on the nature and resolution of all complaints. The report shall include the number of complaints by general subject area with the number of resolved and unresolved complaints. (Education Code 35186; 5 CCR 4686)

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 References	Description
5 CCR 4600-4670	Uniform complaint procedures
5 CCR 4680-4687	Williams uniform complaint procedures
5 CCR 4690-4694	Health and safety complaints in license-exempt preschool programs
Ed. Code 1240	County superintendent of schools; duties
Ed. Code 17592.72	School Facility Emergency Repair Account; urgent or emergency repairs
Ed. Code 200-270	Prohibition of discrimination
Ed. Code 234.1	Student protections relating to discrimination, harassment, intimidation, and bullying
Ed. Code 33126	School accountability report card
Ed. Code 35186	Williams uniform complaint procedures
Ed. Code 35292.5-35292.6	Restrooms; maintenance and cleanliness

State References

- Ed. Code 48907
- Ed. Code 48950
- Ed. Code 48985
- Ed. Code 51501
- Ed. Code 60010
- Ed. Code 60040-60052
- Ed. Code 60119
- Ed. Code 60150

Description

- Exercise of free expression: time, place, and manner rules and regulations
- Speech and other communication
- Notices to parents in language other than English
- Nondiscriminatory subject matter
- Instructional materials; definition
- Requirements for instructional materials
- Hearing on sufficiency of instructional materials
- Penalty for insufficiency of textbooks and instructional materials

Federal References

- 20 USC 6314

Description

- Title I schoolwide program

Management Resources References

- CA Office of the Attorney General Publication
- CSBA Publication
- CSBA Publication
- Website
- Website
- Website
- Website
- Website
- Website
- Website

Description

- Guidance to School Officials re: Legal Requirements for Providing Inclusive Curricula and Books, Legal Alert, January 2024
- Instructional Materials Adoptions: State and local governing board processes, roles, and responsibilities, Governance Brief, February 2024
- Instructional Materials Adoptions: Local governing board responsibilities, Fact Sheet, February 2024
- California County Superintendents Educational Services Association
- CSBA District and County Office of Education Legal Services
- State Allocation Board, Office of Public School Construction
- Department of Justice
- U.S. Department of Education, Office for Civil Rights
- CSBA
- California Department of Education

Cross References

- 0410
- 0460
- 0460
- 1100
- 1250
- 1250
- 1312.2
- 1312.2
- 1312.2-E(1)
- 1312.3
- 1312.3
- 1312.3-E(1)
- 1312.3-E(2)
- 1340

Description

- Nondiscrimination In District Programs And Activities
- Local Control And Accountability Plan
- Local Control And Accountability Plan
- Communication With The Public
- Visitors/Outsiders
- Visitors/Outsiders
- Complaints Concerning Instructional Materials
- Complaints Concerning Instructional Materials
- Complaints Concerning Instructional Materials
- Uniform Complaint Procedures
- Uniform Complaint Procedures
- Uniform Complaint Procedures
- Uniform Complaint Procedures
- Access To District Records

Cross References

1340
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3270
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4112.2
4112.2
4112.22
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5145.3
5145.3
6142.92
6143
6143
6161.1
6161.1
6161.1-E(1)
6161.11
6161.2
6163.1
9000
9012
9200
9322

Description

Access To District Records
Sale And Disposal Of Books, Equipment And Supplies
Sale And Disposal Of Books, Equipment And Supplies
Environmental Safety
Environmental Safety
Integrated Pest Management
Facilities Inspection
Facilities Inspection
Food Service/Child Nutrition Program
Food Service/Child Nutrition Program
Certification
Certification
Staff Teaching English Learners
Assignment
Assignment
Complaints
Complaints
Complaints
Complaints
Complaints
Complaints
Complaints
Complaints
Nondiscrimination/Harassment
Nondiscrimination/Harassment
Mathematics Instruction
Courses Of Study
Courses Of Study
Selection And Evaluation Of Instructional Materials
Selection And Evaluation Of Instructional Materials
Selection And Evaluation Of Instructional Materials
Supplementary Instructional Materials
Damaged Or Lost Instructional Materials
Library Media Centers
Role Of The Board
Board Member Electronic Communications
Limits Of Board Member Authority
Agenda/Meeting Materials

Exhibit 1312.4-E(1): Williams Uniform Complaint Procedures

Status: ADOPTED

Original Adopted Date: 11/01/2007 | Last Revised Date: 09/01/2024 | Last Reviewed Date: 09/01/2024

**NOTICE TO PARENTS/GUARDIANS, STUDENTS, AND TEACHERS:
K-12 COMPLAINT RIGHTS**

Parents/Guardians, Students, and Teachers:

Pursuant to Education Code 35186, you are hereby notified that:

1. There should be sufficient textbooks and instructional materials

That means each student, including an English learner, must have a textbook or instructional materials, or both, to use in class and to take home.

2. School facilities must be clean, safe, and maintained in good repair

This includes the identification and resolution of emergency or urgent facilities conditions that pose a threat to the health and safety of students or staff.

3. There should be no teacher vacancies or misassignments

There should be a teacher assigned to each class and not a series of substitutes or other temporary teachers. The teacher should have the proper credential to teach the class, including the certification required to teach English learners, if present.

Misassignment means the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or credential or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold.

Teacher vacancy means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester.

If you choose to file a complaint alleging that any of the above conditions is not being met, your complaint will be addressed through the district's Williams uniform complaint procedures as required by law. A complaint form may be obtained at the school office or district office, or downloaded from the school or district website. You may also download a copy of the California Department of Education (CDE) complaint form from CDE's website when available. However, a complaint need not be filed using either the district's complaint form or the complaint form from CDE.

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 References	Description
5 CCR 4600-4670	Uniform complaint procedures
5 CCR 4680-4687	Williams uniform complaint procedures
5 CCR 4690-4694	Health and safety complaints in license-exempt preschool programs
Ed. Code 1240	County superintendent of schools; duties
Ed. Code 17592.72	School Facility Emergency Repair Account; urgent or emergency repairs
Ed. Code 200-270	Prohibition of discrimination
Ed. Code 234.1	Student protections relating to discrimination, harassment, intimidation, and bullying

State References

Ed. Code 33126
 Ed. Code 35186
 Ed. Code 35292.5-35292.6
 Ed. Code 48907
 Ed. Code 48950
 Ed. Code 48985
 Ed. Code 51501
 Ed. Code 60010
 Ed. Code 60040-60052
 Ed. Code 60119
 Ed. Code 60150

Description

School accountability report card
 Williams uniform complaint procedures
 Restrooms; maintenance and cleanliness
 Exercise of free expression; time, place, and manner rules and regulations
 Speech and other communication
 Notices to parents in language other than English
 Nondiscriminatory subject matter
 Instructional materials; definition
 Requirements for instructional materials
 Hearing on sufficiency of instructional materials
 Penalty for insufficiency of textbooks and instructional materials

Federal References

20 USC 6314

Description

Title I schoolwide program

Management Resources References

CA Office of the Attorney General Publication
 CSBA Publication
 CSBA Publication
 Website
 Website
 Website
 Website
 Website
 Website
 Website

Description

Guidance to School Officials re: Legal Requirements for Providing Inclusive Curricula and Books, Legal Alert, January 2024
 Instructional Materials Adoptions: State and local governing board processes, roles, and responsibilities, Governance Brief, February 2024
 Instructional Materials Adoptions: Local governing board responsibilities, Fact Sheet, February 2024
 California County Superintendents Educational Services Association
 CSBA District and County Office of Education Legal Services
 State Allocation Board, Office of Public School Construction
 Department of Justice
 U.S. Department of Education, Office for Civil Rights
 CSBA
 California Department of Education

Cross References

0410
 0460
 0460
 1100
 1250
 1250
 1312.2
 1312.2
 1312.2-E(1)
 1312.3
 1312.3

Description

Nondiscrimination In District Programs And Activities
 Local Control And Accountability Plan
 Local Control And Accountability Plan
 Communication With The Public
 Visitors/Outsiders
 Visitors/Outsiders
 Complaints Concerning Instructional Materials
 Complaints Concerning Instructional Materials
 Complaints Concerning Instructional Materials
 Uniform Complaint Procedures
 Uniform Complaint Procedures

Cross References**Description**

1312.3-E(1)	Uniform Complaint Procedures
1312.3-E(2)	Uniform Complaint Procedures
1340	Access To District Records
1340	Access To District Records
3270	Sale And Disposal Of Books, Equipment And Supplies
3270	Sale And Disposal Of Books, Equipment And Supplies
3514	Environmental Safety
3514	Environmental Safety
3514.2	Integrated Pest Management
3517	Facilities Inspection
3517-E(1)	Facilities Inspection
3550	Food Service/Child Nutrition Program
3550	Food Service/Child Nutrition Program
4112.2	Certification
4112.2	Certification
4112.22	Staff Teaching English Learners
4113	Assignment
4113	Assignment
4144	Complaints
4144	Complaints
4244	Complaints
4244	Complaints
4344	Complaints
4344	Complaints
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
6142.92	Mathematics Instruction
6143	Courses Of Study
6143	Courses Of Study
6161.1	Selection And Evaluation Of Instructional Materials
6161.1	Selection And Evaluation Of Instructional Materials
6161.1-E(1)	Selection And Evaluation Of Instructional Materials
6161.11	Supplementary Instructional Materials
6161.2	Damaged Or Lost Instructional Materials
6163.1	Library Media Centers
9000	Role Of The Board
9012	Board Member Electronic Communications
9200	Limits Of Board Member Authority
9322	Agenda/Meeting Materials

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

Status: ADOPTED

Original Adopted Date: 11/01/2010 | Last Revised Date: 09/01/2024 | Last Reviewed Date: 09/01/2024

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

Education Code 35186 creates a procedure for the filing of complaints concerning deficiencies related to instructional materials, conditions of facilities that are not maintained in a clean or safe manner or in good repair, including emergency or urgent facilities conditions that pose a threat to the health and safety of students or staff, or teacher vacancy or misassignment. The complaint and response are public documents as provided by law. Complaints may be filed anonymously. However, if you wish to receive a response to your complaint, you must provide the contact information below.

Response requested? ___ Yes ___ No

Contact information: (if response is requested)

Name: _____

Address: _____

Phone number: Day: _____ Evening: _____

E-mail address, if any: _____

Date problem was observed: _____

Location of the problem that is the subject of this complaint:

School name/address: _____

Course title/grade level and teacher name: _____

Room number/name of room/location of facility: _____

Only the following issues may be the subject of this complaint process. If you wish to complain about an issue not specified below, please contact the school or district for the appropriate district complaint procedure.

Specific issue(s) of the complaint: (Please check all that apply. A complaint may contain more than one allegation.)

1. Textbooks and instructional materials: (Education Code 35186; 5 CCR 4681)
 - a. A student, including an English learner, does not have standards-aligned textbooks or instructional materials or state- or district-adopted textbooks or other required instructional materials to use in class
 - b. A student does not have access to textbooks or instructional materials to use at home or after school

This does not require two sets of textbooks or instructional materials for each student
 - c. Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage
 - d. A student was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials
2. Teacher vacancy or misassignment: (Education Code 35186; 5 CCR 4682)
 - a. A semester begins and a teacher vacancy exists

A teacher vacancy is a position to which a single designated certificated employee has not been assigned at the beginning of the school year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester. (5 CCR 4600)
 - b. A teacher who lacks credentials or training to teach English learners is assigned to teach a class with one or more English learners in the class

This does not relieve the district from complying with state or federal law regarding teachers of English Learners.

- c. A teacher is assigned to teach a class for which the teacher lacks subject matter competency
3. Facilities conditions: (Education Code 17592.72, 35186, 35292.5, 35292.6; 5 CCR 4683)
- a. A condition exists that poses an emergency or urgent threat to the health or safety of students or staff while at school including gas leaks; nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems; electrical power failure; major sewer line stoppage; major pest or vermin infestation; broken windows or exterior doors or gates that will not lock and that pose a security risk; abatement of hazardous materials previously undiscovered that pose an immediate threat to students or staff; structural damage creating a hazardous or uninhabitable condition; and any other condition deemed appropriate by the district
 - b. A school restroom has not been cleaned or maintained regularly, is not fully operational, or has not been stocked at all times with toilet paper, soap, and paper towels or functional hand dryers
 - c. For a school serving students in any of grades 3-12, the school has not, at all times, stocked and made available and accessible free of cost, an adequate supply of menstrual products in every women's and all-gender restroom, and in at least one men's restroom
 - d. Starting July 1, 2026, for a school that has more than one female and more than one male restroom designated exclusively for student use, the school has not maintained at least one all-gender restroom for student use in accordance with Education Code 35292.5
 - e. The school has not kept all restrooms open during school hours when students are not in classes and has not kept a sufficient number of restrooms open during school hours when students are in classes

This does not apply when temporary closing of the restroom is necessary for a documented student safety concern, an immediate threat to student safety, or to repair the facility.

Please describe the issue of your complaint in detail. You may attach additional pages and include as much text as you wish to fully describe the situation. For complaints regarding facilities conditions, please describe the emergency or urgent facilities condition and how that condition poses a threat to the health or safety of students or staff.

Please file this complaint at the following location:

(principal or designee)

(address)

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

Please provide a signature below. If you wish to remain anonymous, a signature is not required. However, all complaints, even anonymous ones, should be dated.

(Signature)

(Date)

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State References

5 CCR 4600-4670
5 CCR 4680-4687
5 CCR 4690-4694
Ed. Code 1240
Ed. Code 17592.72
Ed. Code 200-270

Ed. Code 234.1

Ed. Code 33126
Ed. Code 35186
Ed. Code 35292.5-35292.6
Ed. Code 48907
Ed. Code 48950
Ed. Code 48985
Ed. Code 51501
Ed. Code 60010
Ed. Code 60040-60052
Ed. Code 60119
Ed. Code 60150

Description

Uniform complaint procedures
Williams uniform complaint procedures
Health and safety complaints in license-exempt preschool programs
County superintendent of schools; duties
School Facility Emergency Repair Account; urgent or emergency repairs
Prohibition of discrimination
Student protections relating to discrimination, harassment, intimidation, and bullying
School accountability report card
Williams uniform complaint procedures
Restrooms; maintenance and cleanliness
Exercise of free expression; time, place, and manner rules and regulations
Speech and other communication
Notices to parents in language other than English
Nondiscriminatory subject matter
Instructional materials; definition
Requirements for instructional materials
Hearing on sufficiency of instructional materials
Penalty for insufficiency of textbooks and instructional materials

Federal References

20 USC 6314

Description

Title I schoolwide program

Management Resources References

CA Office of the Attorney General Publication

CSBA Publication

CSBA Publication

Website
Website
Website
Website
Website
Website
Website

Description

Guidance to School Officials re: Legal Requirements for Providing Inclusive Curricula and Books, Legal Alert, January 2024

Instructional Materials Adoptions: State and local governing board processes, roles, and responsibilities, Governance Brief, February 2024

Instructional Materials Adoptions: Local governing board responsibilities, Fact Sheet, February 2024

California County Superintendents Educational Services Association
CSBA District and County Office of Education Legal Services
State Allocation Board, Office of Public School Construction
Department of Justice
U.S. Department of Education, Office for Civil Rights
CSBA
California Department of Education

Cross References	Description
0410	Nondiscrimination In District Programs And Activities
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
1100	Communication With The Public
1250	Visitors/Outsiders
1250	Visitors/Outsiders
1312.2	Complaints Concerning Instructional Materials
1312.2	Complaints Concerning Instructional Materials
1312.2-E(1)	Complaints Concerning Instructional Materials
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3-E(1)	Uniform Complaint Procedures
1312.3-E(2)	Uniform Complaint Procedures
1340	Access To District Records
1340	Access To District Records
3270	Sale And Disposal Of Books, Equipment And Supplies
3270	Sale And Disposal Of Books, Equipment And Supplies
3514	Environmental Safety
3514	Environmental Safety
3514.2	Integrated Pest Management
3517	Facilities Inspection
3517-E(1)	Facilities Inspection
3550	Food Service/Child Nutrition Program
3550	Food Service/Child Nutrition Program
4112.2	Certification
4112.2	Certification
4112.22	Staff Teaching English Learners
4113	Assignment
4113	Assignment
4144	Complaints
4144	Complaints
4244	Complaints
4244	Complaints
4344	Complaints
4344	Complaints
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
6142.92	Mathematics Instruction
6143	Courses Of Study
6143	Courses Of Study

Cross References

6161.1

6161.1

6161.1-E(1)

6161.11

6161.2

6163.1

9000

9012

9200

9322

Description

Selection And Evaluation Of Instructional Materials

Selection And Evaluation Of Instructional Materials

Selection And Evaluation Of Instructional Materials

Supplementary Instructional Materials

Damaged Or Lost Instructional Materials

Library Media Centers

Role Of The Board

Board Member Electronic Communications

Limits Of Board Member Authority

Agenda/Meeting Materials

Regulation 3517: Facilities Inspection

Status: ADOPTED

Original Adopted Date: 11/01/2006 | Last Revised Date: 09/01/2024 | Last Reviewed Date: 09/01/2024

The Superintendent or designee shall inspect school facilities to ensure that they are maintained in good repair. At a minimum, the Superintendent or designee shall assess those facility conditions specified on the facilities inspection tool developed by the Office of Public School Construction, including, but not limited to, the following: (Education Code 17002, 35292.5)

1. Gas Leaks: Gas systems and pipes appear and smell safe, functional, and free of leaks
2. Mechanical Systems: Heating, ventilation, and air conditioning systems, as applicable, are functional and unobstructed; appear to supply an adequate amount of air to all classrooms, work spaces, and facilities; and maintain interior temperatures within normally acceptable ranges
3. Windows and Doors: Windows and doors are intact, functional, and open, close, and lock as designed, unless there is a valid reason they should not function as designed
4. Fences and Gates: Fences and gates are intact, functional, and free of holes and other conditions that could present a safety hazard to students, staff, or others

Locks and other security hardware function as designed.
5. Interior Surfaces: Walls, floors, and ceilings are free of safety hazards from tears, holes, missing floor and ceiling tiles, torn carpet, water damage, or other cause

Ceiling tiles are intact. Surfaces display no evidence of mold or mildew.
6. Hazardous Materials: Hazardous and flammable materials are stored properly

No evidence of peeling, chipping, or cracking paint is apparent. No indicators of mold, mildew, or asbestos exposure are evident. There does not appear to be evidence of hazardous materials that may pose a threat to the health and safety of students or staff.
7. Structures: Posts, beams, supports for portable classrooms and ramps, and other structures appear intact, secure, and functional as designed

Ceilings and floors are not sloping or sagging beyond their intended design. There is no visible evidence of severe cracks, dry rot, mold, or damage that undermines structural components.
8. Fire Safety and Emergency Equipment: Fire sprinklers, fire extinguishers, emergency alarm systems, and all emergency equipment and systems appear to be functioning properly

Fire alarm pull stations are clearly visible. Fire extinguishers are current and placed in all required areas, including every classroom and assembly area. Emergency exits are clearly marked and unobstructed.
9. Electrical Systems: Electrical systems, components, and equipment, including switches, junction boxes, panels, wiring, outlets, and light fixtures, are securely enclosed, properly covered and guarded from student access, and appear to be working properly
10. Lighting: Interior and exterior lighting appears to be adequate and working properly

Lights do not flicker, dim, or malfunction, and there is no unusual hum or noise from light fixtures.
11. Pest/Vermin Infestation: No visible or odorous indicators of pest or vermin infestation are evident
12. Drinking Fountains: Interior and exterior drinking fountains are functional, accessible, and free of leaks

Drinking water pressure is adequate. Fountain water is clear and without unusual taste or odor, and moss, mold, or excessive staining is not evident

13. Restrooms: Restrooms and restroom fixtures are fully operational, maintained and cleaned regularly, and stocked at all times with supplies, including toilet paper, soap, and paper towels or functional hand dryers, in accordance with Education Code 35292.5

The school keeps all restrooms open during school hours when students are not in classes and keeps a sufficient number of restrooms open during school hours when students are in classes, except when necessary to temporarily close a restroom due to a documented student safety concern, an immediate threat to student safety, or the need to repair the facility.

Additionally, any school serving students in any of grades 3-12 shall, at all times, stock and make available and accessible free of cost, an adequate supply of menstrual products in every women's and all-gender restroom, and in at least one men's restroom. The district shall post in a prominent and conspicuous location in every restroom required to stock menstrual products a notice regarding this requirement that includes an email address and telephone number for a designated individual responsible for maintaining the requisite supply of menstrual products. (Education Code 35292.6)

In addition, starting July 1, 2026, any school that has more than one female and more than one male restroom designated exclusively for student use shall provide and maintain at least one all-gender restroom for student use. The district shall use signage that identifies the bathroom facility as being open to all genders and is in accordance with 24 CCR 11B-703; ensure that it is available for use consistent with the requirements specified above and is unlocked, unobstructed, easily accessible by any student, and consistent with existing access to sex-segregated restrooms; stock the bathroom facility with menstrual products in accordance with Education Code 35292.6, as specified above; and, ensure that the bathroom facility is available during school hours and school functions when students are present. The district shall post in a prominent and conspicuous location outside at least one all-gender restroom a notice regarding these requirements that includes contact information for the staff member designated as the point of contact responsible for implementing such requirements.

14. Sewers: The sanitary sewer system controls odors as designed, displays no signs of stoppage, backup, or flooding in school facilities or on school grounds, and appears to be functioning properly
15. Roofs: Roofs, gutters, roof drains, and downspouts appear to be functioning properly and are free of visible damage and evidence of disrepair when observed from the ground from inside and outside the building
16. Drainage: School grounds do not exhibit signs of drainage problems, such as visible evidence of flooded areas, eroded soil, water damage to asphalt playgrounds or parking areas, or clogged storm drain inlets
17. Playground/School Grounds: Playground equipment, including exterior fixtures, seating, tables, and equipment, and school grounds, fields, walkways, and parking lot surfaces are functional and free of significant cracks, trip hazards, holes, deterioration that affects functionality or safety, and other health and safety hazards
18. Overall Cleanliness: School grounds, buildings, common areas, and individual rooms appear to have been cleaned regularly and are free of accumulated refuse and unabated graffiti

Restrooms, drinking fountains, and food preparation or serving areas appear to have been cleaned each day that school is in session.

Additionally, to ensure the health and safety of students, the Superintendent or designee shall provide for the testing of drinking water on campus and of the soil and painted surfaces of school facilities for the presence of lead and/or other harmful substances, in accordance with state and federal standards.

The Superintendent or designee shall ensure that any necessary repairs or removal of hazards identified during the inspection are made in a timely and expeditious manner.

An assessment of the safety, cleanliness, and adequacy of school facilities, including any needed maintenance to ensure good repair as defined in Education Code 17002, shall be reported on the school accountability report card. (Education Code 33126)

Any complaint alleging a school facility condition that poses an emergency or urgent threat to the health or safety of students or staff, or alleging that a school restroom is not clean, maintained, stocked, or kept open, shall be addressed in accordance with Administrative Regulation 1312.4 - Williams Uniform Complaint Procedures.

The Superintendent or designee shall provide the Governing Board with regular reports regarding the district's facility inspections and updates of any visits to district schools by the County Superintendent of Schools to review school facilities.

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 References

	Description
2 CCR 1859.300-1859.330	Emergency Repair Program
24 CCR 11B-703	Signage for all gender restrooms
Ed. Code 1240	County superintendent of schools; duties
Ed. Code 17002	State School Building Lease-Purchase Law, including definition of good repair
Ed. Code 17070.10-17077.10	Leroy F. Greene School Facilities Act of 1998
Ed. Code 17565-17591	Property maintenance and control; duties of governing board
Ed. Code 17592.72	School Facility Emergency Repair Account; urgent or emergency repairs
Ed. Code 33126	School accountability report card
Ed. Code 35186	Complaints related to instructional materials, teacher vacancy or misassignment, and facility conditions that pose emergency or urgent threat
Ed. Code 35292.5-35292.6	Restrooms; maintenance and cleanliness
Health and Safety Code 1597.16	Licensed day care centers; testing for lead in water

Federal References

	Description
20 USC 6314	Schoolwide programs
42 USC 300f-300j-27	Safe Drinking Water Act

Management Resources References

	Description
State Allocation Board, Public School Construction Website	Facility Inspection Tool; School Facility Conditions Evaluation
Website	CSBA District and County Office of Education Legal Services
Website	California Department of Education, Williams Case
Website	State Allocation Board, Office of Public School Construction
Website	Coalition for Adequate School Housing
Website	California County Superintendents
Website	CSBA

Cross References

	Description
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
0510	School Accountability Report Card
0510	School Accountability Report Card
1312.4	Williams Uniform Complaint Procedures

Cross References

1312.4-E(1)
1312.4-E(2)
1330.1
3000
3311
3311
3511.1
3511.1
3514
3514
3514.2
3516
3516
3550
3550
5145.6
5145.6-E(1)
6117
7110
7111
9000

Description

Williams Uniform Complaint Procedures
Williams Uniform Complaint Procedures
Joint Use Agreements
Concepts And Roles
Bids
Bids
Integrated Waste Management
Integrated Waste Management
Environmental Safety
Environmental Safety
Integrated Pest Management
Emergencies And Disaster Preparedness Plan
Emergencies And Disaster Preparedness Plan
Food Service/Child Nutrition Program
Food Service/Child Nutrition Program
Parent/Guardian Notifications
Parent/Guardian Notifications
Year-Round Schedules
Facilities Master Plan
Evaluating Existing Buildings
Role Of The Board

Exhibit 3517-E(1): Facilities Inspection **Status:** ADOPTED
Original Adopted Date: 06/01/2022 | **Last Revised Date:** 09/01/2024 | **Last Reviewed Date:** 09/01/2024

NOTICE REGARDING MENSTRUAL PRODUCTS

Education Code 35292.6 requires that:

- a. On or before the start of the 2024-25 school year, a public school, including a school operated by a school district, county office of education, or charter school, maintaining any combination of classes from grades 3 to 12, inclusive, shall stock the school's restrooms at all times with an adequate supply of menstrual products, available and accessible, free of cost, in all women's restrooms and all-gender restrooms, and in at least one men's restroom
- b. A public school described in subdivision (a) shall not charge for any menstrual products provided to pupils
- c. A public school described in subdivision (a) shall post a notice regarding the requirements of this section in a prominent and conspicuous location in every restroom required to stock menstrual products, available and accessible, free of cost, pursuant to this section

This notice shall include the text of this section and contact information, including an email address and telephone number, for a designated individual responsible for maintaining the requisite supply of menstrual products.

- d. For purposes of this section, "menstrual products" means menstrual pads and tampons for use in connection with the menstrual cycle
- e. This section shall become operative on July 1, 2024

The name and contact information for the individual responsible for maintaining the requisite supply of menstrual products is:

 (name and/or title/position)

 (telephone number)

 (email address)

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State References	Description
2 CCR 1859.300-1859.330	Emergency Repair Program
24 CCR 11B-703	Signage for all gender restrooms
Ed. Code 1240	County superintendent of schools; duties
Ed. Code 17002	State School Building Lease-Purchase Law, including definition of good repair
Ed. Code 17070.10-17077.10	Leroy F. Greene School Facilities Act of 1998
Ed. Code 17565-17591	Property maintenance and control; duties of governing board
Ed. Code 17592.72	School Facility Emergency Repair Account; urgent or emergency repairs
Ed. Code 33126	School accountability report card
Ed. Code 35186	Complaints related to instructional materials, teacher vacancy or misassignment, and facility conditions that pose emergency or urgent threat

State References

Ed. Code 35292.5-35292.6
Health and Safety Code 1597.16

Description

Restrooms; maintenance and cleanliness
Licensed day care centers; testing for lead in water

Federal References

20 USC 6314
42 USC 300f-300j-27

Description

Schoolwide programs
Safe Drinking Water Act

Management Resources References

State Allocation Board, Public School Construction
Website
Website
Website
Website
Website
Website

Description

Facility Inspection Tool: School Facility Conditions Evaluation
CSBA District and County Office of Education Legal Services
California Department of Education, Williams Case
State Allocation Board, Office of Public School Construction
Coalition for Adequate School Housing
California County Superintendents
CSBA

Cross References

0460
0460
0510
0510
1312.4
1312.4-E(1)
1312.4-E(2)
1330.1
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3311
3311
3511.1
3511.1
3514
3514
3514.2
3516
3516
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3550
5145.6
5145.6-E(1)
6117
7110

Description

Local Control And Accountability Plan
Local Control And Accountability Plan
School Accountability Report Card
School Accountability Report Card
Williams Uniform Complaint Procedures
Williams Uniform Complaint Procedures
Williams Uniform Complaint Procedures
Joint Use Agreements
Concepts And Roles
Bids
Bids
Integrated Waste Management
Integrated Waste Management
Environmental Safety
Environmental Safety
Integrated Pest Management
Emergencies And Disaster Preparedness Plan
Emergencies And Disaster Preparedness Plan
Food Service/Child Nutrition Program
Food Service/Child Nutrition Program
Parent/Guardian Notifications
Parent/Guardian Notifications
Year-Round Schedules
Facilities Master Plan

Cross References

7111

9000

Description

Evaluating Existing Buildings

Role Of The Board

Policy 4040: Employee Use Of Technology

Status: ADOPTED

Original Adopted Date: 07/01/2001 | Last Revised Date: 09/01/2024 | Last Reviewed Date: 09/01/2024

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

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

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

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

As determined by the Superintendent or designee, employees shall receive professional development in the appropriate use of these resources, including in the use of AI apps.

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

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

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

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

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

District Records.

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

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

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

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

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

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 References

Gov. Code 11549.3
Gov. Code 3543.1
Gov. Code 7920.000-7930.170
Labor Code 1139
Pen. Code 502
Pen. Code 632
Veh. Code 23123
Veh. Code 23123.5
Veh. Code 23125

Description

Cybersecurity
Rights of employee organizations
California Public Records Act
Emergency assistance
Computer crimes; remedies
Eavesdropping on or recording confidential communications
Wireless telephones in vehicles
Mobile communication devices; text messaging while driving
Wireless telephones in school buses

Federal References

20 USC 7101-7122
20 USC 7131
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Student Support and Academic Enrichment Grants
Internet Safety
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California Department of Education Publication
Court Decision
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U.S. Department of Education Publication
USDOE Office of Educational Technology Publication
USDOE Office of Educational Technology Publication
Website

Description

Artificial Intelligence: Learning With AI Learning About AI
City of San Jose v. Superior Court (2017) 2 Cal.5th 608
City of Ontario v. Quon et al. (2010) 000 U.S. 08-1332
2024 National Education Technology Plan
Guidelines for AI integration throughout education in the commonwealth of Virginia
Artificial Intelligence and the Future of Teaching and Learning: Insights and Recommendations, May 2023
California Governor's Office of Emergency Services

Management Resources References

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CSBA District and County Office of Education Legal Services
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 American Library Association
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6162.6	Use Of Copyrighted Materials
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6163.4-E(1)	Student Use Of Technology

Exhibit 4040-E(1): Employee Use Of Technology

Status: ADOPTED

Original Adopted Date: 07/01/2015 | Last Revised Date: 09/01/2024 | Last Reviewed Date: 09/01/2024

**ACCEPTABLE USE AGREEMENT
AND RELEASE OF DISTRICT FROM LIABILITY (EMPLOYEES)**

The _____ School District authorizes district employees to use district technology, as defined in Board Policy 4040 - Employee Use of Technology. The use of district technology is a privilege permitted at the district's discretion and is subject to the conditions and restrictions set forth in applicable board policies, administrative regulations, and this Acceptable Use Agreement. The district reserves the right to suspend access at any time, without notice, for any reason.

The district expects all employees to use technology responsibly in order to avoid potential problems and liability. The district may place reasonable restrictions on the sites, material, and/or information that employees may access through the system. However, the district shall not prevent or restrict access to an employee's mobile or other communications device(s) if there is a need to seek emergency assistance, assess the safety of a situation, or communicate with a person to confirm the person's safety.

The district makes no guarantee that the functions or services provided by or through the district will be without defect. In addition, the district is not responsible for financial obligations arising from unauthorized use, or misuse, of the system.

Each employee who is authorized to use district technology shall sign this Agreement, which indicates that the employee has read and understands this Agreement and Board Policy 4040 - Employee Use of Technology.

Employee Obligations and Responsibilities

Employees are expected to use district technology safely, responsibly, and primarily for work-related purposes and in accordance with the accompanying board policy and applicable copyright laws. Any incidental personal use of district technology shall not interfere with district business and operations, the work and productivity of any district employee, or the safety and security of district technology. The district is not responsible for any loss or damage incurred by an employee as a result of the employee's personal use of district technology.

The employee in whose name district technology is issued is responsible for its proper use at all times. Employees shall not share their assigned online services account information, passwords, or other information used for identification and authorization purposes, and shall use the system only under the account to which they have been assigned.

Employees shall not gain unauthorized access to the files or equipment of others, access electronic resources by using another person's name or electronic identification, or send anonymous electronic communications. Furthermore, employees shall not attempt to access any data, documents, emails, or programs in the district's system for which they do not have authorization.

Employees are prohibited from using district technology for improper purposes, including, but not limited to, use of district technology to:

1. Access, post, display, create, or otherwise use material that is discriminatory, defamatory, obscene, sexually explicit, harassing, intimidating, threatening, or disruptive
2. Disclose or in any way cause to be disclosed confidential or sensitive district, employee, or student information without prior authorization from a supervisor, including sharing confidential information or personally identifiable information with an open artificial intelligence system
3. Engage in personal commercial or other for-profit activities without permission of the Superintendent or designee
4. Engage in unlawful use of district technology for political lobbying
5. Infringe on copyright, license, trademark, patent, or other intellectual property rights

6. Intentionally disrupt or harm district technology or other district operations (such as destroying district equipment, placing a virus on district computers, adding or removing a computer program without permission, changing settings on shared computers)
7. Install unauthorized software
8. Engage in or promote unethical practices or violate any law or board policy, administrative regulation, or district practice

Privacy

Since the use of district technology is intended for use in conducting district business, no employee should have any expectation of privacy in any use of district technology.

The district reserves the right to monitor and record all use of district technology, including, but not limited to, access to the Internet or social media, Internet searches, browsing history, use of artificial intelligence, communications sent or received from district technology, or other uses within the jurisdiction of the district. Such monitoring/recording may occur at any time without prior notice for any legal purposes including, but not limited to, record retention and distribution and/or investigation of improper, illegal, or prohibited activity. Employees should be aware that, in most instances, their use of district technology (such as web searches or emails) cannot be erased or deleted.

All passwords created for or used on any district technology are the sole property of the district. The creation or use of a password by an employee on district technology does not create a reasonable expectation of privacy.

Personally Owned Devices

If an employee uses a personally owned device to access district technology or conduct district business, the employee shall abide by all applicable board policies, administrative regulations, and this Agreement. Any such use of a personally owned device may subject the contents of the device and any communications sent or received on the device to disclosure pursuant to a lawful subpoena or public records request.

Records

Any electronically stored information generated or received by an employee which constitutes a district or student record shall be classified, retained, and destroyed in accordance with Board Policy/Administrative Regulation 3580 - District Records, Board Policy/Administrative Regulation 5125 - Student Records, or other applicable policies and regulations addressing the retention of district or student records.

Reporting

If an employee becomes aware of any security problem (including, but not limited to, a cyberattack, phishing, or any compromise of the confidentiality of any login or account information), or misuse of district technology, the employee shall immediately report such information to the Superintendent or designee.

Consequences for Violation

Violations of the law, board policy, or this Agreement may result in revocation of an employee's access to district technology and/or discipline, up to and including termination. In addition, violations of the law, board policy, or this agreement may be reported to law enforcement agencies as appropriate.

Employee Acknowledgment

I have received, read, understand, and agree to abide by this Agreement, Board Policy 4040 - Employee Use of Technology, and other applicable laws and district policies and regulations governing the use of district technology. I understand that there is no expectation of privacy when using district technology or when my personal electronic devices use district technology. I further understand that any violation may result in revocation of user privileges, disciplinary action, and/or appropriate legal action.

I hereby release the district, its personnel, and the Governing Board from any and all claims and damages arising from my use of district technology or from the failure of any technology protection measures employed by the district.

Name: _____ Position: _____
(Please print)

School/Work Site: _____

Signature: _____ Date: _____

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State References

Gov. Code 11549.3
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Labor Code 1139
Pen. Code 502
Pen. Code 632
Veh. Code 23123
Veh. Code 23123.5
Veh. Code 23125

Description

Cybersecurity
Rights of employee organizations
California Public Records Act
Emergency assistance
Computer crimes; remedies
Eavesdropping on or recording confidential communications
Wireless telephones in vehicles
Mobile communication devices; text messaging while driving
Wireless telephones in school buses

Federal References

20 USC 7101-7122
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47 CFR 54.520

Description

Student Support and Academic Enrichment Grants
Internet Safety
Internet safety policy and technology protection measures; E-rate discounts

Management Resources References

California Department of Education Publication
Court Decision
Court Decision
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USDOE Office of Educational Technology Publication
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Artificial Intelligence: Learning With AI Learning About AI
City of San Jose v. Superior Court (2017) 2 Cal.5th 608
City of Ontario v. Quon et al. (2010) 000 U.S. 08-1332
2024 National Education Technology Plan
Guidelines for AI integration throughout education in the commonwealth of Virginia
Artificial Intelligence and the Future of Teaching and Learning: Insights and Recommendations, May 2023
California Governor's Office of Emergency Services
CSBA District and County Office of Education Legal Services
Federal Communications Commission
American Library Association
California Department of Education
CSBA
U.S. Department of Education

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Nondiscrimination In District Programs And Activities
District Technology Plan

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1113-E(1)	District And School Websites
1114	District-Sponsored Social Media
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4119.25	Political Activities Of Employees
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4219.1	Civil And Legal Rights
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4219.25	Political Activities Of Employees

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Sex Discrimination and Sex-Based Harassment

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Release Of Directory Information

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Release Of Directory Information

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Classroom Interruptions

Use Of Copyrighted Materials

Use Of Copyrighted Materials

Student Use Of Technology

Student Use Of Technology

Policy 5144.1: Suspension And Expulsion/Due Process

Status: ADOPTED

Original Adopted Date: 12/01/2014 | Last Revised Date: 09/01/2024 | Last Reviewed Date: 09/01/2024

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 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 the student's 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.

No student may be suspended for disruption or willful defiance, except by a teacher pursuant to Education Code 48910. (Education Code 48900)

Students shall not be suspended or expelled based solely on a student's truancy, tardiness, or absenteeism from assigned school activities. (Education Code 48900)

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 regulation, 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 shall be taken in an open session of a Board meeting. (Education Code 48918(j))

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)

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.

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State References

Description

Civ. Code 47	Privileged communication
Civ. Code 48.8	Defamation liability
Code of Civil Procedure 1985-1997	Production of evidence; means of production
Ed. Code 17292.5	Program for expelled students; facilities
Ed. Code 1981-1983	Enrollment of students in community school
Ed. Code 212.5	Sexual harassment
Ed. Code 233	Hate violence
Ed. Code 32260-32262	Interagency School Safety Demonstration Act of 1985
Ed. Code 35145	Open board meetings
Ed. Code 35146	Closed sessions regarding suspensions
Ed. Code 35291	Rules for government and discipline of schools
Ed. Code 35291.5	Rules and procedures on school discipline
Ed. Code 48645.5	Former juvenile court school students; enrollment
Ed. Code 48660-48666	Community day schools
Ed. Code 48853-48853.5	Foster youth
Ed. Code 48900-48927	Suspension and expulsion
Ed. Code 48950	Speech and other communication
Ed. Code 48980	Parent/Guardian notifications
Ed. Code 49073-49079	Privacy of student records
Ed. Code 52052	Numerically significant student subgroups
Ed. Code 52059.5-52077	Local control and accountability plan
Ed. Code 64000-64001	Consolidated application
Ed. Code 8489-8489.1	Prohibition against expulsion of preschool student
Gov. Code 11455.20	Informal hearing procedures
Gov. Code 54950-54963	The Ralph M. Brown Act
H&S Code 11014.5	Drug paraphernalia
H&S Code 11053-11059	Controlled substances; standards and schedules
Lab. Code 230.7	Employee time off to appear in school on behalf of a child
Pen. Code 240	Assault defined
Pen. Code 241.2	Assault fines

State References

Pen. Code 242
 Pen. Code 243.2
 Pen. Code 243.4
 Pen. Code 245
 Pen. Code 245.6
 Pen. Code 261
 Pen. Code 266c
 Pen. Code 286
 Pen. Code 287
 Pen. Code 288
 Pen. Code 289
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 Pen. Code 417.27
 Pen. Code 422.55
 Pen. Code 422.6
 Pen. Code 422.7
 Pen. Code 422.75
 Pen. Code 626.10
 Pen. Code 626.2
 Pen. Code 626.9
 Pen. Code 868.5
 W&I Code 224.1
 W&I Code 729.6

Federal References

18 USC 921
 20 USC 1415(K)
 20 USC 7961
 42 USC 11431-11435

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Attorney General Opinion
 Attorney General Opinion
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 Attorney General Opinion

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 Education of homeless children and youths

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80 Ops.Cal.Atty.Gen. 348 (1997)
 80 Ops.Cal.Atty.Gen. 85 (1997)
 80 Ops.Cal.Atty.Gen. 91 (1997)
 84 Ops.Cal.Atty.Gen. 146 (2001)
 Board of Education of Sacramento City Unified School District v. Sacramento County Board of Education and Kenneth H. (2001) 85 Cal.App.4th 1321
 Fremont Union High School District v. Santa Clara County Board (1991) 235 Cal. App. 3d 1182
 Garcia v. Los Angeles Board of Education (1981) 123 Cal. App. 3d 807

Management Resources References

Court Decision
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John A. v. San Bernardino School District (1982) 33 Cal. 3d 301
T.H. v. San Diego Unified School District (2004) 122 Cal. App. 4th 1267
Woodbury v. Dempsey (2003) 108 Cal. App. 4th 421
Resource on Confronting Racial Discrimination in Student Discipline, May 2023
School Climate and Student Discipline Resources
Guiding Principles for Creating Safe, Inclusive, Supportive, and Fair School Climates, March 2023
CSBA District and County Office of Education Legal Services
U.S. Department of Education, Office of Safe and Healthy Students
California Attorney General's Office
California Department of Education
CSBA
U.S. Department of Education, Office for Civil Rights

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Comprehensive Safety Plan
Comprehensive Safety Plan
Local Control And Accountability Plan
Local Control And Accountability Plan
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District-Sponsored Social Media
Uniform Complaint Procedures
Uniform Complaint Procedures
Uniform Complaint Procedures
Uniform Complaint Procedures
Civility
Tobacco-Free Schools
Tobacco-Free Schools
Drug And Alcohol Free Schools
Campus Security
Campus Security
Unmanned Aircraft Systems (Drones)
District Police/Security Department
District Police/Security Department
School Resource Officers
Recovery For Property Loss Or Damage
Recovery For Property Loss Or Damage
Bomb Threats
Employee Security
Employee Security

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4258	Employee Security
4358	Employee Security
4358	Employee Security
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5112.1	Exemptions From Attendance
5112.5	Open/Closed Campus
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5113.1	Chronic Absence And Truancy
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5117	Interdistrict Attendance
5119	Students Expelled From Other Districts
5125	Student Records
5125	Student Records
5125.2	Withholding Grades, Diploma Or Transcripts
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Education For Homeless Children

Education For Homeless Children

Education For Foster Youth

Education For Foster Youth

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Continuation Education

Continuation Education

Community Day School

Community Day School

Role Of The Board

Closed Session

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Closed Session

Agenda/Meeting Materials

Regulation 5144.1: Suspension And Expulsion/Due Process

Status: ADOPTED

Original Adopted Date: 12/01/2014 | Last Revised Date: 09/01/2024 | Last Reviewed Date: 09/01/2024

Definitions

Suspension means removal of a student from ongoing instruction for adjustment purposes. However, suspension does not mean any of the following: (Education Code 48925)

1. Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day prescribed by the Governing Board for students of the same grade level
2. Referral to a certificated employee designated by the principal to advise students
3. Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or designee as provided in Education Code 48910, so long as removal from a particular class does not occur more than once every five school days

Expulsion means removal of a student from the immediate supervision and control or the general supervision of school personnel. (Education Code 48925)

Notice of Regulations

At the beginning of each school year, the principal of each school shall ensure that all students and parents/guardians are notified in writing of all school rules related to discipline, including suspension and expulsion. (Education Code 35291, 48900.1, 48980)

Grounds for Suspension and Expulsion: Grades K-12

Acts for which a student, including a student with disabilities, may be suspended or expelled shall be only those specified as follows and in "Additional Grounds for Suspension and Expulsion: Grades 4-12," below:

1. Caused, attempted to cause, or threatened to cause physical injury to another person; willfully used force or violence upon another person, except in self-defense; or committed as an aider or abettor, as adjudged by a juvenile court, a crime of physical violence in which the victim suffered great or serious bodily injury (Education Code 48900(a) and (t))
2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object, unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence (Education Code 48900(b))
3. Unlawfully possessed, used, sold, otherwise furnished, or was under the influence of any controlled substance as defined in Health and Safety Code 11053-11059, alcoholic beverage, or intoxicant of any kind (Education Code 48900(c))
4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11059, alcoholic beverage, or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented the same as a controlled substance, alcoholic beverage, or intoxicant (Education Code 48900(d))
5. Committed or attempted to commit robbery or extortion (Education Code 48900(e))
6. Caused or attempted to cause damage to school property or private property (Education Code 48900(f))
7. Stole or attempted to steal school property or private property (Education Code 48900(g))
8. Possessed or used tobacco or products containing tobacco or nicotine products, including, but not limited to, cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel, except that this restriction shall not prohibit a student from using or possessing prescription products (Education

Code 48900(h))

9. Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code 48900(i))
10. Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5 (Education Code 48900(j))
11. Knowingly received stolen school property or private property (Education Code 48900(l))
12. Possessed an imitation firearm (Education Code 48900(m))

Imitation firearm means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm. (Education Code 48900(m))

13. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 287, 288, 289, or former 288a, or committed a sexual battery as defined in Penal Code 243.4 (Education Code 48900(n))
14. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness (Education Code 48900(o))
15. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma (Education Code 48900(p))
16. Engaged in, or attempted to engage in, hazing (Education Code 48900(q))

Hazing means a method of initiation or pre-initiation into a student organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student. Hazing does not include athletic events or school-sanctioned events. (Education Code 48900(q))

17. Engaged in an act of bullying (Education Code 48900(r))

Bullying means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, directed toward one or more students that has or can reasonably be predicted to have the effect of placing a reasonable student(s) in fear of harm to self or property; cause the student to experience a substantially detrimental effect on physical or mental health; or cause the student to experience substantial interferences with academic performance or ability to participate in or benefit from the services, activities, or privileges provided by a school. (Education Code 48900(r))

Bullying includes any act of sexual harassment, hate violence, or harassment, threat, or intimidation, as defined in Education Code 48900.2, 48900.3, or 48900.4 and below in "Additional Grounds for Suspension and Expulsion: Grades 4-12," that has any of the effects described above on a reasonable student.

Bullying also includes an act of cyber sexual bullying by a student through the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording that depicts a nude, semi-nude, or sexually explicit photograph or other visual recording of an identifiable minor, when such dissemination is to another student or to school personnel by means of an electronic act and has or can be reasonably predicted to have one or more of the effects of bullying described above. Cyber sexual bullying does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

Electronic act means the creation or transmission originated on or off the school site by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication including, but not limited to: (Education Code 48900(r))

- a. A message, text, sound, video, or image
- b. A post on a social network Internet website, including, but not limited to, posting to or creating a burn page or creating a credible impersonation or false profile for the purpose of causing a reasonable student

any of the effects of bullying described above

Reasonable student means a student, including, but not limited to, a student who has been identified as a student with a disability, who exercises average care, skill, and judgment in conduct for a person of the student's age, or for a person of the student's age and disability. (Education Code 48900(r))

Burn page means an internet website created for the purpose of causing a reasonable student any of the effects of bullying described above. (Education Code 48900(r))

Credible impersonation means to knowingly and without consent impersonate a student for the purpose of bullying the student and such that the student would reasonably believe, or has reasonably believed, that the student was or is the student who was impersonated. (Education Code 48900(r))

False profile means a profile of a fictitious student or profile using the likeness or attributes of an actual student other than the student who created the false profile. (Education Code 48900(r))

An electronic act is not considered pervasive conduct solely on the basis that it has been transmitted to the internet or is currently posted on the internet. (Education Code 48900(r))

When a student has been suspended, or other means of correction have been implemented against the student, for an incident of racist bullying, harassment, or intimidation, the principal or designee may, as appropriate, engage both the victim and perpetrator in a restorative justice practice suitable to the needs of the students. The principal or designee shall also require the perpetrator to engage in a culturally sensitive program that promotes racial justice and equity and combats racism and ignorance and shall regularly check on the victim to ensure that the victim is not in danger of suffering from any long-lasting mental health issues. (Education Code 48900.5)

18. Aided or abetted the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31 (Education Code 48900(t))
19. Made terrorist threats against school officials and/or school property (Education Code 48900.7)

A terrorist threat includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death or great bodily injury to another person or property damage in excess of \$1,000, with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying out the crime. (Education Code 48900.7)

A student may not be suspended or expelled for disruption or willful defiance. (Education Code 48900)

Additional Grounds for Suspension and Expulsion: Grades 4-12

A student in grades 4-12 shall be subject to suspension or recommendation for expulsion when it is determined that the student:

1. Committed sexual harassment as defined in Education Code 212.5 (Education Code 48900.2)

Sexual harassment means conduct which, when considered from the perspective of a reasonable person of the same gender as the victim, is sufficiently severe or pervasive as to have a negative impact upon the victim's academic performance or to create an intimidating, hostile, or offensive educational environment. (Education Code 212.5, 48900.2)

2. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 233 (Education Code 48900.3)

Hate violence means any act punishable under Penal Code 422.6, 422.7, or 422.75. Such acts include injuring or intimidating a victim, interfering with the exercise of a victim's civil rights, or damaging a victim's property because of the victim's race, ethnicity, religion, nationality, disability, gender, gender identity, gender expression, or sexual orientation; a perception of the presence of any of those characteristics in the victim; or

the victim's association with a person or group with one or more of those actual or perceived characteristics. (Education Code 233; Penal Code 422.55)

3. Intentionally engaged in harassment, threats, or intimidation against district personnel or students that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment (Education Code 48900.4)

Suspension from Class by a Teacher

A teacher may suspend a student from class for the remainder of the day and the following day for any of the acts specified in Education Code 48900 and listed as Items #1-19 under "Grounds for Suspension and Expulsion: Grades K-12" above or for disruption or willful defiance at any grade level. (Education Code 48910)

When suspending a student from class, the teacher shall immediately report this action to the principal or designee and send the student to the principal or designee for appropriate action. If that action requires the continuing presence of the student at school, the student shall be appropriately supervised during the class periods from which the student has been suspended. (Education Code 48910)

As soon as possible after the teacher has suspended the student, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the suspension. A counselor or psychologist may attend the conference if it is practicable, and a school administrator shall attend if requested by the parent/guardian or teacher. (Education Code 48910)

A student suspended from class shall not be returned to class during the period of the suspension without the approval of the teacher of the class and the principal or designee. (Education Code 48910)

A student suspended from class shall not be placed in another regular class during the period of suspension. However, a student assigned to more than one class per day may continue to attend other regular classes except those held at the same time as the class from which the student was suspended. (Education Code 48910)

A teacher may also refer a student, for any of the acts specified above in Education Code 48900, to the principal or designee for consideration of a suspension from school. (Education Code 48910)

The teacher of any class from which a student is suspended may require the student to complete any assignments and tests missed during the removal. (Education Code 48913)

Suspension by Superintendent, Principal or Principal's Designee

To implement disciplinary procedures at a school site, the principal may, in writing, designate as the principal's designee another administrator or, if the principal is the only administrator at the school site, a certificated employee. As necessary, the principal may, in writing, also designate another administrator or certificated employee as the secondary designee to assist with disciplinary procedures when the principal and the principal's primary designee are absent from the school site.

The Superintendent, principal, or designee shall immediately suspend any student found at school or at a school activity away from school to have committed any of the acts listed in the Board policy under "Authority to Expel" for which a recommendation of expulsion is required. (Education Code 48915(c))

The Superintendent, principal, or designee may impose a suspension for a first offense if it is determined that the student violated any of Items #1-5 listed under "Grounds for Suspension and Expulsion: Grades K-12" above or if the student's presence causes a danger to persons. (Education Code 48900.5)

For all other offenses, a student may be suspended only when the Superintendent or principal has determined that other means of correction have failed to bring about proper conduct. (Education Code 48900.5)

When other means of correction are implemented prior to imposing suspension upon a student, including supervised suspension, the Superintendent, principal, or designee shall document the other means of correction used and retain the documentation in the student's record. (Education Code 48900.5)

Length of Suspension

The Superintendent, principal, or designee may suspend a student from school for not more than five consecutive school days. (Education Code 48911)

A student may be suspended from school for not more than 20 school days in any school year. However, if a student enrolls in or is transferred to another regular school, an opportunity school or class, or continuation school or class for the purpose of adjustment, the student may be suspended for not more than 30 school days in a school year. The district may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which the student may be suspended in any school year. (Education Code 48903, 48911, 48912)

These restrictions on the number of days of suspension shall not apply when the suspension is extended pending an expulsion. (Education Code 48911)

Due Process Procedures for Suspension

Suspensions shall be imposed in accordance with the following procedures:

1. **Informal Conference:** Suspension shall be preceded by an informal conference conducted by the Superintendent, principal, or designee with the student and, whenever practicable, the teacher, supervisor, or school employee who referred the student to the principal. At the conference, the student shall be informed of the reason for the disciplinary action, including the other means of correction that were attempted before the suspension as required pursuant to Education Code 48900.5, and the evidence against the student, and shall be given the opportunity to present the student's version and evidence in the student's defense. (Education Code 48911)

This conference may be omitted if the Superintendent, principal, or designee determines that an emergency situation exists involving a clear and present danger to the lives, safety, or health of students or school personnel. If a student is suspended without this conference, the student, the student's parent/guardian, or if the student is a foster youth, the foster youth's educational rights holder, attorney, and county social worker, or if the student is an Indian child, the Indian child's tribal social worker and, if applicable, county social worker, shall be notified of the student's right to a conference and the right to return to school for the purpose of the conference. The conference shall be held within two school days, unless the student waives the right to it or is physically unable to attend for any reason. In such a case, the conference shall be held as soon as the student is physically able to return to school for the conference. (Education Code 48911)

2. **Administrative Actions:** All requests for student suspension are to be processed by the principal or designee. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee. (Education Code 48911)
3. **Notice to Parents/Guardians:** At the time of the suspension, a school employee shall make a reasonable effort to contact the parent/guardian, or if the student is a foster youth, the foster youth's educational rights holder, attorney, and county social worker, or if the student is an Indian child, the Indian child's tribal social worker, and, if applicable, the county social worker, in person, by email, or by telephone. Whenever a student is suspended, the parent/guardian, or, if applicable, the foster youth's educational rights holder, attorney, and county social worker, or the Indian child's tribal social worker and, if applicable, the county social worker, shall also be notified in writing of the suspension. (Education Code 48911)

This notice shall state the specific offense committed by the student. (Education Code 48900.8)

In addition, the notice shall state the date and time when the student may return to school.

4. **Parent/Guardian Conference:** Whenever a student is suspended, school officials may conduct a meeting with the parent/guardian to discuss the cause(s) and duration of the suspension, the school policy involved, and any other pertinent matter. (Education Code 48914)

If school officials request to meet with the parent/guardian, a foster youth's educational rights holder, attorney, and county social worker, or an Indian child's tribal social worker, and, if applicable, the county social worker, the notice may state that the law requires such individuals to respond to the request without delay. However, the student shall not be penalized for the failure of the parent/guardian, a foster youth's educational

rights holder, attorney, and county social worker, or an Indian child's tribal social worker, and, if applicable, the county social worker, to attend such a conference. The student may not be denied reinstatement solely because such individuals failed to attend the conference. (Education Code 48911)

5. Extension of Suspension: If the Board is considering the expulsion of a suspended student from any school or the suspension of a student for the balance of the semester from continuation school, the Superintendent or designee may, in writing, extend the suspension until such time as the Board has made a decision, provided the following requirements are followed: (Education Code 48911)

a. The extension of the original period of suspension is preceded by notice of such extension with an offer to hold a conference concerning the extension, giving the student an opportunity to be heard

This conference may be held in conjunction with a meeting requested by the student or parent/guardian to challenge the original suspension.

b. The Superintendent or designee determines, following a meeting in which the student and the student's parent/guardian were invited to participate, that the student's presence at the school or at an alternative school would endanger persons or property or threaten to disrupt the instructional process

c. If the student involved is a foster youth or Indian child, the Superintendent or designee shall notify the district's educational liaison of the need to invite the foster youth's educational rights holder, attorney and county social worker, or the Indian child's tribal social worker or, if applicable, the county social worker, to attend the meeting (Education Code 48853.5, 48911, 48918.1)

d. If the student involved is a child or youth experiencing homelessness, the Superintendent or designee shall notify the district liaison for homeless students (Education Code 48918.1)

e. In lieu of or in addition to suspending a student, the Superintendent, principal, or designee may provide services or require the student to participate in an alternative disciplinary program designed to correct the behavior and keep the student in school

Suspension by the Board

The Board may suspend a student for any of the acts listed under "Grounds for Suspension and Expulsion: Grades K-12," and "Additional Grounds for Suspension and Expulsion: Grades 4-12," above and within the limits specified under "Suspension by Superintendent, Principal, or Designee," above. (Education Code 48912)

The Board may suspend a student enrolled in a continuation school or class for a period not longer than the remainder of the semester. The suspension shall meet the requirements of Education Code 48915. (Education Code 48912.5)

When the Board is considering a suspension, disciplinary action, or any other action (except expulsion) against any student, it shall hold a closed session if a public hearing would lead to disclosure of information that would violate a student's right to privacy under Education Code 49073-49079. (Education Code 35146, 48912)

The Board shall provide the student and parent/guardian with written notice of the closed session by registered or certified mail or personal service. Upon receiving this notice, the student or parent/guardian may request a public meeting, and this request shall be granted if made in writing within 48 hours after receipt of the Board's notice. However, any discussion that conflicts with any other student's right to privacy still shall be held in closed session. (Education Code 35146, 48912)

On-Campus Suspension

A student for whom an expulsion action has not been initiated and who poses no imminent danger or threat to the school, students, or staff may be assigned to on-campus suspension in a separate classroom, building, or site for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

1. The on-campus suspension classroom shall be staffed in accordance with law
2. The student shall have access to appropriate counseling services

3. The on-campus suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension
4. The student shall be responsible for contacting the student's teacher(s) to receive assignments to be completed in the supervised suspension classroom and the teacher(s) shall provide all assignments and tests that the student will miss while suspended

If no such work is assigned, the person supervising the suspension classroom shall assign schoolwork.

At the time a student is assigned to an on-campus suspension classroom, the principal or designee shall notify the student's parent/guardian, or if the student is a foster youth, the foster youth's educational rights holder, attorney, and county social worker, or, if the student is an Indian child, the Indian child's tribal social worker and, if applicable, county social worker, in person, by email, or by telephone. When the assignment is for longer than one class period, this notification shall be made in writing. (Education Code 48911.1)

Superintendent or Principal's Authority to Recommend Expulsion

Unless the Superintendent or principal determines that expulsion should not be recommended under the circumstances or that an alternative means of correction would address the conduct, the Superintendent or principal shall recommend a student's expulsion for any of the following acts: (Education Code 48915)

1. Causing serious physical injury to another person, except in self-defense
2. Possession of any knife or other dangerous object of no reasonable use to the student
3. Unlawful possession of any controlled substance as listed in Health and Safety Code 11053-11059, except for:
 - a. The first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis
 - b. The student's possession of over-the-counter medication for use by the student for medical purposes
 - c. Medication prescribed for the student by a physician
4. Robbery or extortion
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee

In determining whether to recommend the expulsion of a student, the Superintendent, principal, or designee shall act as quickly as possible to ensure that the student does not lose instructional time. (Education Code 48915)

Student's Right to Expulsion Hearing

Any student recommended for expulsion shall be entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the Superintendent, principal, or designee determines that the student has committed the act(s) that form the basis for the expulsion recommendation. (Education Code 48918(a))

The student is entitled to at least one postponement of an expulsion hearing for a period of not more than 30 calendar days. The request for postponement shall be in writing. Any subsequent postponement may be granted at the Board's discretion. (Education Code 48918(a))

If the Board finds it impractical during the regular school year to comply with these time requirements for conducting an expulsion hearing, the Superintendent or designee may, for good cause, extend the time period by an additional five school days. Reasons for the extension shall be included as a part of the record when the expulsion hearing is held. (Education Code 48918(a))

If the Board finds it impractical to comply with the time requirements of the expulsion hearing due to a summer recess of Board meetings of more than two weeks, the days during the recess shall not be counted as school days. The days not counted during the recess may not exceed 20 school days, as defined in Education Code 48925. Unless

the student requests in writing that the expulsion hearing be postponed, the hearing shall be held not later than 20 calendar days prior to the first day of the next school year. (Education Code 48918(a))

Once the hearing starts, all matters shall be pursued with reasonable diligence and concluded without unnecessary delay. (Education Code 48918(a))

Stipulated Expulsion

After a determination that a student has committed an offense for which the student may be expelled, the Superintendent, principal, or designee shall offer the student, the student's parent/guardian, or, when applicable, other person holding the right to make educational decisions for the student, the option to waive a hearing and stipulate to the expulsion or to a suspension of the expulsion under certain conditions. The offer shall be made only after written notice of the expulsion hearing pursuant to Education Code 48918 has been given.

The stipulation agreement shall be in writing and shall be signed by the student, the student's parent/guardian, or, when applicable, the person holding the right to make educational decisions for the student. The stipulation agreement shall include notice of all the rights that the student is waiving, including the waiving of the right to have a full hearing, to appeal the expulsion to the County Board of Education, and to consult legal counsel.

A stipulated expulsion agreed to by the student, the student's parent/guardian, or, when applicable, the person holding the right to make educational decisions for the student, shall be effective upon approval by the Board.

Rights of Complaining Witness

An expulsion hearing involving allegations of sexual assault or sexual battery may be postponed for one school day in order to accommodate the special physical, mental, or emotional needs of a student who is the complaining witness. (Education Code 48918.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, the Superintendent or designee shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of the right to: (Education Code 48918.5)

1. Receive five days' notice of the scheduled testimony at the hearing
2. Have up to two adult support persons present at the hearing at the time the witness testifies
3. Have a closed hearing during the time the witness testifies

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48918.5)

Written Notice of the Expulsion Hearing

Written notice of the expulsion hearing shall be forwarded to the student and the student's parent/guardian at least 10 calendar days before the date of the hearing. The notice shall include: (Education Code 48900.8, 48918(b))

1. The date and place of the hearing
2. A statement of the specific facts, charges, and offense upon which the proposed expulsion is based
3. A copy of district disciplinary rules which relate to the alleged violation
4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment

This obligation applies when a student is expelled for acts other than those described in Education Code 48915(a) or (c).

5. The opportunity for the student or the student's parent/guardian to appear in person or be represented by legal counsel or by a nonattorney adviser

Legal counsel means an attorney or lawyer who is admitted to the practice of law in California and is an active member of the State Bar of California.

Nonattorney adviser means an individual who is not an attorney or lawyer, but who is familiar with the facts of the case and has been selected by the student or student's parent/guardian to provide assistance at the hearing.

6. The right to inspect and obtain copies of all documents to be used at the hearing
7. The opportunity to confront and question all witnesses who testify at the hearing
8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf, including witnesses

Additional Notice of Expulsion Hearing for Foster Youth, Homeless Students, and Indian Children

If the student facing expulsion is a foster student or Indian child, the Superintendent or designee shall also send notice of the hearing to the foster youth's educational rights holder, attorney, and county social worker, or the Indian child's tribal social worker and, if applicable, county social worker, at least 10 calendar days prior to the hearing. (Education Code 48918.1)

If the student facing expulsion is a student experiencing homelessness, the Superintendent or designee shall also send notice of the hearing to the district liaison for homeless students at least 10 calendar days prior to the hearing. (Education Code 48918.1)

Any notice for these purposes may be provided by the most cost-effective method possible, including by email or a telephone call. (Education Code 48918.1)

Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding Education Code 35145, the Board shall conduct a hearing to consider the expulsion of the student in a session closed to the public unless the student requests in writing at least five days prior to the hearing that the hearing be a public meeting. If such a request is made, the meeting shall be public to the extent that privacy rights of other students are not violated. (Education Code 48918)

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to deliberate and determine whether the student should be expelled. If the Board admits any other person to this closed session, the parent/guardian, the student, and the counsel of the student also shall be allowed to attend the closed session. (Education Code 48918(c))

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to testify in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including, but not limited to, a videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

2. Record of Hearing: A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made. (Education Code 48918(g))
3. Subpoenas: Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Board or the hearing officer or administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in

accordance with Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11455.20. (Education Code 48918(i))

Any objection raised by the student or the Superintendent or designee to the issuance of subpoenas may be considered by the Board in closed session, or in open session if so requested by the student, before the meeting. The Board's decision in response to such an objection shall be final and binding. (Education Code 48918(i))

If the Board determines, or if the hearing officer or administrative panel finds and submits to the Board, that a witness would be subject to unreasonable risk of harm by testifying at the hearing, a subpoena shall not be issued to compel the personal attendance of that witness at the hearing. However, that witness may be compelled to testify by means of a sworn declaration as described in Item #6 below. (Education Code 48918(i))

4. Presentation of Evidence: Technical rules of evidence shall not apply to the expulsion hearing, but relevant evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. The decision of the Board to expel shall be supported by substantial evidence that the student committed any of the acts pursuant to Education Code 48900 and listed in "Grounds for Suspension and Expulsion: Grades K-12," and "Additional Grounds for Suspension and Expulsion: Grades 4-12," above. (Education Code 48918(h))

Findings of fact shall be based solely on the evidence at the hearing. Although no finding shall be based solely on hearsay, sworn declarations may be admitted as testimony from witnesses whose disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm. (Education Code 48918(f))

In cases where a search of a student's person or property has occurred, evidence describing the reasonableness of the search shall be included in the hearing record.

5. Testimony by Complaining Witnesses: The following procedures shall be observed when a hearing involves allegations of sexual assault or sexual battery by a student: (Education Code 48918, 48918.5)
 - a. Any complaining witness shall be given five days' notice before being called to testify
 - b. Any complaining witness shall be entitled to have up to two adult support persons, including, but not limited to, a parent/guardian or legal counsel, present during the testimony
 - c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential
 - d. The person presiding over the hearing may remove a support person who is disrupting the hearing
 - e. If one or both support persons are also witnesses, the hearing shall be conducted in accordance with Penal Code 868.5
 - f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard

Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.

- g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment
 - i. The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony

- ii. At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which the complaining witness may leave the hearing room
 - iii. The person conducting the hearing may:
 - a. Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness
 - b. Limit the time for taking the testimony of a complaining witness to normal school hours, if there is no good cause to take the testimony during other hours
 - c. (Permit one of the support persons to accompany the complaining witness to the witness stand
6. Decision: The Board's decision as to whether to expel a student shall be made within 40 school days after the student is removed from school, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Alternative Expulsion Hearing: Hearing Officer or Administrative Panel

Instead of conducting an expulsion hearing itself, the Board may contract with the county hearing officer or with the Office of Administrative Hearings of the State of California for a hearing officer. The Board may also appoint an impartial administrative panel composed of three or more certificated personnel, none of whom shall be members of the Board or on the staff of the school in which the student is enrolled. (Education Code 48918)

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures applicable to a hearing conducted by the Board as specified above in "Conduct of Expulsion Hearing," including the requirement to issue a decision within 40 school days of the student's removal from school, unless the student requests that the decision be postponed. (Education Code 48918(a) and (d))

The hearing officer or administrative panel shall, within three school days after the hearing, determine whether to recommend expulsion of the student to the Board. If expulsion is not recommended, the expulsion proceeding shall be terminated and the student shall be immediately reinstated and permitted to return to the classroom instructional program from which the referral was made, unless another placement is requested in writing by the student's parent/guardian. Before the student's placement decision is made by the student's parent/guardian, the Superintendent or designee shall consult with the parent/guardian and district staff, including the student's teachers, regarding other placement options for the student in addition to the option to return to the classroom instructional program from which the student's expulsion referral was made. The decision to not recommend expulsion shall be final. (Education Code 48918(e))

If expulsion is recommended, findings of fact in support of the recommendation shall be prepared and submitted to the Board. All findings of fact and recommendations shall be based solely on the evidence presented at the hearing. The Board may accept the recommendation based either upon a review of the findings of fact and recommendations submitted or upon the results of any supplementary hearing the Board may order. (Education Code 48918(f))

In accordance with Board policy, the hearing officer or administrative panel may recommend that the Board suspend the enforcement of the expulsion. If the hearing officer or administrative panel recommends that the Board expel a student but suspend the enforcement of the expulsion, the student shall not be reinstated and permitted to return to the classroom instructional program from which the referral was made until the Board has ruled on the recommendation. (Education Code 48917, 48918)

Final Action by the Board

Whether the expulsion hearing is conducted in closed or open session by the Board, a hearing officer, or an administrative panel or is waived through the signing of a stipulated expulsion agreement, the final action to expel shall be taken by the Board in public. (Education Code 48918(j))

The Board's decision is final. If the decision is to not expel, the student shall be reinstated immediately. If the decision is to suspend the enforcement of the expulsion, the student shall be reinstated under the conditions of the suspended expulsion.

Upon ordering an expulsion, the Board shall set a date when the student shall be reviewed for readmission to a school within the district. For a student expelled for any "mandatory recommendation and mandatory expulsion" act listed in "Authority to Expel" in the accompanying Board policy, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. If an expulsion is ordered during summer session or the intersession period of a year-round program, the Board shall set a date when the student shall be reviewed for readmission not later than the last day of the semester following the summer session or intersession period in which the expulsion occurred. (Education Code 48916)

At the time of the expulsion order, the Board shall recommend a plan for the student's rehabilitation, which may include: (Education Code 48916)

1. Periodic review, as well as assessment at the time of review, for readmission
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service, or other rehabilitative programs

With parent/guardian consent, students who have been expelled for reasons relating to controlled substances or alcohol may be required to enroll in a county-sponsored drug rehabilitation program before returning to school. (Education Code 48916.5)

Written Notice to Expel

The Superintendent or designee shall send written notice of the decision to expel to the student or parent/guardian. This notice shall include the following:

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed above under "Grounds for Suspension and Expulsion: Grades K-12" or "Additional Grounds for Suspension and Expulsion: Grades 4-12" (Education Code 48900.8)
2. The fact that a description of readmission procedures will be made available to the student and parent/guardian (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Board (Education Code 48918)
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion (Education Code 48918)
5. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1 (Education Code 48918)

Decision to Suspend Expulsion Order

In accordance with Board policy, when deciding whether to suspend the enforcement of an expulsion order, the Board shall take into account the following criteria:

1. The student's pattern of behavior
2. The seriousness of the misconduct
3. The student's attitude toward the misconduct and willingness to follow a rehabilitation program

The suspension of the enforcement of an expulsion shall be governed by the following:

1. The Board may, as a condition of the suspension of enforcement, assign the student to a school, class, or

program appropriate for the student's rehabilitation

This rehabilitation program may provide for the involvement of the student's parent/guardian in the student's education. However, a parent/guardian's refusal to participate in the rehabilitation program shall not be considered in the Board's determination as to whether the student has satisfactorily completed the rehabilitation program. (Education Code 48917)

2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status (Education Code 48917)
3. The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion: Grades K-12" or "Additional Grounds for Suspension and Expulsion: Grades 4-12" above, or violates any of the district's rules and regulations governing student conduct (Education Code 48917)
4. When the suspension of enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order (Education Code 48917)
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school

Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings. (Education Code 48917)

6. The Superintendent or designee shall send written notice of any decision to suspend the enforcement of an expulsion order during a period of probation to the student or parent/guardian

The notice shall inform the parent/guardian of the right to appeal the expulsion to the County Board, the alternative educational placement to be provided to the student during the period of expulsion, and the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1(b). (Education Code 48918(j))

7. Suspension of the enforcement of an expulsion order shall not affect the time period and requirements for the filing of an appeal of the expulsion order with the County Board (Education Code 48917)

Appeal

If a student is expelled from school, the student or parent/guardian is entitled to file an appeal of the Board's decision with the County Board. The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion order is suspended and the student is placed on probation. (Education Code 48919)

If the student submits a written request for a copy of the written transcripts and supporting documents from the district simultaneously with the filing of the notice of appeal with the County Board, the district shall provide the student with these documents within 10 school days following the student's written request. (Education Code 48919)

Notification to Law Enforcement Authorities

Prior to the suspension or expulsion of any student, the principal or designee shall notify appropriate city or county law enforcement authorities of any student acts of assault which may have violated Penal Code 245. (Education Code 48902)

The principal or designee shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance, or of any student acts involving the possession, sale, or furnishing of firearms, explosives, or other dangerous weapons in violation of Education Code 48915(c)(1) or (5) or Penal Code 626.9 and 626.10. (Education Code 48902)

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate county or district law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering, or sale of controlled substances, alcohol, or intoxicants of any kind. (Education Code 48902)

Placement During Expulsion

The Board shall refer expelled students to a program of study that is: (Education Code 48915, 48915.01)

1. Appropriately prepared to accommodate students who exhibit discipline problems
2. Not provided at a comprehensive middle, junior, or senior high school or at any elementary school, unless the program is offered at a community day school established at any of these
3. Not housed at the school site attended by the student at the time of suspension

When the placement described above is not available and when the County Superintendent so certifies, students expelled for only acts described in Items #6-12 under "Grounds for Suspension and Expulsion: Grades K-12" and Items #1-3 under "Additional Grounds for Suspension and Expulsion: Grades 4-12" above may be referred to a program of study that is provided at another comprehensive middle, junior, or senior high school or at an elementary school. (Education Code 48915)

The program for a student expelled from any of grades K-6 shall not be combined or merged with programs offered to students in any of grades 7-12. (Education Code 48916.1)

Readmission After Expulsion

Prior to the date set by the Board for the student's readmission:

1. The Superintendent or designee shall hold a conference with the student's parent/guardian, or other person holding the right to make educational decisions for the student, and the student

At the conference, the student's rehabilitation plan shall be reviewed and the Superintendent or designee shall verify that the provisions of this plan have been met. School regulations shall be reviewed and the student and the student's parent/guardian or other person holding the right to make educational decisions for the student shall be asked to indicate in writing their willingness to comply with these regulations.

2. The Superintendent or designee shall transmit to the Board a recommendation regarding readmission

The Board shall consider this recommendation in closed session. If a written request for open session is received from the student's parent/guardian or other person holding the right to make educational decisions for the student, or adult student, it shall be honored to the extent that privacy rights of other students are not violated.

3. If the readmission is granted, the Superintendent or designee shall notify the student and the student's parent/guardian, or other person holding the right to make educational decisions for the student, by registered mail, of the Board's decision regarding readmission
4. The Board may deny readmission only if it finds that the student has not satisfied the conditions of the rehabilitation plan or that the student continues to pose a danger to campus safety or to other district students or employees (Education Code 48916)
5. If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school
6. The Board shall provide written notice to the expelled student and the student's parent/guardian, or other person holding the right to make educational decisions for the student, describing the reasons for denying readmittance into the regular program

This notice shall indicate the Board's determination of the educational program which the Board has chosen. The student shall enroll in that program unless the parent/guardian chooses to enroll the student in another school district.

No student shall be denied readmission into the district based solely on the student's arrest, adjudication by a juvenile court, formal or informal supervision by a probation officer, detention in a juvenile facility, enrollment in a juvenile court school, or other such contact with the juvenile justice system. (Education Code 48645.5)

Maintenance of Records

The district shall maintain a record of each suspension and expulsion, including its specific cause(s). (Education Code 48900.8)

Expulsion records of any student shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls upon written request by that school. (Education Code 48918(k))

The Superintendent or designee shall, within five working days, honor any other district's request for information about an expulsion from this district. (Education Code 48915.1)

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

State References

Description

Civ. Code 47	Privileged communication
Civ. Code 48.8	Defamation liability
Code of Civil Procedure 1985-1997	Production of evidence; means of production
Ed. Code 17292.5	Program for expelled students; facilities
Ed. Code 1981-1983	Enrollment of students in community school
Ed. Code 212.5	Sexual harassment
Ed. Code 233	Hate violence
Ed. Code 32260-32262	Interagency School Safety Demonstration Act of 1985
Ed. Code 35145	Open board meetings
Ed. Code 35146	Closed sessions regarding suspensions
Ed. Code 35291	Rules for government and discipline of schools
Ed. Code 35291.5	Rules and procedures on school discipline
Ed. Code 48645.5	Former juvenile court school students; enrollment
Ed. Code 48660-48666	Community day schools
Ed. Code 48853-48853.5	Foster youth
Ed. Code 48900-48927	Suspension and expulsion
Ed. Code 48950	Speech and other communication
Ed. Code 48980	Parent/Guardian notifications
Ed. Code 49073-49079	Privacy of student records
Ed. Code 52052	Numerically significant student subgroups
Ed. Code 52059.5-52077	Local control and accountability plan
Ed. Code 64000-64001	Consolidated application
Ed. Code 8489-8489.1	Prohibition against expulsion of preschool student
Gov. Code 11455.20	Informal hearing procedures
Gov. Code 54950-54963	The Ralph M. Brown Act
H&S Code 11014.5	Drug paraphernalia
H&S Code 11053-11059	Controlled substances; standards and schedules

State References

Lab. Code 230.7
 Pen. Code 240
 Pen. Code 241.2
 Pen. Code 242
 Pen. Code 243.2
 Pen. Code 243.4
 Pen. Code 245
 Pen. Code 245.6
 Pen. Code 261
 Pen. Code 266c
 Pen. Code 286
 Pen. Code 287
 Pen. Code 288
 Pen. Code 289
 Pen. Code 31
 Pen. Code 417.27
 Pen. Code 422.55
 Pen. Code 422.6
 Pen. Code 422.7
 Pen. Code 422.75
 Pen. Code 626.10
 Pen. Code 626.2
 Pen. Code 626.9
 Pen. Code 868.5
 W&I Code 224.1
 W&I Code 729.6

Federal References

18 USC 921
 20 USC 1415(K)
 20 USC 7961
 42 USC 11431-11435

Management Resources References

Attorney General Opinion
 Attorney General Opinion
 Attorney General Opinion
 Attorney General Opinion
 Court Decision

Description

Employee time off to appear in school on behalf of a child
 Assault defined
 Assault fines
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 Battery on school property
 Sexual battery
 Assault with deadly weapon
 Hazing
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 Sodomy defined
 Oral Copulation
 Lewd or lascivious acts with child under age 14
 Penetration of genital or anal openings
 Principal of a crime; defined
 Laser pointers
 Definition of hate crime
 Crimes; harassment
 Aggravating factors for punishment
 Enhanced penalties for hate crimes
 Dirks, daggers, knives, razors, or stun guns
 Entry upon campus after written notice of suspension or dismissal without permission
 Gun-Free School Zone Act of 1995
 Supporting person; attendance during testimony of witness
 Indian child; definition
 Counseling

Description

Definitions; firearms and ammunition
 Students with disabilities; placement in alternative educational setting
 Gun-Free Schools Act
 Education of homeless children and youths

Description

80 Ops.Cal.Atty.Gen. 348 (1997)
 80 Ops.Cal.Atty.Gen. 85 (1997)
 80 Ops.Cal.Atty.Gen. 91 (1997)
 84 Ops.Cal.Atty.Gen. 146 (2001)
 Board of Education of Sacramento City Unified School District v. Sacramento County Board of Education and Kenneth H. (2001) 85 Cal.App.4th 1321

Management Resources References

Court Decision	Fremont Union High School District v. Santa Clara County Board (1991) 235 Cal. App. 3d 1182
Court Decision	Garcia v. Los Angeles Board of Education (1981) 123 Cal. App. 3d 807
Court Decision	John A. v. San Bernardino School District (1982) 33 Cal. 3d 301
Court Decision	T.H. v. San Diego Unified School District (2004) 122 Cal. App. 4th 1267
Court Decision	Woodbury v. Dempsey (2003) 108 Cal. App. 4th 421
U.S. DOE & U.S. DOJ Civil Rights Divisions Pub	Resource on Confronting Racial Discrimination in Student Discipline, May 2023
U.S. DOE Publication	School Climate and Student Discipline Resources
U.S. DOE Publication	Guiding Principles for Creating Safe, Inclusive, Supportive, and Fair School Climates, March 2023
Website	CSBA District and County Office of Education Legal Services
Website	U.S. Department of Education, Office of Safe and Healthy Students
Website	California Attorney General's Office
Website	California Department of Education
Website	CSBA
Website	U.S. Department of Education, Office for Civil Rights

Description**Cross References**

0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
1114	District-Sponsored Social Media
1114	District-Sponsored Social Media
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3-E(1)	Uniform Complaint Procedures
1312.3-E(2)	Uniform Complaint Procedures
1313	Civility
3513.3	Tobacco-Free Schools
3513.3	Tobacco-Free Schools
3513.4	Drug And Alcohol Free Schools
3515	Campus Security
3515	Campus Security
3515.21	Unmanned Aircraft Systems (Drones)
3515.3	District Police/Security Department
3515.3	District Police/Security Department
3515.31	School Resource Officers
3515.4	Recovery For Property Loss Or Damage
3515.4	Recovery For Property Loss Or Damage
3516.2	Bomb Threats

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Employee Security
Employee Security
Employee Security
Employee Security
Employee Security
Employee Security
Concepts And Roles
Exemptions From Attendance
Exemptions From Attendance
Open/Closed Campus
Absences And Excuses
Absences And Excuses
Chronic Absence And Truancy
Chronic Absence And Truancy
Attendance Supervision
Involuntary Student Transfers
Interdistrict Attendance
Interdistrict Attendance
Students Expelled From Other Districts
Student Records
Student Records
Withholding Grades, Diploma Or Transcripts
Conduct
Bus Conduct
Bus Conduct
Bullying
Bullying
Student Disturbances
Student Disturbances
Vandalism And Graffiti
Alcohol And Other Drugs
Alcohol And Other Drugs
Tobacco
Tobacco
Steroids
Steroids
Weapons And Dangerous Instruments
Weapons And Dangerous Instruments
Positive School Climate
Conflict Resolution/Peer Mediation

Cross References

	Description
5142	Safety
5142	Safety
5144	Discipline
5144	Discipline
5144.2	Suspension And Expulsion/Due Process (Students With Disabilities)
5144.4	Required Parental Attendance
5144.4	Required Parental Attendance
5145.12	Search And Seizure
5145.12	Search And Seizure
5145.2	Freedom Of Speech/Expression
5145.2	Freedom Of Speech/Expression
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
5145.6	Parent/Guardian Notifications
5145.6-E(1)	Parent/Guardian Notifications
5145.7	Sex Discrimination and Sex-Based Harassment
5145.7	Sex Discrimination and Sex-Based Harassment
5145.71	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures
5145.71-E(1)	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures
5145.9	Hate-Motivated Behavior
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5148.3	Preschool/Early Childhood Education
6145	Extracurricular And Cocurricular Activities
6145	Extracurricular And Cocurricular Activities
6145.2	Athletic Competition
6145.2	Athletic Competition
6145.5	Student Organizations And Equal Access
6145.5	Student Organizations And Equal Access
6145.8	Assemblies And Special Events
6153	School-Sponsored Trips
6153	School-Sponsored Trips
6154	Homework/Makeup Work
6158	Independent Study
6158	Independent Study
6161.2	Damaged Or Lost Instructional Materials
6163.4	Student Use Of Technology
6163.4-E(1)	Student Use Of Technology
6164.6	Identification And Education Under Section 504
6164.6	Identification And Education Under Section 504

Cross References

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Description

Education For Homeless Children
Education For Homeless Children
Education For Homeless Children
Education For Homeless Children
Education For Foster Youth
Education For Foster Youth
Education For American Indian Students
Continuation Education
Continuation Education
Community Day School
Community Day School
Role Of The Board
Closed Session
Closed Session
Closed Session
Agenda/Meeting Materials

Regulation 5144.2: Suspension And Expulsion/Due Process (Students With Disabilities)

Status: ADOPTED

Original Adopted Date: 11/01/2006 | Last Revised Date: 09/01/2024 | Last Reviewed Date: 09/01/2024

A student identified as an individual with a disability pursuant to the Individuals with Disabilities Education Act (IDEA), 20 USC 1400-1482, is subject to the same grounds and procedures for suspension and expulsion which apply to students without disabilities, except as otherwise specified in this administrative regulation.

Suspension or expulsion of a student with disabilities shall be in accordance with Board Policy 5144.1 - Suspension And Expulsion/Due Process and this administrative regulation.

When a student with disabilities exhibits behavior which impedes the student's own learning or that of others, the student's individualized education program (IEP) team shall consider positive behavioral interventions and supports, and other strategies, to address the behavior. (Education Code 56521.2; 20 USC 1414)

Suspension

The Superintendent, principal, or designee may suspend a student from school for up to five consecutive school days, unless the suspension has been extended following a recommendation for expulsion. (Education Code 48911)
A student may usually be suspended from school for up to 20 cumulative school days, or 30 cumulative school days as permitted by Education Code 48903, in a school year as long as the pattern of suspension(s) does not constitute a change in placement pursuant to 34 CFR 300.536. (Education Code 48903; 34 CFR 300.530)

The Superintendent or designee shall determine, on a case-by-case basis, whether a pattern of removals of a student from the student's current educational placement for disciplinary reasons constitutes a change of placement.

A change of placement shall be deemed to have occurred under either of the following circumstances: (34 CFR 300.536)

1. A decision has been made that would result in the removal of the student for more than 10 consecutive school days
2. The student has been subjected to a series of removals that constitute a pattern because of all of the following:
 - a. The series of removals total more than 10 school days in a school year
 - b. The student's behavior is substantially similar to the student's behavior in previous incidents that resulted in the series of removals
 - c. Additional factors, such as the length of each removal, the total amount of time the student has been removed, and the proximity of the removals to one another

If a student's removal is determined to be a change of placement as specified in Items #1-2 above, the student's IEP team shall determine the appropriate educational services. Such services shall be designed to enable the student to continue to participate in the general education curriculum in another setting, to progress toward meeting the goals set out in the student's IEP, and to address the student's behavior violation so that it does not recur. (20 USC 1412(a)(1)(A); 34 CFR 300.530)

If the IEP of a student with a disability requires the district to provide the student with transportation, the district shall provide the student with an alternative form of transportation at no cost to the student or the student's parent/guardian when, as a result of a suspension, the student is excluded from school bus transportation. (Education Code 48915.5)

The principal or designee shall monitor the number of days, including portions of days, in which a student with an IEP has been suspended during the school year.

Interim Alternative Educational Placement Due to Dangerous Behavior

The district may unilaterally place a student with a disability in an appropriate interim alternative educational setting for up to 45 school days, without regard to whether the behavior is a manifestation of the student's disability, when the student commits one of the following acts while at school, going to or from school, or at a school-related function: (20 USC 1415(k)(1)(G); 34 CFR 300.530)

1. Carries or possesses a weapon, as defined in 18 USC 930
2. Knowingly possesses or uses illegal drugs
3. Sells or solicits the sale of a controlled substance as identified in 21 USC 812(c), Schedules I-V
4. Inflicts serious bodily injury upon another person as defined in 18 USC 1365

The student's interim alternative educational setting shall be determined by the student's IEP team. (20 USC 1415(k)(1)(G); 34 CFR 300.531)

On the date the decision to take disciplinary action is made, the student's parent/guardian shall be notified of the decision and provided the procedural safeguards notice pursuant to 34 CFR 300.504. (20 USC 1415(k)(1)(H); 34 CFR 300.530)

A student who has been removed from the student's current placement because of dangerous behavior shall receive services, although in another setting, to the extent necessary to allow the student to participate in the general education curriculum and to progress toward meeting the goals set out in the IEP. As appropriate, the student shall also receive a functional behavioral assessment and behavioral intervention services and modifications that are designed to address the behavior violation, so that it does not recur. (20 USC 1415(k)(1)(D); 34 CFR 300.530)

Manifestation Determination

The following procedural safeguards shall apply when a decision has been made to suspend a student with a disability for more than 10 consecutive school days, when a series of removals of a student constitutes a pattern, or when a change of placement of a student is contemplated due to a violation of the district's code of conduct:

1. Notice: On the date the decision to take disciplinary action is made, the student's parent/guardian shall be notified of the decision and provided the procedural safeguards notice pursuant to 34 CFR 300.504

If the student is a foster youth, the notice shall be given to the student's educational rights holder, attorney, and county social worker, and, if the student is an Indian child, the student's tribal social worker and, if applicable, county social worker. (Education Code 48853.5; 20 USC 1415(k)(1)(H); 34 CFR 300.530)

2. Manifestation Determination Review: Immediately if possible, but in no case later than 10 school days after the date the decision to take disciplinary action is made, a manifestation determination review shall be made of the relationship between the student's disability and the behavior subject to the disciplinary action (20 USC 1415(k)(1)(E); 34 CFR 300.530)

If the student is a foster youth or Indian child, the foster youth's educational rights holder, attorney, or county social worker, or the Indian child's tribal social worker and, if applicable, county social worker, shall be invited to participate in the manifestation determination review. (Education Code 48915.5)

At the manifestation determination review, the district, the student's parent/guardian, and relevant members of the IEP team (as determined by the district and parent/guardian) shall review all relevant information in the student's file, including the student's IEP, any teacher observations, and any relevant information provided by the parents/guardians, to determine whether the conduct in question was either of the following: (20 USC 1415(k)(1)(E); 34 CFR 300.530)

- a. Caused by or had a direct and substantial relationship to the student's disability

- b. A direct result of the district's failure to implement the student's IEP, in which case the district shall take immediate steps to remedy those deficiencies

If the manifestation review team determines that either of the above conditions applies, the student's conduct shall then be determined to be a manifestation of the student's disability. (20 USC 1415(k)(1)(E); 34 CFR 300.530)

3. Determination that Behavior is a Manifestation of the Student's Disability: When the student's conduct has been determined to be a manifestation of the student's disability, the IEP team shall conduct a functional behavioral assessment, unless one had been conducted before the occurrence of the behavior that resulted in the change of placement, and shall implement a behavioral intervention plan for the student

If a behavioral intervention plan has already been developed, the IEP team shall review the behavioral intervention plan and modify it as necessary to address the behavior. (20 USC 1415(k)(1)(F); 34 CFR 300.530)

The student shall be returned to the placement from which the student was removed, unless the parent/guardian and Superintendent or designee agree to a change of placement as part of the modification of the behavioral intervention plan. (20 USC 1415(k)(1)(F); 34 CFR 300.530)

4. Determination that Behavior is Not a Manifestation of the Student's Disability: When it has been determined that the student's conduct was not a manifestation of the disability, the student may be disciplined in accordance with the procedures for students without disabilities

However, the student's IEP team shall determine services necessary to enable the student to participate in the general education curriculum in another setting and to allow the student to progress toward meeting the goals set out in the IEP. (20 USC 1415(k)(1)(D); 34 CFR 300.530)

As appropriate, the student also shall receive a functional behavioral assessment and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur. (20 USC 1415(k)(1)(D); 34 CFR 300.530)

Due Process Appeals

If the parent/guardian disagrees with any district decision regarding placement under 34 CFR 300.530 (suspension and removal for dangerous circumstances), 34 CFR 300.531 (interim alternative placement), or the manifestation determination under 34 CFR 300.530(e), the parent/guardian may appeal the decision by requesting a hearing. The district may request a hearing if the district believes that maintaining the student's current placement is substantially likely to result in injury to the student or others. In order to request a due process hearing, the requesting party shall file a complaint pursuant to 34 CFR 300.507 and 300.508(a) and (b). (20 USC 1415(k)(3); 34 CFR 300.532)

Whenever a hearing is requested as specified above, the parent/guardian or the district shall have an opportunity for an expedited due process hearing consistent with requirements specified in 34 CFR 300.507, 300.508 (a)-(c), and 300.510-300.514.

If the student's parent/guardian or the district has initiated a due process hearing under 34 CFR 300.532 as detailed above, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the 45-day time period, whichever occurs first, unless the parent/guardian and district agree otherwise. (20 USC 1415(k)(4); 34 CFR 300.533)

Readmission

Readmission procedures for students with disabilities shall be the same as those adopted for students without disabilities. Upon readmission of a student with disabilities, an IEP team meeting shall be convened to review and, as necessary, modify the student's IEP.

Decision Not to Enforce Expulsion Order

The Governing Board's criteria for suspending the enforcement of an expulsion order shall be applied to students

with disabilities in the same manner as they are applied to all other students. (Education Code 48917)

Notification to Law Enforcement Authorities

Law enforcement notification requirements involving students with disabilities shall be the same as those specified for all students in Administrative Regulation 5144.1 - Suspension And Expulsion/Due Process.

When giving any required notification concerning a student with disabilities to any law enforcement official, the principal or designee shall require the law enforcement official to certify in writing that the student's information or records will not be disclosed to any other person without the prior written consent of the student's parent/guardian. (Education Code 49076)

Report to County Superintendent of Schools

The Superintendent or designee shall report to the County Superintendent of Schools when any special education student has been expelled or suspended for more than 10 school days. The report shall include the student's name, last known address, and the reason for the action. (Education Code 48203)

Procedures for Students Not Yet Eligible for Special Education Services

A student who has not been determined to be eligible for special education and related services and who has violated the district's code of student conduct may nevertheless assert any of the protections under IDEA, if the district had knowledge of the student's disability. (20 USC 1415(k)(5); 34 CFR 300.534)

Knowledge means that, before the occurrence of the behavior that precipitated the disciplinary action, one of the following occurred: (20 USC 1415(k)(5); 34 CFR 300.534)

1. The parent/guardian, in writing, has expressed concern to district supervisory or administrative personnel, or to a teacher of the student, that the student is in need of special education or related services
2. The parent/guardian has requested an evaluation of the student for special education pursuant to 20 USC 1414(a)(1)(B) or 34 CFR 300.300-300.311
3. The teacher of the student or other district personnel has expressed specific concerns directly to the district's director of special education or other supervisory district personnel about a pattern of behavior demonstrated by the student

However, the district shall not be deemed to have knowledge of a student's disability if the student's parent/guardian has not allowed the student to be evaluated for special education services or has refused services or, after evaluating the student pursuant to 34 CFR 300.300-300.311, the district determined that the student was not an individual with a disability. (20 USC 1415(k)(5); 34 CFR 300.534)

When the district is deemed to not have knowledge of a student's disability, the student shall be disciplined in accordance with procedures established for students without disabilities who engage in comparable behavior. (20 USC 1415(k)(5); 34 CFR 300.534)

If a request is made for an evaluation of a student during the time period in which the student is subject to disciplinary measures pursuant to 34 CFR 300.530, the evaluation shall be conducted in an expedited manner. Until the evaluation is completed, the student shall remain in the educational placement determined by school authorities. (20 USC 1415(k)(5); 34 CFR 300.534)

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 References

Ed. Code 35146
Ed. Code 35291

Description

Closed sessions regarding suspensions
Rules of governing board

State References

Ed. Code 48203	Reports of severance of attendance of disabled students
Ed. Code 48853.5	Foster youth and Indian child's representatives' right to receive notices
Ed. Code 48900-48925	Suspension and expulsion
Ed. Code 49076	Access to student records
Ed. Code 56000	Special education: legislative findings and declarations
Ed. Code 56320	Educational needs: requirements
Ed. Code 56321	Development or revision of individualized education program
Ed. Code 56329	Independent educational assessment
Ed. Code 56340-56347	Individualized education program teams
Ed. Code 56505	State hearing
Ed. Code 56521.2	Behavioral interventions
Pen. Code 245	Assault with deadly weapon
Pen. Code 626.10	Dirks, daggers, knives, razors, or stun guns
Pen. Code 626.2	Entry upon campus after written notice of suspension or dismissal without permission
Pen. Code 626.9	Gun-Free School Zone Act of 1995

Description**Federal References**

18 USC 1365	Serious bodily injury
18 USC 930	Weapons
20 USC 1412	State eligibility
20 USC 1414	Evaluations, eligibility determinations, individualized education programs, and educational placements
20 USC 1415	Procedural safeguards
21 USC 812	Schedule of controlled substances
29 USC 794	Rehabilitation Act of 1973; Section 504
34 CFR 104.35	Evaluation and placement
34 CFR 104.36	Procedural safeguards
34 CFR 300.1-300.818	Assistance to states for the education of students with disabilities
34 CFR 300.530-300.537	Discipline procedures

Description**Management Resources References**

Court Decision	Honig v. Doe (1988) 484 U.S. 305
Court Decision	M.P. v. Governing Board of Grossmont Union High School District (1994) 858 F.Supp. 1044
Court Decision	Parents of Student W. v. Puyallup School District (1994 9th Cir.) 31 F.3d 1489
Court Decision	Schaffer v. Weast (2005) 546 U.S. 49
Federal Register	Rules and Regulations, August 14, 2006, Vol. 71, Number 156, pages 46539-46845
Ofc of Special Education & Rehabilitative Svcs Pub	Dear Colleague Letter on Implementation of IDEA Discipline Provisions, July 2022

Description

Management Resources References**Description**

Ofc of Special Education & Rehabilitative Svcs Pub	Dear Colleague Letter on Ensuring Equity and Providing Behavioral Support to Students with Disabilities, August 2016
Ofc of Special Education & Rehabilitative Svcs Pub	Questions and Answers: Addressing the Needs of Children with Disabilities and IDEA's Discipline Provisions, July 2022
Ofc of Special Education & Rehabilitative Svcs Pub	Positive, Proactive Approaches to Supporting Children with Disabilities: A Guide for Stakeholders, July 2022
Office of Administrative Hearings	Parent v. Fairfield-Suisun Unified School District (2012) Case No. 2012030917
U.S. DOE & U.S. DOJ Civil Rights Divisions Pub	Resource on Confronting Racial Discrimination in Student Discipline, May 2023
U.S. DOE Publication	Guiding Principles for Creating Safe, Inclusive, Supportive, and Fair School Climates, March 2023
U.S. DOE, Office for Civil Rights Publication	Fact Sheet: Supporting Students with Disabilities and Avoiding the Discriminatory Use of Student Discipline under Section 504 of the Rehabilitation Act of 1973
Website	CSBA District and County Office of Education Legal Services
Website	U.S. Department of Education, Office of Special Education and Rehabilitative Services
Website	California Department of Education, Special Education
Website	U.S. Department of Education, Office for Civil Rights

Cross References**Description**

0430	Comprehensive Local Plan For Special Education
0430	Comprehensive Local Plan For Special Education
0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
3513.4	Drug And Alcohol Free Schools
3541.2	Transportation For Students With Disabilities
4118	Dismissal/Suspension/Disciplinary Action
4118	Dismissal/Suspension/Disciplinary Action
4158	Employee Security
4158	Employee Security
4258	Employee Security
4258	Employee Security
4358	Employee Security
4358	Employee Security
5113.11	Attendance Supervision
5116.2	Involuntary Student Transfers
5125	Student Records
5125	Student Records
5131	Conduct
5131.2	Bullying

Cross References

	Description
5131.2	Bullying
5131.4	Student Disturbances
5131.4	Student Disturbances
5131.62	Tobacco
5131.62	Tobacco
5131.7	Weapons And Dangerous Instruments
5131.7	Weapons And Dangerous Instruments
5137	Positive School Climate
5138	Conflict Resolution/Peer Mediation
5144	Discipline
5144	Discipline
5144.1	Suspension And Expulsion/Due Process
5144.1	Suspension And Expulsion/Due Process
5144.4	Required Parental Attendance
5144.4	Required Parental Attendance
5145.2	Freedom Of Speech/Expression
5145.2	Freedom Of Speech/Expression
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
5145.6	Parent/Guardian Notifications
5145.6-E(1)	Parent/Guardian Notifications
5145.7	Sex Discrimination and Sex-Based Harassment
5145.7	Sex Discrimination and Sex-Based Harassment
5145.9	Hate-Motivated Behavior
6120	Response To Instruction And Intervention
6145	Extracurricular And Cocurricular Activities
6145	Extracurricular And Cocurricular Activities
6145.2	Athletic Competition
6145.2	Athletic Competition
6159	Individualized Education Program
6159	Individualized Education Program
6159.1	Procedural Safeguards And Complaints For Special Education
6159.1	Procedural Safeguards And Complaints For Special Education
6159.3	Appointment Of Surrogate Parent For Special Education Students
6159.3	Appointment Of Surrogate Parent For Special Education Students
6159.4	Behavioral Interventions For Special Education Students
6163.4	Student Use Of Technology
6163.4-E(1)	Student Use Of Technology
6164.4	Identification And Evaluation Of Individuals For Special Education
6164.4	Identification And Evaluation Of Individuals For Special Education

Cross References

6164.5
6164.5
6164.6
6164.6
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6173-E(1)
6173-E(2)
6173.1
6173.1
6173.4
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6185
6185
9321
9321-E(1)
9321-E(2)

Description

Student Success Teams
Student Success Teams
Identification And Education Under Section 504
Identification And Education Under Section 504
Education For Homeless Children
Education For Homeless Children
Education For Homeless Children
Education For Homeless Children
Education For Foster Youth
Education For Foster Youth
Education For American Indian Students
Continuation Education
Continuation Education
Community Day School
Community Day School
Closed Session
Closed Session
Closed Session

Policy 5147: Dropout Prevention

Status: ADOPTED

Original Adopted Date: 07/01/2005 | **Last Revised Date:** 09/01/2024 | **Last Reviewed Date:** 09/01/2024

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

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

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

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

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

1. Meetings and/or home visits with the student and parent/guardian to identify and address barriers to the student's success and inform them of the state's compulsory education law
2. Individualized instruction that responds to the needs and unique learning styles of students
3. Supplemental instruction during or outside the school day that is designed to help students overcome academic deficiencies, including attendance recovery programs
4. Enrollment in alternative or specialized educational programs
5. Assistance locating employment or work-based learning opportunities which link classroom learning with real-world experiences
6. Academic guidance and personal counseling services
7. Referral to a student success team, school attendance review board, or other team that addresses persistent attendance problems
8. Referral to school and/or community support services, such as a student assistance program; substance abuse program; health services or school nurse; school social worker or social services; school counselor, school psychologist or other student support personnel for case management and counseling; and other resources
9. Continued monitoring of student attendance, including tracking student attendance and identifying students with attendance problems as early as possible, so the school may provide appropriate support services and interventions
10. Employment of qualified outreach consultants to perform duties related to dropout identification, prevention, intervention, and recovery as assigned
11. Creating small, personalized learning communities to facilitate monitoring and support

12. Offering courses or programs that connect schoolwork with college and career success, including career technical education

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

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

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

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

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

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

State References

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

Federal References

	Description
20 USC 6301-6322	Title I programs

Management Resources References

	Description
California Department of Education Publication	School Attendance Improvement Strategies
California Department of Education Publication	SAP Bulletin 11: Nine Components of SAPs
California Department of Education Publication	Student Assistance Programs
California Department of Education Publication	Adjusted Cohort Graduation Rate Program Instrument
CSBA Publication	California High School Graduation and Dropout Rates, Fact Sheet, May 2013
CSBA Publication	Seize the Data: Using Chronic Absence Data to Drive Student Engagement, March 2024
Institute of Education Sciences Publication	Preventing Dropout in Secondary Schools, September 2017
US Department of Education Publication	Every Student Succeeds Act High School Graduation Rate Non-Regulatory Guidance, January 2017
Website	Institute of Education Sciences
Website	California Department of Education, Dropout Prevention
Website	CSBA District and County Office of Education Legal Services
Website	California Dropout Research Project
Website	National Dropout Prevention Center
Website	U.S. Department of Education
Website	CSBA

Cross References

	Description
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
4131	Staff Development
5030	Student Wellness
5113	Absences And Excuses
5113	Absences And Excuses
5113.1	Chronic Absence And Truancy
5113.1	Chronic Absence And Truancy
5113.11	Attendance Supervision
5113.12	District School Attendance Review Board
5113.12	District School Attendance Review Board
5113.2	Work Permits
5113.2	Work Permits
5123	Promotion/Acceleration/Retention
5123	Promotion/Acceleration/Retention
5131.6	Alcohol And Other Drugs
5131.6	Alcohol And Other Drugs
5136	Gangs
5136	Gangs
5137	Positive School Climate
5141.6	School Health Services
5141.6	School Health Services

Cross References

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5148.2
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6146.1
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6146.2
6146.2-E(1)
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Description

Married/Pregnant/Parenting Students
Before/After School Programs
Before/After School Programs
Response To Instruction And Intervention
High School Graduation Requirements
Certificate Of Proficiency/High School Equivalency
Certificate Of Proficiency/High School Equivalency
Certificate Of Proficiency/High School Equivalency
Independent Study
Independent Study
Guidance/Counseling Services
Student Success Teams
Student Success Teams
Gifted And Talented Student Program
Gifted And Talented Student Program
Education For Foster Youth
Education For Foster Youth
Education For American Indian Students
Summer Learning Programs
Work-Based Learning
Work-Based Learning
Regional Occupational Center/Program
Supplemental Instruction
Continuation Education
Continuation Education

Policy 6112: School Day

Status: ADOPTED

Original Adopted Date: 09/01/1988 | Last Revised Date: 09/01/2024 | Last Reviewed Date: 09/01/2024

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

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

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

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

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

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

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

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

State References	Description
Ed. Code 37202	Equal time in all schools
Ed. Code 37670	Year-round schools
Ed. Code 46010	Total days of attendance
Ed. Code 46100	Length of school day
Ed. Code 46110-46120	Attendance in kindergarten and elementary schools
Ed. Code 46120	Expanded learning opportunities
Ed. Code 46140-46148	Attendance in junior high and high schools
Ed. Code 46148	School day for middle and high school
Ed. Code 46160-46162	Alternative schedule for junior high and high school; public hearing with notice
Ed. Code 46170	Continuation schools; minimum day
Ed. Code 46180	Opportunity schools; minimum day
Ed. Code 46191	Attendance for adults in correctional facilities

State References

Ed. Code 46200-46208
 Ed. Code 48200
 Ed. Code 48663
 Ed. Code 48800-48802
 Ed. Code 49056
 Ed. Code 51222
 Ed. Code 51720-51724
 Ed. Code 51760-51769.5
 Ed. Code 52325
 Ed. Code 8970-8974

Description

Incentives for longer instructional day and year
 Compulsory full-time education
 Community day school; minimum school day
 Concurrent enrollment in community college
 Recess
 Physical education; instructional minutes
 Evening high school for minors
 Work experience education
 Regional occupational center; minimum day
 Early primary program, including extended-day kindergarten

Management Resources References

California Department of Education Publication
 California Department of Education Publication
 State Board of Education Policy Statement
 Website
 Website
 Website
 Website
 Website
 Website
 WestEd Publication

Description

Conducting Individualized Determinations of Need
 AA & IT Independent Study FAQs
 99-03 Physical Education (PE) Requirements for Block Schedules, July 2006
 CSBA District and County Office of Education Legal Services
 WestEd
 National Association for Sport and Physical Education
 State Board of Education
 U.S. Department of Education
 California Department of Education
 Full-Day Kindergarten: Expanding Learning Opportunities, Policy Brief, April 2005

Cross References

3516.5
 5030
 5113
 5113
 5141.22
 5141.22
 5145.6
 5145.6-E(1)
 6000
 6111
 6117
 6142.7
 6142.7
 6145.8
 6154
 6158

Description

Emergency Schedules
 Student Wellness
 Absences And Excuses
 Absences And Excuses
 Infectious Diseases
 Infectious Diseases
 Parent/Guardian Notifications
 Parent/Guardian Notifications
 Concepts And Roles
 School Calendar
 Year-Round Schedules
 Physical Education And Activity
 Physical Education And Activity
 Assemblies And Special Events
 Homework/Makeup Work
 Independent Study

Cross References

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6172.1
6172.1
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6200
9320

Description

Independent Study
Individualized Education Program
Individualized Education Program
Identification And Education Under Section 504
Identification And Education Under Section 504
Transitional Kindergarten
Title I Programs
Title I Programs
Concurrent Enrollment In College Classes
Concurrent Enrollment In College Classes
Career Technical Education
Career Technical Education
Work-Based Learning
Work-Based Learning
Regional Occupational Center/Program
Supplemental Instruction
Continuation Education
Continuation Education
Community Day School
Community Day School
Adult Education
Adult Education
Meetings And Notices

Regulation 6112: School Day

Status: ADOPTED

Original Adopted Date: 11/01/2006 | Last Revised Date: 09/01/2024 | Last Reviewed Date: 09/01/2024

Kindergarten/Transitional Kindergarten

Kindergarten and transitional kindergarten (TK) classes in district schools may be maintained for different lengths of time, either at the same or different school sites. (Education Code 37202)

The average school day for kindergarten and TK students shall be at least three hours, including recesses but excluding noon intermissions. If fewer than 40 students are enrolled in kindergarten classes, the district may request approval of the Superintendent of Public Instruction to maintain two kindergarten classes of 150 minutes each. (Education Code 46114, 46115, 46117, 46119)

In any school day, kindergarten and/or TK students shall not be kept in school for longer than four hours, excluding recesses, except where the school is operating an early primary program pursuant to Education Code 8970-8974 or an expanded learning opportunity program pursuant to Education Code 46120. (Education Code 46111, 46115, 46120)

In any district school operating an early primary program pursuant to Education Code 8970-8974, the kindergarten school day may exceed four hours, excluding recess, if both of the following conditions are met: (Education Code 8973)

1. The Governing Board has declared that the extended-day kindergarten program does not exceed the length of the primary school day
2. The extended-day kindergarten program includes ample opportunity for both active and quiet activities within an integrated, experiential, and developmentally appropriate educational program

Under an extended day kindergarten program, recess may be counted as instructional minutes for purposes of determining the maximum school day if it occurs under teacher supervision.

In any multitrack year-round school operating pursuant to Education Code 37670, the kindergarten school day may be up to 265 minutes, excluding recesses. (Education Code 46111)

The Superintendent or designee shall annually report to the California Department of Education as to whether the district's kindergarten and TK programs are offered full day, part day, or both. (Education Code 48003)

Grades 1-8

Except as otherwise provided by law, the school day for elementary and middle school students shall be:

1. At least 230 minutes for students in grades 1-3, unless the Board has prescribed a shorter school day because of lack of school facilities requiring double sessions, in which case the minimum school day shall be 200 minutes (Education Code 46112)
2. At least 240 minutes for students in grades 4-8 (Education Code 46113, 46142)

In determining the number of minutes for purposes of compliance with the minimum school day for students in grades 1-8, both noon intermissions and recesses shall be excluded. (Education Code 46115)

The school day for a middle school shall begin no earlier than 8:00 a.m. (Education Code 46148)

Grades 9-12

The school day for a high school shall begin no earlier than 8:30 a.m. (Education Code 46148)

The school day for students in grades 9-12, including students in the independent study program, shall be at least 240 minutes. (Education Code 46141, 46142)

However, the school day may be less than 240 minutes when authorized by law. Programs that have a minimum school day of 180 minutes include, but are not necessarily limited to:

1. Continuation high school or classes (Education Code 46141, 46170)
2. Opportunity school or classes (Education Code 46141, 46180)
3. Regional occupational center (Education Code 46141, 52325)
4. Work experience education program approved pursuant to Education Code 51760-51769.5 (Education Code 46141, 46144)

A student in grade 12 who is enrolled in work experience education and is in the last semester or quarter before graduation may, upon written request by the student's parent/guardian or the student, if 18 years of age or over, be permitted to attend school for less than 180 minutes per school day if all requirements for graduation would be completed, except physical education courses, in less than 180 minutes each day. (Education Code 46147)

5. Concurrent enrollment in a community college pursuant to Education Code 48800-48802 or, for students in grades 11-12, part-time enrollment in classes of the California State University or University of California, provided academic credit will be awarded upon satisfactory completion of enrolled courses (Education Code 46146)
6. An early college high school or middle college high school, provided the students are enrolled in community college or college classes in accordance with Item #5 above (Education Code 46141, 46146.5)
7. Special day or Saturday vocational training program conducted under a federally approved plan for career technical education (Education Code 46141, 46144)

For an evening high school operated pursuant to Education Code 51720-51724, the number of days, specific days of the week, and number of hours during which the program shall be in session may be determined by the Board. (Education Code 46141, 51721)

Students in grade 12 shall be enrolled in at least five courses each semester or the equivalent number of courses each quarter. This requirement shall not apply to students enrolled in regional occupational centers or programs, courses at accredited postsecondary institutions, independent study, special education programs in which the student's individualized education program establishes a different number of courses, continuation education classes, work experience education programs, or any other course of study authorized by the Board that is equivalent to the approved high school course of study. (Education Code 46145)

Alternative Block Schedule for Secondary Schools

In order to establish a block or other alternative schedule or to accommodate career technical education and regional occupational center/program courses, the district may authorize students to attend fewer than the total number of days in which school is in session provided that students attend classes for at least 1,200 minutes during any five school day period or 2,400 minutes during any 10 school day period. (Education Code 46160)

An early college high school or middle college high school may be scheduled so that students attend classes for at

least 900 minutes during any five-school day period or 1,800 minutes during any 10-school day period. (Education Code 46160)

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 References	Description
Ed. Code 37202	Equal time in all schools
Ed. Code 37670	Year-round schools
Ed. Code 46010	Total days of attendance
Ed. Code 46100	Length of school day
Ed. Code 46110-46120	Attendance in kindergarten and elementary schools
Ed. Code 46120	Expanded learning opportunities
Ed. Code 46140-46148	Attendance in junior high and high schools
Ed. Code 46148	School day for middle and high school
Ed. Code 46160-46162	Alternative schedule for junior high and high school; public hearing with notice
Ed. Code 46170	Continuation schools; minimum day
Ed. Code 46180	Opportunity schools; minimum day
Ed. Code 46191	Attendance for adults in correctional facilities
Ed. Code 46200-46208	Incentives for longer instructional day and year
Ed. Code 48200	Compulsory full-time education
Ed. Code 48663	Community day school; minimum school day
Ed. Code 48800-48802	Concurrent enrollment in community college
Ed. Code 49056	Recess
Ed. Code 51222	Physical education; instructional minutes
Ed. Code 51720-51724	Evening high school for minors
Ed. Code 51760-51769.5	Work experience education
Ed. Code 52325	Regional occupational center; minimum day
Ed. Code 8970-8974	Early primary program, including extended-day kindergarten
Management Resources References	Description
California Department of Education Publication	Conducting Individualized Determinations of Need
California Department of Education Publication	AA & IT Independent Study FAQs
State Board of Education Policy Statement	99-03 Physical Education (PE) Requirements for Block Schedules, July 2006
Website	CSBA District and County Office of Education Legal Services
Website	WestEd
Website	National Association for Sport and Physical Education
Website	State Board of Education
Website	U.S. Department of Education
Website	California Department of Education
WestEd Publication	Full-Day Kindergarten: Expanding Learning Opportunities, Policy Brief, April 2005

Cross References

	Description
3516.5	Emergency Schedules
5030	Student Wellness
5113	Absences And Excuses
5113	Absences And Excuses
5141.22	Infectious Diseases
5141.22	Infectious Diseases
5145.6	Parent/Guardian Notifications
5145.6-E(1)	Parent/Guardian Notifications
6000	Concepts And Roles
6111	School Calendar
6117	Year-Round Schedules
6142.7	Physical Education And Activity
6142.7	Physical Education And Activity
6145.8	Assemblies And Special Events
6154	Homework/Makeup Work
6158	Independent Study
6158	Independent Study
6159	Individualized Education Program
6159	Individualized Education Program
6164.6	Identification And Education Under Section 504
6164.6	Identification And Education Under Section 504
6170.1	Transitional Kindergarten
6171	Title I Programs
6171	Title I Programs
6172.1	Concurrent Enrollment In College Classes
6172.1	Concurrent Enrollment In College Classes
6178	Career Technical Education
6178	Career Technical Education
6178.1	Work-Based Learning
6178.1	Work-Based Learning
6178.2	Regional Occupational Center/Program
6179	Supplemental Instruction
6184	Continuation Education
6184	Continuation Education
6185	Community Day School
6185	Community Day School
6200	Adult Education
6200	Adult Education
9320	Meetings And Notices

Policy 6142.92: Mathematics Instruction

Status: ADOPTED

Original Adopted Date: 10/01/1995 | **Last Revised Date:** 09/01/2024 | **Last Reviewed Date:** 09/01/2024

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

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

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

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

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

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

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

For higher mathematics, the district shall offer alternative pathways of courses through which students shall be taught concepts that address number and quantity, algebra, functions, modeling, geometry, and statistics and probability. Any pathway offered by the district shall be designed in a manner that provides maximum opportunities for students to access advanced mathematics courses during high school.

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

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

The Superintendent or designee shall ensure that students have access to sufficient instructional materials, including

manipulatives and technology, to support a balanced, standards-aligned mathematics program.

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

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

State References

	Description
Ed. Code 51002	Common state curriculum
Ed. Code 51210	Course of study for grades 1-6
Ed. Code 51220	Course of study for grades 7-12
Ed. Code 51224.5	Algebra in course of study for grades 7-12
Ed. Code 51224.7	California Mathematics Placement Act of 2015
Ed. Code 51225.3	High school graduation requirements
Ed. Code 51284	Financial literacy
Ed. Code 60605	State-adopted content and performance standards in core curricular areas
Ed. Code 60605.8	Common Core standards

Management Resources References

	Description
California Department of Education Publication	2023 Mathematics Framework for California Public Schools: Kindergarten Through Grade Twelve, June 2023
California Department of Education Publication	California Common Core State Standards: Mathematics, rev. January 2013
Common Core State Standards Initiative Publication	Appendix A: Designing High School Mathematics Courses Based on the Common Core State Standards
CSBA Publication	Governing to the Core; Pathway Options for High School Mathematics Governance Briefs, May 2014
Website	CSBA District and County Office of Education Legal Services
Website	Common Core State Standards Initiative
Website	CSBA
Website	California Department of Education

Cross References

	Description
0440	District Technology Plan
0440	District Technology Plan
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
0500	Accountability
1312.2	Complaints Concerning Instructional Materials
1312.2	Complaints Concerning Instructional Materials
1312.2-E(1)	Complaints Concerning Instructional Materials
1312.4	Williams Uniform Complaint Procedures
1312.4-E(1)	Williams Uniform Complaint Procedures
1312.4-E(2)	Williams Uniform Complaint Procedures
4131	Staff Development
4331	Staff Development

Cross References

5148.2

5148.2

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6142.93

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6161.1-E(1)

6161.11

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Description

Before/After School Programs

Before/After School Programs

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Response To Instruction And Intervention

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Curriculum Development And Evaluation

International Baccalaureate Program

Science Instruction

Courses Of Study

Courses Of Study

High School Graduation Requirements

Placement In Mathematics Courses

Placement In Mathematics Courses

Selection And Evaluation Of Instructional Materials

Selection And Evaluation Of Instructional Materials

Selection And Evaluation Of Instructional Materials

Supplementary Instructional Materials

Student Assessment

State Academic Achievement Tests

State Academic Achievement Tests

Library Media Centers

Gifted And Talented Student Program

Gifted And Talented Student Program

Weekend/Saturday Classes

Supplemental Instruction

Evaluation Of The Instructional Program

Policy 6152.1: Placement In Mathematics Courses

Status: ADOPTED

Original Adopted Date: 08/01/2015 | Last Revised Date: 09/01/2024 | Last Reviewed Date: 09/01/2024

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

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

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

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

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

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

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

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

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

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

State References

Ed. Code 200-270
Ed. Code 48070.5
Ed. Code 51220

Description

Prohibition of discrimination
Promotion and retention of students
Course of study for grades 7-12

State References

Ed. Code 51224.5
 Ed. Code 51224.7
 Ed. Code 51225.3
 Ed. Code 51284
 Ed. Code 52059.5-52077
 Ed. Code 60605
 Ed. Code 60605.8
 Ed. Code 60640-60648.5

Description

Algebra in course of study for grades 7-12
 California Mathematics Placement Act of 2015
 High school graduation requirements
 Financial literacy
 Local control and accountability plan
 State-adopted content and performance standards in core curricular areas
 Common Core standards
 California Assessment of Student Performance and Progress

Management Resources References

California Department of Education Publication
 California Department of Education Publication
 California School Board Association Publication
 Common Core State Standards Initiative Publication
 CSBA Publication
 Lawyers' Committee for Civil Rights (LCCR) Pub.
 Website
 Website
 Website
 Website
 Website
 Website
 Website

Description

California Common Core State Standards: Mathematics, January 2013
 2023 Mathematics Framework for California Public Schools: Kindergarten Through Grade Twelve, June 2023
 Disproportionality in Math Placement
 Appendix A: Designing High School Mathematics Courses Based on the Common Core State Standards
 Math Misplacement, Governance Brief, September 2015
 Held Back - Addressing Misplacement of 9th Grade Students in Bay Area School Math Classes, 2013
 CSBA District and County Office of Education Legal Services
 Lawyers' Committee for Civil Rights of the San Francisco Bay Area (LCCR)
 Northwest Evaluation Association, Measures of Academic Progress
 University of California, Mathematics Diagnostic Testing Project
 Common Core State Standards Initiative
 CSBA
 California Department of Education

Cross References

0410
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 6141.5
 6142.92

Description

Nondiscrimination In District Programs And Activities
 Equity
 Local Control And Accountability Plan
 Local Control And Accountability Plan
 Accountability
 District And School Websites
 District And School Websites
 District And School Websites
 Staff Development
 Grades/Evaluation Of Student Achievement
 Grades/Evaluation Of Student Achievement
 Academic Standards
 Advanced Placement
 Mathematics Instruction

Cross References

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6143

6146.1

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6162.5

6162.51

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6164.5

6164.5

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Description

Courses Of Study

Courses Of Study

High School Graduation Requirements

Class Assignment

Student Assessment

State Academic Achievement Tests

State Academic Achievement Tests

Student Success Teams

Student Success Teams

Education For English Learners

Education For English Learners

Supplemental Instruction

Regulation 6152.1: Placement In Mathematics Courses

Status: ADOPTED

Original Adopted Date: 10/01/2018 | Last Revised Date: 09/01/2024 | Last Reviewed Date: 09/01/2024

Placement Protocols

In determining student placement in mathematics courses for students entering grade 9, the Superintendent or designee shall assess whether each student has the prerequisite skills for success in the course and consider student and parent/guardian requests. Such determinations shall be based on multiple measures, including, but not limited to, the following:

1. Interim and summative grade 8 mathematics assessments from the California Assessment of Student Performance and Progress
2. For students with disabilities, an alternate test or other measures when designated in a student's individualized education program (IEP)
3. Other assessments such as Measures of Academic Progress, the readiness tests of the University of California's Mathematics Diagnosis Testing Project, and/or district benchmark assessments
4. The student's grades in previous mathematics course
5. The final mathematics grade on the end-of-year report card

Individual student performance data shall be analyzed each spring, prior to scheduling and placing students into secondary mathematics courses. Students and parents/guardians shall be notified in writing by the end of the school year as to the mathematics course in which the student has been placed.

No student shall be required to repeat a mathematics course which the student has successfully completed in accordance with district's placement protocols.

When a student does not qualify to be enrolled in a particular mathematics course based on a consideration of the objective measures specified in the placement protocol, the student may nevertheless be admitted to the course based on the recommendation of a teacher or counselor who has personal knowledge of the student's academic ability.

Students who exhibit deficits in knowledge and skills needed to advance to a higher level mathematics course may receive supplemental instruction to improve achievement of mathematic content standards.

Reevaluation

Within the first month of the school year, mathematics course placements shall be individually reevaluated to ensure placement in the most rigorous mathematics course for which the student has the potential for success.

Criteria for reevaluating each student's placement shall include, but are not limited to, course preassessment results, attendance, and student performance in the first month of the school year as determined by teacher observation and grades on assignments and tests. Student and parent/guardian request for course placement may also be considered.

Notification of Placement Protocol

The district's policy and protocols related to student placement in mathematics courses shall be posted on the district's website. (Education Code 51224.7)

The Superintendent or designee shall also make the district's placement policy, protocols, and course sequence readily accessible to students, parents/guardians, and staff at school sites and/or in student handbooks.

Appeals

Within 10 school days of an initial placement decision or a placement decision upon reevaluation, a student and the student's parent/guardian who disagree with the placement may appeal the decision to the Superintendent or designee. The Superintendent or designee shall rule on the appeal within 10 school days of receiving the appeal. The decision of the Superintendent or designee shall be final.

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 References

	Description
Ed. Code 200-270	Prohibition of discrimination
Ed. Code 48070.5	Promotion and retention of students
Ed. Code 51220	Course of study for grades 7-12
Ed. Code 51224.5	Algebra in course of study for grades 7-12
Ed. Code 51224.7	California Mathematics Placement Act of 2015
Ed. Code 51225.3	High school graduation requirements
Ed. Code 51284	Financial literacy
Ed. Code 52059.5-52077	Local control and accountability plan
Ed. Code 60605	State-adopted content and performance standards in core curricular areas
Ed. Code 60605.8	Common Core standards
Ed. Code 60640-60648.5	California Assessment of Student Performance and Progress

Management Resources References

	Description
California Department of Education Publication	California Common Core State Standards: Mathematics, January 2013
California Department of Education Publication	2023 Mathematics Framework for California Public Schools: Kindergarten Through Grade Twelve, June 2023
California School Board Association Publication	Disproportionality in Math Placement
Common Core State Standards Initiative Publication	Appendix A: Designing High School Mathematics Courses Based on the Common Core State Standards
CSBA Publication	Math Misplacement, Governance Brief, September 2015
Lawyers' Committee for Civil Rights (LCCR) Pub.	Held Back - Addressing Misplacement of 9th Grade Students in Bay Area School Math Classes, 2013
Website	CSBA District and County Office of Education Legal Services
Website	Lawyers' Committee for Civil Rights of the San Francisco Bay Area (LCCR)
Website	Northwest Evaluation Association, Measures of Academic Progress
Website	University of California, Mathematics Diagnostic Testing Project
Website	Common Core State Standards Initiative
Website	CSBA
Website	California Department of Education

Cross References

	Description
0410	Nondiscrimination In District Programs And Activities
0415	Equity
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
0500	Accountability

Cross References

1113

1113

1113-E(1)

4131

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6141.5

6142.92

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6146.1

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6162.5

6162.51

6162.51

6164.5

6164.5

6174

6174

6179

Description

District And School Websites

District And School Websites

District And School Websites

Staff Development

Grades/Evaluation Of Student Achievement

Grades/Evaluation Of Student Achievement

Academic Standards

Advanced Placement

Mathematics Instruction

Courses Of Study

Courses Of Study

High School Graduation Requirements

Class Assignment

Student Assessment

State Academic Achievement Tests

State Academic Achievement Tests

Student Success Teams

Student Success Teams

Education For English Learners

Education For English Learners

Supplemental Instruction

Policy 6163.4: Student Use Of Technology

Status: ADOPTED

Original Adopted Date: 07/01/2007 | Last Revised Date: 09/01/2024 | Last Reviewed Date: 09/01/2024

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

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

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

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

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

Before a student is authorized to use district technology, the student and the student's parent/guardian shall sign and return the Acceptable Use Agreement. In that agreement, the student and parent/guardian shall agree not to hold the district or any district staff responsible for the failure of any technology protection measures or user mistakes or negligence and shall agree to indemnify and hold harmless the district and district staff for any damages or costs incurred.

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

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

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

The Superintendent or designee, with input from students and appropriate staff, shall regularly review and update

procedures to enhance the safety and security of students using district technology and to help ensure that the district adapts to changing technologies and circumstances.

Internet Safety

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

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

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

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

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

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

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

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

State References

Civ. Code 3120-3123
Ed. Code 49073.6
Ed. Code 51006
Ed. Code 51007
Ed. Code 60044
Pen. Code 313

Description

Digital equity bill of rights
Student records; social media
Computer education and resources
Programs to strengthen technological skills
Prohibited instructional materials
Harmful matter

State References

Pen. Code 502
 Pen. Code 632
 Pen. Code 653.2

Federal References

15 USC 6501-6506
 16 CFR 312.1-312.12
 20 USC 7101-7122
 20 USC 7131
 47 CFR 54.520
 47 USC 254

Management Resources References

California Department of Education Publication
 Court Decision
 CSBA Publication
 Federal Trade Commission Publication
 U.S. Department of Education Publication
 USDOE Office of Educational Technology
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Description

Computer crimes; remedies
 Eavesdropping on or recording confidential communications
 Electronic communication devices; threats to safety

Description

Children's Online Privacy Protection Act
 Children's Online Privacy Protection Act
 Student Support and Academic Enrichment Grants
 Internet Safety
 Internet safety policy and technology protection measures; E-rate discounts
 Universal service discounts (E-rate)

Description

Artificial Intelligence: Learning With AI Learning About AI
 New Jersey v. T.L.O. (1985) 469 U.S. 325
 Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007
 How to Protect Kids' Privacy Online: A Guide for Teachers, December 2000
 2024 National Education Technology Plan
 Artificial Intelligence and the Future of Teaching and Learning: Insights and
 Recommendations, May 2023
 California Governor's Office of Emergency Services
 CSBA District and County Office of Education Legal Services
 California Coalition for Children's Internet Safety
 Center for Safe and Responsible Internet Use
 Federal Trade Commission, Children's Online Privacy Protection
 American Library Association
 Federal Communications Commission
 California Department of Education
 U.S. Department of Education
 CSBA

Description

District Technology Plan
 District Technology Plan
 District And School Websites
 District And School Websites
 District And School Websites
 District-Sponsored Social Media
 District-Sponsored Social Media
 Fees And Charges
 Fees And Charges
 Equipment

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6162.8

6163.1

Description

Equipment

Employee Use Of Technology

Employee Use Of Technology

Staff Development

Student Records

Student Records

Withholding Grades, Diploma Or Transcripts

Conduct

Bullying

Bullying

Mobile Communication Devices

Academic Honesty

Discipline

Discipline

Suspension And Expulsion/Due Process

Suspension And Expulsion/Due Process

Suspension And Expulsion/Due Process (Students With Disabilities)

Search And Seizure

Search And Seizure

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Sex Discrimination and Sex-Based Harassment

Sex Discrimination and Sex-Based Harassment

Hate-Motivated Behavior

Before/After School Programs

Before/After School Programs

Comprehensive Health Education

Comprehensive Health Education

Homework/Makeup Work

Student Assessment

Use Of Copyrighted Materials

Use Of Copyrighted Materials

Research

Research

Library Media Centers

Exhibit 6163.4-E(1): Student Use Of Technology

Status: ADOPTED

Original Adopted Date: 07/01/2015 | Last Revised Date: 09/01/2024 | Last Reviewed Date: 09/01/2024

ACCEPTABLE USE AGREEMENT AND RELEASE OF DISTRICT FROM LIABILITY (STUDENTS)

The _____ School District authorizes students to use technology, as defined in Board Policy 6163.4 - Student Use of Technology. The use of district technology is a privilege permitted at the district's discretion and is subject to the conditions and restrictions set forth in applicable board policies, administrative regulations, and this Agreement. The district reserves the right to suspend access at any time, without notice, for any reason.

The district expects all students to use technology responsibly in order to avoid potential problems and liability. The district may place reasonable restrictions on the sites, material, and/or information that students may access through the system.

The district makes no guarantee that the functions or services provided by or through the district will be without defect. In addition, the district is not responsible for financial obligations arising from unauthorized use, or misuse, of the system.

Each student who is authorized to use district technology and the student's parent/guardian shall sign this Agreement, which indicates that the student has read and understands the Agreement and Board Policy 6163.4 - Student Use of Technology.

Student Obligations and Responsibilities

Students are expected to use district technology safely, responsibly, and for educational purposes only, and in accordance with the accompanying board policy and applicable copyright laws. The student in whose name district technology is issued is responsible for its proper use at all times. Students shall not share their assigned online services account information, passwords, or other information used for identification and authorization purposes, and shall use the system only under the account to which they have been assigned.

Students shall not gain unauthorized access to the files or equipment of others, access electronic resources by using another person's name or electronic identification, or send anonymous electronic communications. Furthermore, students shall not attempt to access any data, documents, emails, or programs in the district's system for which they do not have authorization.

Students are prohibited from using district technology for improper purposes, including, but not limited to, use of district technology to:

1. Access, post, display, create, or otherwise use material that is discriminatory, libelous, defamatory, obscene, sexually explicit, or disruptive
2. Bully, harass, intimidate, or threaten other students, staff, or other individuals ("cyberbullying")
3. Disclose, use, or disseminate personal identification information (such as name, address, email, telephone number, Social Security number, or other personal information) of another student, staff member, or other person with the intent to threaten, intimidate, harass, or ridicule that person
4. Share confidential information or personally identifiable information with an open artificial intelligence (AI) system of themselves, another student, staff member, or other person
5. Adjust the privacy settings on any technology tool or AI app unless directed to do so by a teacher or staff member
6. Violate the direction of teachers or other staff members, age restrictions, or the intended use of the technology
7. Infringe on copyright, license, trademark, patent, or other intellectual property rights

8. Intentionally disrupt or harm district technology or other district operations (such as destroying district equipment, placing a virus on district computers, adding or removing a computer program without permission from a teacher or other district personnel, changing settings on shared computers)
9. Install unauthorized software
10. "Hack" into the system to manipulate data of the district or other users
11. Engage in or promote any practice that is unethical or violates any law or board policy, administrative regulation, or district practice

Privacy

Since the use of district technology is intended for educational purposes, students shall not have any expectation of privacy in any use of district technology.

The district reserves the right to monitor and record all use of district technology, including, but not limited to, access to the Internet or social media, Internet searches, browsing history, use of AI, communications sent or received from district technology, or other uses. Such monitoring/recording may occur at any time without prior notice for any legal purposes including, but not limited to, record retention and distribution and/or investigation of improper, illegal, or prohibited activity. Students should be aware that, in most instances, their use of district technology (such as web searches and emails) cannot be erased or deleted.

All passwords created for or used on any district technology are the sole property of the district. The creation or use of a password by a student on district technology does not create a reasonable expectation of privacy.

Personally Owned Devices

If a student uses a personally owned device to access district technology, the student shall abide by all applicable board policies, administrative regulations, and this Agreement. Any such use of a personally owned device may subject the contents of the device and any communications sent or received on the device to disclosure pursuant to a lawful subpoena or public records request.

Reporting

If a student becomes aware of any security problem (including, but not limited to, a cyberattack, phishing, or any compromise of the confidentiality of any login or account information), or misuse of district technology, the student shall immediately report such information to the teacher or other district personnel.

Consequences for Violation

Violations of the law, board policy, or this Agreement may result in revocation of a student's access to district technology and/or discipline, up to and including suspension or expulsion. In addition, violations of the law, board policy, or this Agreement may be reported to law enforcement agencies as appropriate.

Student Acknowledgment

I have received, read, understand, and agree to abide by this Agreement and other applicable laws and district policies and regulations governing the use of district technology. I understand that there is no expectation of privacy when using district technology. I further understand that any violation may result in loss of user privileges, disciplinary action, and/or appropriate legal action.

Name: _____ Grade: _____
 (Please print)
 School: _____
 Signature: _____ Date: _____

Parent or Legal Guardian Acknowledgment

If the student is under 18 years of age, a parent/guardian must also read and sign the Agreement.

As the parent/guardian of the above-named student, I have read, understand, and agree that my child shall comply

with the terms of the Agreement. By signing this Agreement, I give permission for my child to use district technology and/or to access the school's computer network and the Internet. I understand that, despite the district's best efforts, it is impossible for the school to restrict access to all offensive and controversial materials. I agree to release from liability, indemnify, and hold harmless the school, district, district personnel and the Board against all claims, damages, and costs that may result from my child's use of district technology or the failure of any technology protection measures used by the district. Further, I accept full responsibility for supervision of my child's use of my child's access account if and when such access is not in the school setting.

Name: _____ Date: _____
 (Please print)
 Signature: _____

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State References

Civ. Code 3120-3123
 Ed. Code 49073.6
 Ed. Code 51006
 Ed. Code 51007
 Ed. Code 60044
 Pen. Code 313
 Pen. Code 502
 Pen. Code 632
 Pen. Code 653.2

Description

Digital equity bill of rights
 Student records: social media
 Computer education and resources
 Programs to strengthen technological skills
 Prohibited instructional materials
 Harmful matter
 Computer crimes: remedies
 Eavesdropping on or recording confidential communications
 Electronic communication devices; threats to safety

Federal References

15 USC 6501-6506
 16 CFR 312.1-312.12
 20 USC 7101-7122
 20 USC 7131
 47 CFR 54.520
 47 USC 254

Description

Children's Online Privacy Protection Act
 Children's Online Privacy Protection Act
 Student Support and Academic Enrichment Grants
 Internet Safety
 Internet safety policy and technology protection measures; E-rate discounts
 Universal service discounts (E-rate)

Management Resources References

California Department of Education Publication
 Court Decision
 CSBA Publication
 Federal Trade Commission Publication
 U.S. Department of Education Publication
 USDOE Office of Educational Technology Publication
 Website
 Website
 Website
 Website
 Website

Description

Artificial Intelligence: Learning With AI Learning About AI
 New Jersey v. T.L.O. (1985) 469 U.S. 325
 Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007
 How to Protect Kids' Privacy Online: A Guide for Teachers, December 2000
 2024 National Education Technology Plan
 Artificial Intelligence and the Future of Teaching and Learning: Insights and Recommendations, May 2023
 California Governor's Office of Emergency Services
 CSBA District and County Office of Education Legal Services
 California Coalition for Children's Internet Safety
 Center for Safe and Responsible Internet Use
 Federal Trade Commission, Children's Online Privacy Protection

Management Resources References

Website	American Library Association
Website	Federal Communications Commission
Website	California Department of Education
Website	U.S. Department of Education
Website	CSBA

Cross References

	Description
0440	District Technology Plan
0440	District Technology Plan
1113	District And School Websites
1113	District And School Websites
1113-E(1)	District And School Websites
1114	District-Sponsored Social Media
1114	District-Sponsored Social Media
3260	Fees And Charges
3260	Fees And Charges
3512	Equipment
3512-E(1)	Equipment
4040	Employee Use Of Technology
4040-E(1)	Employee Use Of Technology
4131	Staff Development
5125	Student Records
5125	Student Records
5125.2	Withholding Grades, Diploma Or Transcripts
5131	Conduct
5131.2	Bullying
5131.2	Bullying
5131.8	Mobile Communication Devices
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5144	Discipline
5144	Discipline
5144.1	Suspension And Expulsion/Due Process
5144.1	Suspension And Expulsion/Due Process
5144.2	Suspension And Expulsion/Due Process (Students With Disabilities)
5145.12	Search And Seizure
5145.12	Search And Seizure
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
5145.7	Sex Discrimination and Sex-Based Harassment
5145.7	Sex Discrimination and Sex-Based Harassment

Cross References

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Description

Hate-Motivated Behavior

Before/After School Programs

Before/After School Programs

Comprehensive Health Education

Comprehensive Health Education

Homework/Makeup Work

Student Assessment

Use Of Copyrighted Materials

Use Of Copyrighted Materials

Research

Research

Library Media Centers

Bylaw 9010: Public Statements

Status: ADOPTED

Original Adopted Date: 09/01/1990 | **Last Revised Date:** 09/01/2024 | **Last Reviewed Date:** 09/01/2024

The Governing Board recognizes the responsibility of Board members in their role as community leaders to participate in public discourse on matters of civic or community interest, including those involving the district, and their right to freely express their personal views. However, to ensure communication of a consistent, unified message regarding district issues, Board members are expected to respect the authority of the Board to choose its representatives, to communicate its positions, and to abide by established protocols.

Board Spokesperson

All public statements authorized to be made on behalf of the Board shall be made by the Board president or, if appropriate, by the Superintendent or, with respect to a specific issue or topic, other representative as designated by the Board or Board president.

When speaking for the Board, a spokesperson shall exercise restraint and tact and communicate in a manner that promotes public confidence in the Board's leadership.

Board spokespersons shall not disclose confidential information or information received in closed session except when authorized by a majority of the Board or by law. (Government Code 54963)

Statements by Individual Board Members

When speaking to community groups, members of the public, or the media, individual Board members should recognize that their statements may be perceived as reflecting the views and positions of the Board. Board members have a responsibility to identify when a viewpoint is held by an individual Board member rather than the Board as a whole. For example, a Board member may include a disclaimer on the Board member's personal social media account that the Board member is expressing personal viewpoints and not those of the Board or the district.

Board members who opt to express their opinions on district matters, whether in-person or online, are expected to conduct themselves in a respectful, courteous, and professional manner and to model good behavior for district students and the community.

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State References

- Ed. Code 35010
- Gov. Code 54960
- Gov. Code 54963
- Gov. Code 7920.000-7930.170

Description

- Control of district; prescription and enforcement of rules
- Actions to stop or prevent violation of meeting provisions
- Unauthorized disclosure of confidential information
- California Public Records Act

Management Resources References

- Court Decision
- Website
- Website

Description

- Lindke v. Freed (2024) 601 U.S. 187
- CSBA District and County Office of Education Legal Services
- CSBA

Cross References

- 0450
- 0450
- 1000

Description

- Comprehensive Safety Plan
- Comprehensive Safety Plan
- Concepts And Roles

Cross References

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Description

Communication With The Public
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District And School Websites
District And School Websites
District And School Websites
District-Sponsored Social Media
District-Sponsored Social Media
Political Processes
Access To District Records
Access To District Records
Superintendent Responsibilities And Duties
Negotiations/Consultation
Public Notice - Personnel Negotiations
Public Notice - Personnel Negotiations
Negotiations/Consultation
Public Notice - Personnel Negotiations
Public Notice - Personnel Negotiations
Role Of The Board
Governance Standards
Disclosure Of Confidential/Privileged Information
Board Member Electronic Communications
President
Board Representatives
Limits Of Board Member Authority
Orientation

Bylaw 9012: Board Member Electronic Communications

Status: ADOPTED

Original Adopted Date: 11/01/2008 | Last Revised Date: 09/01/2024 | Last Reviewed Date: 09/01/2024

The Governing Board recognizes that electronic communication is an efficient and convenient way for Board members to communicate and expedite the exchange of information with each other, district staff, and members of the public. Board members shall exercise caution to ensure compliance with the Brown Act, the Public Records Act, and other applicable laws.

A majority of the Board shall not, outside of an authorized meeting, use a series of electronic communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the Board. (Government Code 54952.2)

Examples of permissible electronic communications concerning district business include, but are not limited to, dissemination of Board meeting agendas and agenda packets, reports of activities from the Superintendent, and reminders regarding meeting times, dates, and places.

Board members may engage in separate conversations or communications with members of the public on a social media platform to answer questions, provide information, or solicit information regarding a matter that is within the subject matter jurisdiction of the Board as long as a majority of the Board does not use the platform to discuss among themselves any business of a specific nature that is within the subject matter jurisdiction of the Board. Additionally, Board members are prohibited from using digital icons, such as "likes" or "emojis," that express reactions to communications made by other Board members regarding matters within the subject matter jurisdiction of the Board. (Government Code 54952.2)

Board members shall make every effort to ensure that their electronic communications conform to Board Bylaw 9010 - Public Statements and shall forward any complaints or requests for information to the Superintendent in accordance with applicable Board bylaws.

To the extent possible, electronic communications regarding any district-related business shall be transmitted through a district-provided device or account. When any such communication is transmitted through a Board member's personal device or account, the Board member shall copy the communication to a district electronic storage device for easy retrieval.

This Bylaw does not apply to Board member electronic communications not related to district business or not conducted by a Board member in the Board member's official capacity.

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State References	Description
Ed. Code 35140	Time and place of meetings
Ed. Code 35145	Public meetings
Ed. Code 35145.5	Agenda; public participation and regulations
Ed. Code 35147	Open meeting laws exceptions
Gov. Code 11135	Prohibition of discrimination
Gov. Code 54950-54963	The Ralph M. Brown Act
Gov. Code 54952.2	Meeting; defined
Gov. Code 54953	Meetings to be open and public; attendance
Gov. Code 54954.2	Agenda posting requirements; board actions

State References

Gov. Code 7920.000-7930.215

Description

California Public Records Act

Management Resources References

Attorney General Publication

Court Decision

Court Decision

CSBA Publication

CSBA Publication

Website

Website

Website

Website

Description

The Brown Act: Open Meetings for Legislative Bodies, rev. 2003

Lindke v. Freed (2024) 601 U.S. 187

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

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

The Brown Act: School Boards and Open Meeting Laws, rev. 2023

CSBA District and County Office of Education Legal Services

CSBA, GAMUT Meetings

California Attorney General's Office

CSBA

Cross References

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District And School Websites

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District-Sponsored Social Media

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Complaints Concerning District Employees

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Complaints Concerning Instructional Materials

Complaints Concerning Instructional Materials

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Uniform Complaint Procedures

Uniform Complaint Procedures

Uniform Complaint Procedures

Williams Uniform Complaint Procedures

Williams Uniform Complaint Procedures

Williams Uniform Complaint Procedures

Access To District Records

Access To District Records

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Claims And Actions Against The District

District Records

District Records

Role Of The Board

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Governance Standards

Public Statements

President

Limits Of Board Member Authority

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Meetings And Notices

Agenda/Meeting Materials

Actions By The Board

Actions By The Board