CONCEPTS AND ROLES

The Board of Trustees desires to represent the community and provide leadership in addressing community issues related to education. In order to identify community concerns and enlist support for the schools, the Board shall establish effective two-way communication systems between schools and the community.

Schools, parents/guardians, community members and local organizations must continually collaborate as partners. The Board and the Superintendent or designee shall work together with city and county agencies and organizations to promote and facilitate coordinated services for children, and shall seek to develop partnerships with local businesses.

(cf. 1020 - Youth Services)
(cf. 1700 - Relations Between Private Industry and the Schools)

The Board recognizes that schools are an important community resource and encourages community members to make appropriate use of school facilities. Community members are also encouraged to attend Board meetings, participate in school activities, and take an active interest in issues that affect the schools. The Board and Superintendent or designee shall keep community members well informed about district needs and accomplishments and shall ensure that they have opportunities to share in developing educational policies, programs and evaluation processes.

(cf. 0510 - School Accountability Report Card)
(cf. 1220 - Citizen Advisory Committees)
(cf. 1240 - Volunteer Assistance)
(cf. 1330 - Use of School Facilities)
(cf. 6020 - Parent Involvement)
(cf. 6141 - Curriculum Development and Evaluation)
(cf. 9323 - Meeting Conduct)

The Board recognizes that its ability to fulfill the community's expectations for a high-quality educational program depends on the level of support provided by the state and federal government as well as the community. The Board therefore shall study legislative processes and issues, establish ongoing relationships with state and local leaders and the media, adopt positions on key issues, set priorities for advocacy, and collaborate with other organizations and coalitions in legislative and legal advocacy efforts.

(cf. 1112 - Media Relations)
(cf. 1160 - Political Processes)
(cf. 9000 - Role of the Board)

Legal Reference: (see next page)

CONCEPTS AND ROLES (continued)

Legal Reference:
EDUCATION CODE
35160 Authority of governing boards
35172 Promotional activities

YOUTH SERVICES

The Board of Trustees desires to help all district students achieve to their highest potential regardless of their social, health, or economic circumstances and recognizes that schools alone cannot meet all the complex needs of children. The district shall provide support services for children and families to the extent possible and shall work with other local governments, businesses, foundations, and community-based organizations, as appropriate, to improve the health, safety, and well-being of the community's youth.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 5030 - Student Wellness)
(cf. 5131.6 - Alcohol and Other Drugs)
(cf. 5136 - Gangs)
(cf. 5141.32 - Health Screening for School Entry)
(cf. 5141.4 - Child Abuse Prevention and Reporting)
(cf. 5141.52 - Suicide Prevention)
(cf. 5141.6 - School Health Services)
(cf. 5146 - Married/Pregnant/Parenting Students)
(cf. 5148 - Child Care and Development)
(cf. 5148.2 - Before/After School Programs)
(cf. 5148.3 - Preschool/Early Childhood Education)
(cf. 5149 - At-Risk Students)
(cf. 6164.2 - Guidance/Counseling Services)
(cf. 6173 - Education for Homeless Children)
(cf. 6173.1 - Education for Foster Youth)

The Board shall initiate or participate in collaborative relationships with city and county elected officials to design and coordinate multi-agency programs that respond to the needs of children and families and provide more efficient use of district and community resources. The Board may establish or participate in formal structures for governance teams to regularly meet and discuss issues of mutual concern.

(cf. 0200 - Goals for the School District)
(cf. 9140 - Board Representatives)

The Superintendent and appropriate staff shall cooperate with public and private entities in the planning and implementation of joint projects or activities within the community. The Superintendent or designee may designate a coordinator to ensure effective implementation of the district's responsibilities in any such collaborative project.

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 1700 - Relations Between Private Industry and the Schools)

In order to identify priorities for youth services, the Board shall encourage a periodic assessment of children's needs within the community, which may include, but not be limited to, needs based on poverty, child abuse and neglect, poor physical or mental health,

YOUTH SERVICES (continued)

homelessness, placement in foster care, lack of access to child care, substance abuse, or violence. The needs assessment also should examine the extent to which those needs are being met through existing services in the district and in the community, the costs of providing those services, and any gaps, delay, or duplication of services.

The Board shall approve the services to be offered by the district, the resources that will be allocated to support collaboration, any use of school facilities for services, and any development or joint use of facilities with other jurisdictions.

(cf. 1330 - Use of School Facilities)
(cf. 3100 - Budget)

All agreements with other agencies to coordinate services or share resources shall be in writing. The Board may establish joint powers agreements or memorandums of understanding, when feasible, to formalize the responsibilities and liabilities of all parties in a collaborative activity.

The Superintendent or designee shall work with interagency partners to explore funding opportunities available through each agency, state and national grant programs, and/or private foundations for youth service coordination and delivery.

In order to facilitate service delivery or determination of eligibility for services, the district may share information with other appropriate agencies with parent/guardian consent and in accordance with laws pertaining to confidentiality and privacy.

(cf. 3553 - Free and Reduced Price Meals)
(cf. 5125 - Student Records)

The Board shall receive regular reports of progress toward the identified goals of the collaborative effort. The reports may include, but not be limited to, feedback from staff and families regarding service delivery, numbers of children and families served, specific indicators of conditions of children, and indicators of system efficiency and cost effectiveness.

(cf. 0500 - Accountability)

The Board shall communicate with the community about the district's collaborative efforts and the conditions of children within the schools. The Board may advocate for local, state, and national policies, programs, and initiatives designed to improve the conditions of children and youth.

(cf. 1100 - Communication with the Public)
(cf. 1160 - Political Processes)
(cf. 9000 - Role of the Board)

Legal Reference: (see next page)

YOUTH SERVICES (continued)

Legal Reference:

EDUCATION CODE
8800-8807 Healthy Start support services for children
49073 Privacy of student records
49075 Parent/guardian permission for release of student records
49557.2 Sharing of information for MediCal eligibility
HEALTH AND SAFETY CODE
120440 Immunization records; release to local health departments
130100-130155 Early childhood development; First 5 Commission
WELFARE AND INSTITUTIONS CODE
5850-5883 Mental Health Services Act
18961.5 Computerized database; families at risk for child abuse; sharing of information
18980-18983.8 Child Abuse Prevention Coordinating Council
18986-18986.30 Interagency Children's Services Act
18986.40-18986.46 Multidisciplinary services teams
18986.50-18986.53 Integrated day care program
18987.6-18987.62 Family-based services

Management Resources:

CSBA PUBLICATIONS
Expanding Access to High-Quality Preschool Programs: A Resource Guide for School Leaders, rev. April 2008
Educating Foster Youth: Best Practices and Board Considerations, Policy Brief, March 2008
Mental Health Services Act (Proposition 63): Collaborative Opportunity to Address Mental Health, Policy Advisory, October 2007
Maximizing School Board Governance: Community Leadership, 1996
CHILDREN NOW PUBLICATIONS
California Report Card: The State of the State's Children, 2008
CITIES, COUNTIES AND SCHOOLS PARTNERSHIP PUBLICATIONS
Healthy Children, Healthy Communities: An Action Guide for California Communities, 2006
Stretching Community Dollars: Cities, Counties and School Districts Building for the Future, 2006
YOUTH LAW CENTER PUBLICATIONS
Model Form for Consent to Exchange Confidential Information among the Members of an Interagency Collaborative, 1995
WEB SITES
CSBA: http://www.csba.org
California Department of Education, Learning Support: http://www.cde.ca.gov/ls
California Department of Public Health: http://www.cdph.ca.gov
California Department of Social Services: http://www.dss.cahwnet.gov
California State Association of Counties: http://www.csac.counties.org
Children Now: http://www.childrennow.org
Cities, Counties and Schools Partnership: http://www.ccspartnership.org
First 5 California: http://www.ccfc.ca.gov
League of California Cities: http://www.cacities.org
Youth Law Center: http://www.ylc.org

COMMUNICATION WITH THE PUBLIC

The Board of Trustees recognizes the district's responsibility to keep the public informed regarding the goals, programs, achievements, and needs of the schools and district and to be responsive to the concerns and interests of the community. The Superintendent or designee shall establish strategies for effective two-way communications between the district and the public and shall consult with the Board regarding the role of Board members as advocates for the district's students, programs, and policies.

(cf. 5020 - Parent Rights and Responsibilities)
(cf. 9000 - Role of the Board)

The Superintendent or designee shall provide the Board and staff with communications protocols and procedures to assist the district in presenting a consistent, unified message on district issues. Such protocols and procedures may include, but are not limited to, identification of the spokesperson(s) authorized to speak to the media on behalf of the district, strategies for coordinating communications efforts and activities, and legal requirements pertaining to confidentiality as well as the public's right to access records.

(cf. 1112 - Media Relations)
(cf. 1340 - Access to District Records)
(cf. 2111 - Superintendent Governance Standards)
(cf. 3580 - District Records)
(cf. 5125 - Student Records)
(cf. 5125.1 - Release of Directory Information)
(cf. 9005 - Governance Standards)
(cf. 9010 - Public Statements)
(cf. 9011 - Disclosure of Confidential/Privileged Information)

The Superintendent or designee shall utilize a variety of communications methods in order to provide the public with access to information. Such methods may include, but are not limited to, district and school newsletters, web sites, social networking pages or other online communications technologies, direct email communications, mailings, notices sent home with students, recorded telephone messages for parent/guardian information, community forums and public events, news releases, meetings with education reporters and editorial boards, presentations at parent organization meetings, and meetings with representatives of local governments, community organizations, and businesses.

(cf. 0510 - School Accountability Report Card)
(cf. 1020 - Youth Services)
(cf. 1113 - District and School Web Sites)
(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 1700 - Relations Between Private Industry and the Schools)

In developing communications strategies, the Superintendent or designee shall take into account the needs of all members of the public, including individuals with disabilities and those whose primary language is not English.

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

COMMUNICATION WITH THE PUBLIC (continued)

The Superintendent or designee shall ensure that staff members are responsive to requests by parents/guardians or members of the public for information or assistance and may provide staff with professional development in their "customer service" role as needed.

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

The Superintendent or designee shall provide multiple opportunities for members of the public to give input on district and school issues and operations. Community members are encouraged to become involved in school activities, participate on district and school committees, provide input at Board meetings, submit suggestions to district staff, and use the district's complaint procedures as appropriate.

(cf. 1220 - Citizen Advisory Committees)
(cf. 1230 - School-Connected Organizations)
(cf. 1240 - Volunteer Assistance)
(cf. 1250 - Visitors/Outsiders)
(cf. 1260 - Educational Foundation)
(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 1312.2 - Complaints Concerning Instructional Materials)
(cf. 1312.3 - Uniform Complaint Procedures)
(cf. 1312.4 - Williams Uniform Complaint Procedures)
(cf. 3555 - Nutrition Program Compliance)
(cf. 6020 - Parent Involvement)
(cf. 9322 - Agenda/Meeting Materials)
(cf. 9323 - Meeting Conduct)

Prohibition Against Mass Mailings at Public Expense

No newsletter or other mass mailing, as defined in Government Code 82041.5 and 2 CCR 18901, shall be sent by the district at public expense if such material aggrandizes one or more Board members. The name, signature, or photograph of a Board member may be included in such materials only as permitted by 2 CCR 18901. (Government Code 82041.5, 89001; 2 CCR 18901)

Any newsletter or mass mailing regarding ballot measures, candidates, legislative activities, or any other campaign activities shall be sent and distributed in accordance with law and Board policy.

(cf. 1160 - Political Processes)

Comprehensive Communications Plan

The Superintendent or designee shall develop a written communications plan which establishes priorities for proactive community outreach to build support for district programs

COMMUNICATION WITH THE PUBLIC (continued)

and issues. The plan shall identify specific communications goals aligned with the district's vision and goals for student learning. For each communications goal, the plan shall identify key messages, individuals or groups that can help the district achieve its goal, strategies tailored to each target audience, timelines, persons responsible for each activity, and budget implications.

(cf. 0200 - Goals for the School District)

As appropriate for each issue, target audiences may include parents/guardians, the media, local governmental agencies, businesses, community organizations and civic groups, postsecondary institutions, health care professionals, child care providers, community leaders, state or federal legislators or agencies, and/or other segments of the public.

The plan shall incorporate strategies for effective communications during a crisis or other emergency situation that may arise.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 3516 - Emergencies and Disaster Preparedness Plan)

The Superintendent or designee shall periodically evaluate the implementation and effectiveness of the district's communications plan and recommend to the Board whether the goals and key issues identified in the plan need to be revised to meet changing circumstances or priorities.

Legal Reference: (see next page)

COMMUNICATION WITH THE PUBLIC (continued)

Legal Reference:

EDUCATION CODE
7054 Use of district property or funds re: ballot measures and candidates
35145.5 Board meetings, public participation
35172 Promotional activities
38130-38138 Civic Center Act
48980-48985 Parental notifications
GOVERNMENT CODE
54957.5 Meeting agendas and materials
82041.5 Mass mailing
89001 Newsletter or mass mailing
CODE OF REGULATIONS, TITLE 2
18901 Mass mailings sent at public expense
18901.1 Campaign-related mailings sent at public expense
CODE OF FEDERAL REGULATIONS, TITLE 28
35.101-35.190 Americans with Disabilities Act

Management Resources:

WEB SITES
CSBA: http://www.csba.org
California School Public Relations Association: http://www.calspra.org
Fair Political Practices Commission: http://www.fppc.ca.gov

MEDIA RELATIONS

The Board of Trustees respects the public's right to information and recognizes that the media significantly influence the community's understanding of school programs. In order to develop and maintain positive media relations, the Board and the Superintendent desire to reasonably accommodate media requests for information and to provide accurate, reliable and timely information.

Media representatives are welcome at all Board meetings and shall receive meeting agendas upon request in accordance with Board policy.

(cf. 9322 - Agenda/Meeting Materials)

Media representatives, like all other visitors, shall register immediately upon entering any school building or grounds when school is in session.

(cf. 1250 - Visitors/Outsiders)
(cf. 3515.2 - Disruptions)

Staff may provide the media with student directory information, including, but not limited to, the name of a student, school of attendance, grade level, honors, and activities, unless the student's parent/guardian has submitted a written request that such information not be disclosed. The district shall not release information that is private or confidential as required by law, Board policy or administrative regulation. No other access to student records or personally identifiable student information may be provided without written parent/guardian permission.

(cf. 1340 - Access to District Records)
(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 5125 - Student Records)
(cf. 5125.1 - Release of Directory Information)
(cf. 9010 - Public Statements)
(cf. 9321.1 - Closed Session Actions and Reports)

Interviewing and Photographing Students

The district shall not impose restraints on students' right to speak freely with media representatives at those times which do not disrupt a student's educational program. However, interviews of students may not create substantial disorder or impinge on the rights of others. Therefore, in order to minimize possible disruption, media representatives who wish to interview students at school are strongly encouraged to make prior arrangements with the principal. At their discretion, parents/guardians may instruct their children not to communicate with media representatives.

(cf. 5145.2 - Freedom of Speech/Expression)

MEDIA RELATIONS (continued)

In order to protect the privacy and safety of students, a media representative who wishes to photograph students on school grounds should first make arrangements with the principal or designee.

When interviewing or photographing a special education student, he/she shall not be identified as a special education student without prior, written parent/guardian permission.

Media Communications Plan

In order to help develop strong relations with the media, the Superintendent or designee shall develop a proactive media communications plan. This plan may include, but not be limited to, information related to district programs and needs, student awards, school accomplishments and events of special interest.

(cf. 0510 - School Accountability Report Card)
(cf. 1100 - Communication with the Public)
(cf. 1160 - Political Processes)

The plan shall specify the district's and/or site's primary media contact to whom all media inquiries shall be routed. Spokespersons designated to speak to the media on behalf of the district include the Board president, Superintendent and public information officer. Other Board members and staff may be asked by the Superintendent or designee to speak to the media on a case-by-case basis, depending on their expertise on an issue.

The Superintendent or designee shall provide training on effective media relations to all designated spokespersons.

(cf. 9240 - Board Development)

Crisis Communications Plan

During a disturbance or crisis situation, the first priority of school staff is to assure the safety of students and staff. However, the Board recognizes the need to provide timely and accurate information to parents/guardians and the community during a crisis. The Board also recognizes that the media have an important role to play in relaying this information to the public. In order to help ensure that the media and district work together effectively, the Superintendent or designee shall develop a crisis communications plan to identify communication strategies to be taken in the event of a crisis.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 3516 - Emergencies and Disaster Preparedness Plan)

MEDIA RELATIONS (continued)

The crisis communications plan may include but not be limited to identification of a media center location, development of both internal and external notification systems, and strategies for press conference logistics.

The Superintendent or designee shall include local law enforcement and media representatives in the crisis planning process.

Legal Reference:

EDUCATION CODE
32210-32212 Willful disturbance of public school or meeting
35144 Special meetings
35145 Public meetings
35160 Authority of governing boards
35172 Promotional activities
EVIDENCE CODE
1070 Refusal to disclose news source
PENAL CODE
627-627.10 Access to school premises
COURT DECISIONS
Lopez v. Tulare Joint Union High School District, (1995) 34 Cal.App.4th 1302
ATTORNEY GENERAL OPINIONS
95 Ops.Cal.Atty.Gen. 509 (1996)

Management Resources:

CSBA PUBLICATIONS
911: A Manual for Schools and the Media During a Campus Crisis, 2001
WEB SITES
CSBA: http://www.csba.org

DISTRICT AND SCHOOL WEB SITES

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

(cf. 0000 - Vision)
(cf. 0440 - District Technology Plan)
(cf. 1100 - Communication with the Public)
(cf. 1112 - Media Relations)
(cf. 1114 - District-Sponsored Social Media)
(cf. 6020 - Parent Involvement)

Design Standards

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

The district's design standards shall address the accessibility of district-sponsored web sites to individuals with disabilities, including compatibility with commonly used assistive technologies.

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

Guidelines for Content

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

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

(cf. 1325 - Advertising and Promotion)

Privacy Rights

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

(cf. 1340 - Access to District Records)
(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 5022 - Student and Family Privacy Rights)
(cf. 5125 - Student Records)

DISTRICT AND SCHOOL WEB SITES (continued)

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

(cf. 5125.1 - Release of Directory Information)

Photographs of individual students may be published, together with their names, except when their parent/guardian has notified the district in writing to not release the student's photograph without prior written consent in accordance with BP/AR 5125.1 - Release of Directory Information.

Photographs of groups of students, such as at a school event, may be published provided that students' names are not included.

Staff members' home addresses or telephone numbers shall not be posted on district or school web sites.

The home address or telephone number of any elected or appointed official including, but not limited to, a Board member or public safety official, shall not be posted on district or school web sites without the prior written permission of that individual. (Government Code 3307.5, 6254.21, 6254.24)

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

(cf. 3515.3 - District Police/Security Department)

Legal Reference: (see next page)

DISTRICT AND SCHOOL WEB SITES (continued)

Legal Reference:

EDUCATION CODE
35182.5 Contracts for advertising
35258 Internet access to school accountability report cards
48907 Exercise of free expression; rules and regulations
48950 Speech and other communication
49061 Definitions, directory information
49073 Release of directory information
60048 Commercial brand names, contracts or logos
GOVERNMENT CODE
3307.5 Publishing identity of public safety officers
6254.21 Publishing addresses and telephone numbers of officials
6254.24 Definition of public safety official
11135 Nondiscrimination; accessibility to state web sites
PENAL CODE
14029.5 Prohibition against publishing personal information of person in witness protection program
UNITED STATES CODE, TITLE 17
101-1101 Federal copyright law
UNITED STATES CODE, TITLE 20
1232g Federal Family Educational Rights and Privacy Act
UNITED STATES CODE, TITLE 29
794 Section 503 of the Rehabilitation Act of 1973; accessibility to federal web sites
UNITED STATES CODE, TITLE 42
12101-12213 Americans with Disabilities Act
CODE OF FEDERAL REGULATIONS, TITLE 16
312.1-312.12 Children's Online Privacy
CODE OF FEDERAL REGULATIONS, TITLE 34
99.1-99.67 Family Educational Rights and Privacy
COURT DECISIONS
Aaris v. Las Virgenes Unified School District, (1998) 64 Cal.App.4th 1112

Management Resources:

U.S. DEPARTMENT OF JUSTICE PUBLICATIONS
Accessibility of State and Local Government Websites to People with Disabilities, June 2003
WORLD WIDE WEB CONSORTIUM PUBLICATIONS
Web Content Accessibility Guidelines, December 2008
WEB SITES
CSBA: http://www.csba.org
California Department of Education, Web Accessibility Standards: http://www.cde.ca.gov/re/di/ws/webaccessstds.asp
California School Public Relations Association: http://www.calspra.org
U.S. Department of Justice, Americans with Disabilities Act: http://www.ada.gov
World Wide Web Consortium, Web Accessibility Initiative: http://www.w3.org/wai

DISTRICT AND SCHOOL WEB SITES

Guidelines for Content

District and school web sites shall provide current information regarding district/school programs, activities, and operations. Such information shall be appropriate for both internal and external audiences and may include district mission and goals, district or school news, agendas and minutes of Board of Trustees meetings, School Accountability Report Cards, school calendars, and links to educational resources.

(cf. 0440 - District Technology Plan)
(cf. 0510 - School Accountability Report Card)
(cf. 1100 - Communication with the Public)
(cf. 1112 - Media Relations)
(cf. 6020 - Parent Involvement)

With approval of the principal, individual teachers may create web pages linked to the district or school web site to provide information pertaining to class assignments, expectations, and activities.

Student work may be published on district or school web sites provided that both the student and his/her parent/guardian provide written permission or the work is part of an existing publication such as a school newspaper.

The Superintendent or designee shall ensure that copyright laws are not violated in the use of materials on district and school web sites. If any copyrighted material is posted, a notice shall be included crediting the original producer of the material and noting how and when permission to reprint the material was granted.

(cf. 4132/4232/4332 - Publication or Creation of Materials)
(cf. 6162.6 - Use of Copyrighted Materials)

Whenever a district or school web site includes links to external web sites, it shall include a disclaimer that the district is not responsible for the content of external web sites.

Roles and Responsibilities

Any employee assigned as a district or school webmaster shall be responsible for the uploading of material to the web site(s) upon approval of the Superintendent or designee. He/she shall ensure consistency of the material with district standards, regularly check links for accuracy and appropriateness, keep the web server free of outdated or unused files, and provide technical assistance as needed.

The Superintendent or designee may assign additional staff members to conduct an editorial review of all materials submitted for publication on district or school web sites and to make corrections as needed in spelling, grammar, or accuracy of content.

DISTRICT AND SCHOOL WEB SITES (continued)

The Superintendent or designee shall provide staff development opportunities related to district content guidelines, design standards, and accessibility laws and standards to district communications and technology staff, district and school webmasters, and/or other appropriate staff.

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

Security

The Superintendent or designee shall establish security procedures for the district's computer network to prevent unauthorized access and changes to district and school web sites. To the extent possible, the host computer(s) shall be in a lockable room with restricted access.

DISTRICT-SPONSORED SOCIAL MEDIA

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

(cf. 0000 - Vision)
(cf. 0440 - District Technology Plan)
(cf. 1100 - Communication with the Public)
(cf. 1112 - Media Relations)
(cf. 1113 - District and School Web Sites)
(cf. 6020 - Parent Involvement)
(cf. 6145.5 - Student Organizations and Equal Access)

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

Guidelines for Content

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

(cf. 5145.2 - Freedom of Speech/Expression)
(cf. 6145.5 - Student Organizations and Equal Access)

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

Official district social media platforms 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.

(cf. 5131 - Conduct)

Staff or students who post prohibited content shall be subject to discipline in accordance with district policies and administrative regulations.

(cf. 4040 - Employee Use of Technology)
(cf. 4118 - Suspension/Disciplinary Action)

DISTRICT-SPONSORED SOCIAL MEDIA (continued)

(cf. 4119.21/4219.21/4319.21 - Professional Standards)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 6163.4 - Student Use of Technology)

Users of official district social media platforms should be aware of the public nature and accessibility of social media and that information posted may be considered a public record subject to disclosure under the Public Records Act. The Board expects users to conduct themselves in a respectful, courteous, and professional manner.

(cf. 1340 - Access to District Records)
(cf. 9012 - Board Member Electronic Communications)

Privacy

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

Board policy pertaining to the posting of student photographs and the privacy of telephone numbers, home addresses, and email addresses, as specified in BP 1113 - District and School Web Sites, shall also apply to official district social media platforms.

(cf. 5125.1 - Release of Directory Information)

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

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 5022 - Student and Family Privacy Rights)
(cf. 5125 - Student Records)

Legal Reference: (see next page)

DISTRICT-SPONSORED SOCIAL MEDIA (continued)

Legal Reference:

EDUCATION CODE
32261 School safety, definitions of bullying and electronic act
35182.5 Contracts for advertising
48900 Grounds for suspension and expulsion
48907 Exercise of free expression; rules and regulations
48950 Speech and other communication
49061 Definitions, directory information
49073 Release of directory information
60048 Commercial brand names, contracts or logos
GOVERNMENT CODE
3307.5 Publishing identity of public safety officers
6250-6270 Public Records Act, especially:
6254.21 Publishing addresses and phone numbers of officials
6254.24 Definition of public safety official
54952.2 Brown Act, definition of meeting
UNITED STATES CODE, TITLE 17
101-1101 Federal copyright law
UNITED STATES CODE, TITLE 20
1232g Federal Family Educational Rights and Privacy Act
UNITED STATES CODE, TITLE 29
157 Employee rights to engage in concerted, protected activity
794 Section 503 of the Rehabilitation Act of 1973; accessibility to federal web sites
CODE OF FEDERAL REGULATIONS, TITLE 34
99.1-99.67 Family Educational Rights and Privacy
COURT DECISIONS
Page v. Lexington County School District, (2008, 4th Cir.) 531 F.3d 275
Downs v. Los Angeles Unified School District, (2000) 228 F.3d 1003
Aaris v. Las Virgenes Unified School District, (1998) 64 Cal.App.4th 1112
Perry Education Association v. Perry Local Educators' Association, (1983) 460 U.S. 37
Board of Education, Island Trees Union Free School District, et.al. v. Pico, (1982) 457 U.S. 853
NATIONAL LABOR RELATIONS BOARD DECISIONS
18-CA-19081 Sears Holdings, December 4, 2009

Management Resources:

FACEBOOK PUBLICATIONS
Facebook for Educators Guide, 2011
WEB SITES
CSBA: http://www.csba.org
California School Public Relations Association: http://www.calspra.org
Facebook in Education: http://www.facebook.com/education
Facebook for Educators: http://facebookforeducators.org
Facebook, privacy resources: http://www.facebook.com/fbprivacy

DISTRICT-SPONSORED SOCIAL MEDIA

Definitions

Social media means any online platform for collaboration, interaction, and active participation, including, but not limited to, social networking sites such as Facebook, Twitter, YouTube, LinkedIn, or blogs.

Official district social media platform is a site authorized by the Superintendent or designee. Sites that have not been authorized by the Superintendent or designee but that contain content related to the district or comments on district operations, such as a site created by a parent-teacher organization, booster club, or other school-connected organization or a student's or employee's personal site, are not considered official district social media platforms.

(cf. 1230 - School-Connected Organizations)
(cf. 1260 - Educational Foundations)

Authorization for Official District Social Media Platforms

The Superintendent or designee shall authorize the development of any official district social media platform. Teachers and coaches shall obtain approval from the principal before creating an official classroom or team social media platform.

Guidelines for Content

The Superintendent or designee shall ensure that official district social media platforms provide current information regarding district programs, activities, and operations, consistent with the goals and purposes of this policy and regulation. Official district social media platforms shall contain content that is appropriate for all audiences.

(cf. 0440 - District Technology Plan)
(cf. 0510 - School Accountability Report Card)
(cf. 1100 - Communication with the Public)
(cf. 1112 - Media Relations)
(cf. 1113 - District and School Web Sites)
(cf. 6020 - Parent Involvement)
(cf. 6145.5 - Student Organization and Equal Access)

The Superintendent or designee shall ensure that copyright laws are not violated in the use of material on official district social media platforms.

(cf. 4132/4232/4332 - Publication or Creation of Materials)
(cf. 6162.6 - Use of Copyrighted Materials)

The Superintendent or designee shall ensure that official district social media platforms are regularly monitored. Staff members responsible for monitoring content may remove posts

DISTRICT-SPONSORED SOCIAL MEDIA (continued)

based on viewpoint-neutral considerations, such as lack of relation to the site's purpose or violation of the district's policy, regulation, or content guidelines.

Each official district social media platform shall prominently display:

1. The purpose of the site along with a statement that users are expected to use the site only for those intended purposes.

2. Information on how to use the security settings of the social media platform.

3. A statement that the site is regularly monitored and that any inappropriate post will be promptly removed. Inappropriate posts include those that:

    a. Are obscene, libelous, or so incite 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

    b. Are not related to the stated purpose of the site, including, but not limited to, comments of a commercial nature, political activity, and comments that constitute discrimination or harassment

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 1160 - Political Processes)
(cf. 1325 - Advertising and Promotion)

4. Protocols for users, including expectations that users will communicate in a respectful, courteous, and professional manner.

5. A statement that users are personally responsible for the content of their posts and that the district is not responsible for the content of external online platforms.

6. A disclaimer that the views and comments expressed on the site are those of the users and do not necessarily reflect the views of the district.

7. A disclaimer that 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 platforms.

DISTRICT-SPONSORED SOCIAL MEDIA (continued)

Appropriate Use by District Employees

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

(cf. 4040 - Employee Use of Technology)
(cf. 4119.21/4219.21/4319.21 - Professional Standards)

When appropriate, employees using official district social media platforms 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 platforms.

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

COMMENDATIONS AND AWARDS

To encourage community involvement in district programs and activities, the Board of Trustees may publicly recognize and commend parents/guardians, community members, businesses, and organizations that make outstanding contributions or provide longstanding service to the district or district students.

(cf. 1000 - Concepts and Roles)
(cf. 1020 - Youth Services)
(cf. 1240 - Volunteer Assistance)
(cf. 1700 - Relations Between Private Industry and the Schools)
(cf. 3290 - Gifts, Grants and Bequests)

Any Board member, employee, parent/guardian, student, or community member may recommend an individual or organization for Board recognition. He/she shall submit to the Superintendent or designee the name of the individual or organization and a description of the outstanding contribution or service.

At the Board's discretion, the Board may present a letter of recognition, Board resolution, plaque, or other award at a public Board meeting or may hold a reception or informal recognition activity. The Board also may designate a day, week, or month for special recognition of volunteers.

The Board encourages similar forms of recognition for achievement or services as part of school-level commendation programs.

(cf. 4156.2/4256.2/4356.2 - Awards and Recognition)
(cf. 5126 - Awards for Achievement)

Legal Reference:

EDUCATION CODE
35160 Authority of governing boards
35160.1 Broad authority of school districts
44015 Awards to employees and students
CALIFORNIA CONSTITUTION
Article 16, Section 6 Gifts of public funds

Policy adopted:

SAN LEANDRO UNIFIED SCHOOL DISTRICT
San Leandro, California

POLITICAL PROCESSES

The Board of Trustees has a responsibility to actively advocate fiscal and public policy that supports the district's schools and the children in the community. The Board shall be proactive in defining the district's advocacy agenda based on the district's vision and goals and the needs of the district and community. The Board's advocacy efforts shall be conducted in accordance with legal requirements.

(cf. 0000 - Vision)
(cf. 0200 - Goals for the School District)
(cf. 4119.25/4219.25/4319.25 - Political Activities of Employees)
(cf. 9000 - Role of the Board)
(cf. 9010 - Public Statements)

Ballot Measures/Candidates

No district funds, services, supplies, or equipment shall be used to urge the support or defeat of any ballot measure or candidate, including any candidate for election to the Board. (Education Code 7054)

The Board may discuss and study the potential effect of proposed or qualified ballot measures on the district's schools at an open and agendized Board meeting. The Board's discussion of the effect of such measures shall include an opportunity for staff and members of the public to speak on all sides of the issue. At that meeting, the Board may adopt a position or resolution in support of or in opposition to a ballot measure. The language in any resolution adopted by the Board shall not urge the public to take any action regarding the measure.

(cf. 9320 - Meetings and Notices)

The Board's position on a ballot measure, including any resolution, shall be publicized only through normal district procedures and consistent with regular district practice for reporting Board actions. Such publicity shall be for informational purposes and shall not attempt to influence voters.

The Superintendent or designee may use district resources to provide students, parents/guardians, and community members with fair and impartial information related to ballot measures, including information about the impact of ballot measures on the district. (Education Code 7054)

(cf. 1100 - Communication with the Public)

In preparing or distributing such informational material, the Superintendent or designee shall analyze the material to help ensure that it is an appropriate informational activity, provides a fair analysis of the issues, and does not advocate passage or defeat of a measure or candidate.

POLITICAL PROCESSES (continued)

District resources, including email or computer systems, shall not be used to disseminate campaign literature. In addition, district resources shall not be used to purchase advertisements, bumper stickers, posters, or similar promotional items that advocate an election result or urge voters to take any action in support of or in opposition to a measure.

(cf. 1325 - Advertising and Promotion)

Political activity related to district bond measures shall, in addition to the above, be subject to the following conditions:

1. The Superintendent or designee may research, draft, and prepare a district bond measure or other initiative for the ballot, but shall not use district resources to influence voters or otherwise campaign for the measure.

2. Upon request, Board members and district administrators may appear at any time before a citizens' group to explain why the Board called for an election on a bond measure and to answer questions. (Education Code 7054.1)

   If the presentation occurs during working hours, the employee representing the district shall not urge a citizens' group to vote for or against the bond measure.

3. The Board or any individual Board member may file a written argument for the ballot that is either for or against any school measure. (Elections Code 9501)

Legislation

The Board's responsibility as an advocate for the district may include lobbying and outreach at the state, national, and local levels. The Board and Superintendent or designee shall work to establish and maintain ongoing relationships with elected officials, community leaders, and the media in order to communicate district positions and concerns.

(cf. 1020 - Youth Services)
(cf. 1112 - Media Relations)
(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 7131 - Relations with Local Agencies)

The Board and Superintendent shall develop an advocacy action plan to define expectations and responsibilities. This plan may include, but is not limited to, legislative priorities, strategies for outreach to the media and community, development of key messages and talking points, and adoption of positions on specific legislation, regulations, or budget proposals.

POLITICAL PROCESSES (continued)

In order to strengthen legislative advocacy efforts, the district may work with organizations and coalitions and may join associations whose representatives lobby on behalf of their members in accordance with Government Code 53060.5.

The district may provide fair and impartial information about legislative issues affecting schools and children and shall inform the community about its advocacy activities. However, informational materials about legislation shall not urge the public to lobby the legislature, Governor, or state agencies on behalf of the district.

As necessary, the Board may direct the Superintendent or designee to draft legislative or regulatory proposals which serve the district's interests.

Legal Advocacy

The Board recognizes that some issues are more appropriately addressed judicially rather than legislatively. When a legal issue is likely to set a state or national precedent, the district may join with other districts or parties in order to resolve the issue through litigation or other appropriate means.

(cf. 9124 - Attorney)
(cf. 9321 - Closed Session Purposes and Agendas)

Political Forums

Forums on political issues may be held in district facilities as long as the forum is made available to all sides of the issue on an equitable basis. (Education Code 7058)

(cf. 1330 - Use of School Facilities)

Legal Reference: (see next page)

POLITICAL PROCESSES (continued)

Legal Reference:

EDUCATION CODE
7050-7058 Political activities of school officers and employees, including:
7054 Use of district property
7054.1 Requested appearance
7056 Soliciting or receiving political funds
35160 Authority of governing boards
35172 Promotional activities
ELECTIONS CODE
9501 School district elections, arguments for or against a measure
GOVERNMENT CODE
8314 Unlawful use of state resources
53060.5 Attendance at legislative body; expenses
54953.5 Right to record proceedings
54953.6 Broadcasts of proceedings
81000-91015 Political Reform Act, including:
82031 Definition of independent expenditure
CODE OF REGULATIONS, TITLE 2
18600-18640 Lobbyists
18901.1 Campaign related mailings sent at public expense
COURT DECISIONS
Vargas v. City of Salinas, (2009) 46 Cal. 4th 1
Santa Barbara County Coalition Against Automobile Subsidies v. Santa Barbara County Association of Governments, (2008) 167 Cal.App.4th 1229
Yes on Measure A v. City of Lake Forest, (1997) 60 Cal.App.4th 620
Choice-in-Education League et al v. Los Angeles Unified School District, (1993) 17 Cal.App.4th 415
League of Women Voters v. Countywide Criminal Justice Coordination Committee, (1988) 203 Cal.App.3d 529
Miller v. Miller, (1978) 87 Cal.App.3d 762
Stanson v. Mott, (1976) 17 Cal. 3d 206
ATTORNEY GENERAL OPINIONS
88 Ops.Cal.Atty.Gen. 46 (2005)
73 Ops.Cal.Atty.Gen. 255 (1990)

Management Resources:

CSBA PUBLICATIONS
Legal Guidelines: Use of Public Resources for Ballot Measures and Candidates, Fact Sheet, February 2011
Legal Guidelines for Lobbying Activity, Fact Sheet, February 2011
INSTITUTE FOR LOCAL GOVERNMENT PUBLICATIONS
Legal Issues Associated with Use of Public Resources and Ballot Measure Activities, June 2010
WEB SITES
CSBA: http://www.csba.org
Fair Political Practices Commission: http://www.fppc.ca.gov
Institute for Local Government: http://www.ca-ilg.org

CITIZEN ADVISORY COMMITTEES

The Board of Trustees recognizes that citizen advisory committees enable the Board to better understand the interests and concerns of the community.

The Board may establish citizen advisory committees when required by law, to strengthen the effectiveness of district and school operations, or to enhance student learning. The purpose of any such committees shall be clearly defined and aligned to the district's vision, mission, and goals. The Board may dissolve any advisory committee not required by law when the committee has fulfilled its duties or at any time the Board deems it necessary.

(cf. 0000 - Vision)
(cf. 0200 - Goals for the School District)
(cf. 0420 - School Plans/Site Councils)
(cf. 0420.1 - School-Based Program Coordination)
(cf. 0430 - Comprehensive Local Plan for Special Education)
(cf. 2230 - Representative and Deliberative Groups)
(cf. 3280 - Sale or Lease of District-Owned Real Property)
(cf. 5030 - Student Wellness)
(cf. 6020 - Parent Involvement)
(cf. 6174 - Education for English Language Learners)
(cf. 6175 - Migrant Education Program)
(cf. 6178 - Career Technical Education)
(cf. 9130 - Board Committees)

The Superintendent or designee may establish advisory committees which may report to him/her in accordance with law, Board policy, and administrative regulation.

Citizen advisory committees shall serve in an advisory capacity; they may make recommendations, but their actions shall not be binding on the Board or Superintendent.

The membership of citizen advisory committees should reflect the diversity of the community and represent a diversity of viewpoints.

The Superintendent or designee shall provide training and information, as necessary, to enable committee members to understand the goals of the committee and to fulfill their role as committee members.

Within budget allocations, the Superintendent or designee shall approve requests for committee travel and may reimburse committee members for expenses at the same rates and under the same conditions as those provided for district employees.

(cf. 3350 - Travel Expenses)

Legal Reference: (see next page)

CITIZEN ADVISORY COMMITTEES (continued)

Legal Reference:

EDUCATION CODE
8070 Career technical education advisory committee
11503 Parent involvement program
15278-15282 Citizens' oversight committee
15359.3 School facilities improvement districts
17387-17391 Advisory committees for use of excess school facilities
35147 School site councils and advisory committees
41505-41508 Pupil Retention Block Grant
41570-41573 School and Library Improvement Block Grant
44032 Travel expense payment
52176 Advisory committees, limited-English proficient students program
52852 Site council, school-based program coordination
54425 Advisory committees, compensatory education
54444.1-54444.2 Parent advisory councils, services to migrant children
56190-56194 Community advisory committee, special education
62002.5 Continuing parent advisory committees
REPEALED EDUCATION CODE FOR CATEGORICAL PROGRAMS
52012 School site council
GOVERNMENT CODE
810.2 Tort claims act, definition employee
810.4 Tort claims act, definition employment
815.2 Injuries by employees within scope of employment
820.9 Members of local public boards not vicariously liable
6250-6270 California Public Records Act
54950-54963 Brown Act
UNITED STATES CODE, TITLE 42
1758b Local wellness policy
COURT DECISIONS
Frazer v. Dixon Unified School District, (1993) 18 Cal.App.4th 781

Management Resources:

CSBA PUBLICATIONS
Maximizing School Board Leadership: Community Leadership, 1996
WEB SITES
CSBA: http://www.csba.org
California Department of Education: http://www.cde.ca.gov

CITIZEN ADVISORY COMMITTEES

Cautionary Notice: AB 97 (Ch. 47, Statutes of 2013) repealed Education Code 42605, which provided temporary flexibility for specified "Tier 3" categorical programs, and instead redirects the funding for those categorical programs into the Local Control Funding Formula (LCFF) (Education Code 42238.01-42251). The supplemental and concentration grant portions of the LCFF may be used for any schoolwide or districtwide educational purpose in accordance with state regulations to be adopted by January 31, 2014, with a goal of increasing or improving services for English learners, foster youth, and students eligible for free and reduced-price meals. Certain requirements related to Tier 3 categorical program(s) in the following policy or regulation are no longer applicable.

Committee Charge

When committees are appointed, committee members shall receive written information including, but not limited to:

1. The committee members' names
2. The procedure to be used in the selection of the committee chairperson and other committee officers
3. The name(s) and contact information of staff member(s) assigned to support the work of the committee
4. The goals and specific charge(s) of the committee, including its topic(s) for study
5. The specific period of time that the committee is expected to serve
6. Legal requirements regarding meeting conduct and public notifications
7. Resources available to help the committee perform its tasks
8. Timelines for progress reports and/or final report
9. Relevant Board policies and administrative regulations

Members of advisory committees are not vicariously liable for injuries caused by the act or omission of the district or a committee and are not liable for injuries caused by an act or omission of a committee member acting within the scope of his/her role as a member of the committee. However, a member may be liable for injury caused by his/her own wrongful conduct. (Government Code 815.2, 820.9)

(cf. 3530 - Risk Management/Insurance)

Committees Subject to Brown Act Requirements

The following committees shall comply with Brown Act requirements pertaining to open meetings, notices, and public participation, pursuant to Government Code 54950-54963:

CITIZEN ADVISORY COMMITTEES (continued)

1. Advisory committees established pursuant to Education Code 56190-56194 related to special education

(cf. 0430 - Comprehensive Local Plan for Special Education)

2. Advisory committees established pursuant to Education Code 8070 related to career technical education

(cf. 6178 - Career Technical Education)

3. Committees established to assist in development of a student wellness policy pursuant to 42 USC 1758b

(cf. 5030 - Student Wellness)

4. Committees established pursuant to Education Code 17387-17391 related to the use or disposition of excess real property

(cf. 3280 - Sale or Lease of District-Owned Real Property)

5. Citizens' oversight committees established to examine the expenditure of general obligation bond or schools facilities improvement bond revenues passed with a 55 percent majority of the voters pursuant to Education Code 15278 and 15359.3

(cf. 7213 - School Facilities Improvement Districts)
(cf. 7214 - General Obligation Bonds)

6. Other committees created by formal Board of Trustees action

(cf. 9130 - Board Committees)
(cf. 9320 - Meetings and Notices)
(cf. 9321 - Closed Session Purposes and Agendas)
(cf. 9321.1 - Closed Session Actions and Reports)
(cf. 9323 - Meeting Conduct)

Committees Not Subject to Brown Act Requirements

The following committees are exempt from the Brown Act but must conform with procedural meeting requirements established in Education Code 35147:

1. School site councils established pursuant to Education Code 41507, 41572, or 52852 related to student retention, school or library improvement, or school-based program coordination

(cf. 0420 - School Plans/Site Councils)
(cf. 0420.1 - School-Based Program Coordination)

CITIZEN ADVISORY COMMITTEES (continued)

2. District or school advisory committees established pursuant to Education Code 52176 related to programs for students of limited English proficiency

(cf. 6174 - Education for English Language Learners)

3. School advisory committees established pursuant to Education Code 54425(b) related to compensatory education

(cf. 6171 - Title I Programs)

4. Any district advisory committee established pursuant to Education Code 54444.2 related to migrant education programs

(cf. 6175 - Migrant Education Program)

5. School site councils established pursuant to Education Code 62002.5 related to economic impact aid and bilingual education

6. School committees established pursuant to Education Code 11503 related to parent involvement

(cf. 6020 - Parent Involvement)

Meetings of the above councils or committees shall be open to the public. Any member of the public shall have the opportunity to address the council or committee during the meeting on any item within its jurisdiction. Notice of the meeting shall be posted at the school site or other appropriate accessible location at least 72 hours before the meeting, specifying the date, time, and location of the meeting and containing an agenda that describes each item of business to be discussed or acted upon. (Education Code 35147)

The above councils or committees shall not take action on any item not listed on the agenda unless all members present unanimously find that there is a need to take immediate action and that this need came to the council's or committee's attention after the agenda was posted. In addition to addressing items on the agenda, members of the council, committee, or public may ask questions or make brief statements that do not have a significant effect on district students or employees or that can be resolved solely by providing information. (Education Code 35147)

Councils or committees violating the above procedural requirements must, at the demand of any person, reconsider the item at the next meeting, first allowing for public input on the item. (Education Code 35147)

Any materials provided to a school site council shall be made available to any member of the public upon request pursuant to the California Public Records Act. (Education Code 35147; Government Code 6250-6270)

(cf. 1340 - Access to District Records)

CITIZEN ADVISORY COMMITTEES (continued)

Committees created by the Superintendent or designee to advise the administration and which do not report to the Board are not subject to the requirements of the Brown Act or Education Code 35147.

(cf. 2230 - Representative and Deliberative Groups)

SCHOOL-CONNECTED ORGANIZATIONS

The Board of Trustees recognizes that parents/guardians and community members may wish to organize parent organizations and/or booster clubs for the purpose of supporting district and extracurricular programs, such as athletic teams, debate teams, or musical groups. The Board appreciates the contributions made by such organizations and encourages their interest and participation in supporting district activities and helping to achieve the district's vision for student learning.

(cf. 0200 - Goals for the School District)
(cf. 6020 - Parent Involvement)

The Board recognizes that school-connected organizations are separate legal entities, independent of the district. However, in order to help the Board fulfill its legal and fiduciary responsibility to manage district operations, any school-connected organization that desires to raise money to benefit any district student shall submit a request for authorization to the Board, in accordance with Board policy and administrative regulation. In addition, the Superintendent or designee shall establish appropriate internal controls for the relationship between school-connected organizations and the district.

(cf. 1321 - Solicitation of Funds from and by Students)
(cf. 1330 - Use of School Facilities)
(cf. 3452 - Student Activity Funds)

The Board encourages school-connected organizations to consider the impact of fund-raising activities on the overall school and district program. School-connected organizations may consult with the principal to determine school needs and priorities. Activities by school-connected organizations shall not conflict with law, Board policies, administrative regulations, or any rules of the sponsoring school.

(cf. 3290 - Gifts, Grants and Bequests)
(cf. 3554 - Other Food Sales)
(cf. 5030 - Student Wellness)
(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6145.2 - Athletic Competition)

Legal Reference: (see next page)

SCHOOL-CONNECTED ORGANIZATIONS (continued)

Legal Reference:

EDUCATION CODE
200-262.4 Prohibition of discrimination on the basis of sex
35160 Authority of governing boards
38130-38138 Civic Center Act, use of school property for public purposes
48931 Authorization for sale of food by student organization
48932 Authorization for fund-raising activities by student organization
49431 Sale of food to elementary students during the school day
49431.2 Sale of food to middle, junior, or high school students
49431.5 Sale of beverages at elementary, middle, or junior high schools
51520 Prohibited solicitation on school premises
51521 Fund-raising project
BUSINESS AND PROFESSIONS CODE
17510-17510.95 Solicitations for charitable purposes
25608 Alcohol on school property; use in connection with instruction
GOVERNMENT CODE
12580-12599.7 Fundraisers for Charitable Purposes Act
PENAL CODE
319-329 Lottery, raffle
CODE OF REGULATIONS, TITLE 5
4900-4965 Nondiscrimination in elementary and secondary education programs
15500 Food sales in elementary schools
15501 Food sales in high schools and junior high schools
CODE OF REGULATIONS, TITLE 11
300-312.1 Fundraising for charitable purposes
UNITED STATES CODE, TITLE 20
1681-1688 Discrimination based on sex or blindness, Title IX
COURT DECISIONS
Serrano v. Priest, (1976) 18 Cal. 3d 728

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES
1101.89 School District Liability and "Hold Harmless" Agreements, LO: 4-89
WEB SITES
CSBA: http://www.csba.org
California Office of the Attorney General, charitable trust registry: http://caag.state.ca.us/charities
California State PTA: http://www.capta.org

SCHOOL-CONNECTED ORGANIZATIONS

Persons proposing to establish a school-connected organization shall submit a request to the Board of Trustees for authorization to operate at the school. The request for authorization shall contain:

1. The name and purpose of the organization

2. The date of application

3. Bylaws, rules, and procedures under which the organization will operate, including procedures for maintaining the organization's finances, membership qualifications, if any, and an agreement that the group will not engage in unlawful discrimination

4. The names, addresses, and phone numbers of all officers

5. A list of specific objectives

6. An agreement to grant the district the right to audit the group's financial records at any time, either by district personnel or a certified public accountant

7. The name of the bank where the organization's account will be located and the names of those authorized to withdraw funds

8. The signature of the principal of the supporting school

9. Planned use for any money remaining at the end of the year if the organization is not continued or authorized to continue in the future

10. An agreement to provide evidence of liability insurance as required by law

(cf. 1330 - Use of School Facilities)

Requests for subsequent authorization shall be presented to the Superintendent or designee annually, along with a financial statement showing all income and expenditures from fund-raisers. If the Superintendent or designee proposes to deny the request for reauthorization, he/she shall present his recommendation to the Board for approval.

Upon consent of the Superintendent or designee, school-connected organizations may use the school's name, school team's name, or any logo attributable to the school or district.

School-connected organizations are prohibited from hiring or directly paying district employees. Organizations may make donations to the district to cover the costs of additional

SCHOOL-CONNECTED ORGANIZATIONS (continued)

employees, but only if such positions are approved in advance by the Board. At their discretion, employees may volunteer to perform activities for school-connected organizations during non-working hours.

(cf. 4127/4227/4327 - Temporary Athletic Team Coaches)

VOLUNTEER ASSISTANCE

The wealth of experience available in the community is a resource that should be used in appropriate ways to enrich the educational program and strengthen our schools' relationships with the homes, businesses, industries, public agencies, and private institutions of our community. The Board of Trustees encourages parents/legal guardians and other members of the community to share their special knowledge and abilities with our students.

The Superintendent or designee may authorize the use of volunteers and shall establish procedures to protect the safety of students and adults in accordance with laws related to tuberculosis testing and fingerprinting and criminal record checks. Volunteers shall work with students under the immediate supervision of certificated employees. (Education Code 35021)

Volunteers shall act in accordance with district policies, regulations, and school rules. The San Leandro Unified School District is under no obligation to accept or place any volunteer. At his/her discretion, a staff member who supervises volunteers may ask any volunteer who violates school rules or volunteer policies to leave campus. Staff members also may confer with the principal or designee regarding any such volunteers. The Superintendent or designee shall be responsible for investigating and resolving complaints regarding volunteers.

Volunteers shall not be used to displace regularly authorized school personnel. (Education Code 35021) Projects assigned to volunteers are those which supplement and enrich the regular school program and which would not be offered without volunteer assistance.

Unsalaried volunteers shall be considered employees of the district for Workers' Compensation Insurance purposes. If injured while serving as volunteers in the District, they should file Workers' Compensation Insurance forms provided by the district office (Labor Code 3364.5)

All Level II volunteers, including parents/legal guardians, and volunteers who serve on overnight events shall fulfill the tuberculosis testing requirement and automated records check pursuant to Penal Code 290.

All volunteer athletic coaches shall fulfill the tuberculosis testing and fingerprinting required of all district employees.

Legal Reference: (see next page)

VOLUNTEER ASSISTANCE (continued)

Legal Reference:

EDUCATION CODE
8482-8484.6 After School Education and Safety program
8484.7-8484.9 21st Century Community Learning Center program
35021 Volunteer aides
35021.1 Automated records check
35021.3 Registry of volunteers for before/after school programs
44010 Sex offense; definition
44227.5 Classroom participation by college methodology faculty
44814-44815 Supervision of students during lunch and other nutrition periods
45125 Fingerprinting requirements
45125.01 Interagency agreements for criminal record information
45340-45349 Instructional aides
45360-45367 Teacher aides
49024 Activity Supervisor Clearance Certificate
49406 Examination for tuberculosis
GOVERNMENT CODE
3543.5 Prohibited interference with employees' rights
HEALTH AND SAFETY CODE
1596.871 Fingerprints of individuals in contact with child day care facility clients
LABOR CODE
1720.4 Public works; exclusion of volunteers from prevailing wage law
3364.5 Persons performing voluntary services for school districts
PENAL CODE
290 Registration of sex offenders
290.4 Information re: sex offenders
290.95 Disclosure by person required to register as sex offender
CODE OF REGULATIONS, TITLE 22
101170 Criminal record clearance
101216 Health screening, volunteers in child care centers
UNITED STATES CODE, TITLE 20
6319 Qualifications and duties of paraprofessionals, Title I programs
ATTORNEY GENERAL OPINIONS
62 Ops.Cal.Atty.Gen. 325 (1979)
COURT DECISIONS
Whisman Elementary School District, (1991) PERB Decision No. 868

Management Resources: (see next page)

VOLUNTEER ASSISTANCE (continued)

Management Resources:

COMMISSION ON TEACHER CREDENTIALING CODED CORRESPONDENCE
10-11 Information on Assembly Bill 346 Concerning the Activity Supervisor Clearance Certificate (ASCC), July 20, 2010
WEB SITES
CSBA: http://www.csba.org
California Department of Education, Parents/Family and Community: http://www.cde.ca.gov/ls/pf
California Department of Justice, Megan's Law: http://www.meganslaw.ca.gov
California Parent Teacher Association: http://www.capta.org
Commission on Teacher Credentialing: http://www.ctc.ca.gov
National Coalition for Parent Involvement in Education: http://www.ncpie.org
National Parent Teacher Association: http://www.pta.org

VOLUNTEER ASSISTANCE

1. All volunteers may provide instructional and non-instructional assistance to certificated personnel in the performance of any school-related activity. These duties must be school sponsored or co-sponsored and include before and after school programs. Volunteers shall not assign grades to students.

2. Before authorizing any person to serve as a Level II volunteer, the Superintendent or designee shall conduct an automated records check to determine that the individual is not a registered sex offender (Penal Code 290). Volunteers shall be informed that the District is conducting this records search.

(cf. 3515.5 – Sex Offender Notification)

3. Level II volunteers, including parents/legal guardians, shall submit evidence that they are free from active tuberculosis at least once every four years pursuant to Education Code 49404. Level II volunteers who work 20 hours or more in one month's time shall be tested for tuberculosis within 60 days or provide documentation of testing negative within the past 3 years prior to beginning volunteer services. Such testing will be at the volunteer's expense. Staff shall also maintain annual follow-up reports indicating that the volunteer is free from tuberculosis.

Definitions:

Level I Volunteers are volunteers who have minimal interaction with students. Minimal interaction is defined as those volunteers who have direct student contact for less than one (1) hour per month and/or no one-on-one student contact (e.g. assisting with day field trips, one-time classroom presentations, fund raising and special events would still constitute minimal interaction). These volunteers will not be subject to Tuberculosis testing, however, an automated records check will be required to complete an application.

Level II Volunteers are defined as follows:

(a) volunteers who are expected to have more than minimal interaction with students;

(b) volunteers who have ongoing direct one-on-one or small group contact with students.

Procedures

1. For Community Volunteers - Each administrator or administrative designee will be responsible for screening community volunteers. Applications will be submitted to and reviewed by an administrator or designee. The application packet will consist of an application form, a supplemental questionnaire and a volunteer

VOLUNTEER ASSISTANCE (continued)

commitment/policies form. Once the packet has been completed, Human Resources will be notified and will conduct an automated records check. The Human Resources department will notify the school when the volunteer is approved to volunteer. The school will notify the individual that he/she has received clearance to begin volunteering.

2. Parent/Legal Guardian Volunteers – At the time of enrollment the school site will be responsible for providing each parent/legal guardian with a volunteer application packet that is to be completed by the volunteer and submitted to the principal or administrative designee. The application packet will consist of an application form, supplemental questionnaire and a volunteer commitment/policies form. Once the packet has been completed, the Human Resources department will be notified and will conduct an automated records check. The Human Resources department will notify the school that the volunteer has been cleared. The school will notify the volunteer that he/she has received clearance to begin volunteering.

3. The Human Resources department will be responsible for conducting automated records checks and providing referral information for Tuberculosis testing. The cost of the testing shall be the responsibility of the individual.

4. Upon receiving the results of the automated records check, the Human Resources department will notify the schools. The school will notify the prospective volunteer.

5. All volunteers, including parents/legal guardians will be required to sign in and out, in the visitor/sign-in book located in the main office at each school site. Teachers and staff shall refer back to the office any person who did not sign in.

6. Each principal shall agendize the District's volunteer policy at the first staff meeting of the school year.

7. The principal shall monitor the use of volunteers at the site.

PARENT TECHNOLOGY ACCEPTABLE USE

The Board of Trustees recognizes that timely parent/legal guardian communication is important to student success in school. The Board also recognizes that the use of technology can enhance that communication. San Leandro Unified School District uses a student information management system (SIMS) to store and track information. This SIMS has a Parent Portal tool that allows parents/legal guardians to view (read only) the records of their student(s) via the internet. San Leandro Unified will provide parents/legal guardians of currently enrolled students the privilege of free access to the Parent Portal through the SIMS. Only parents or legal guardians of students enrolled in the District will be allowed access to the Parent Portal. San Leandro Unified reserves the right to deny or cease access to the Parent Portal due to the abuse of the portal, court orders, or any other legal proceedings that limit the availability of private educational data.

(cf. 3580 - District Records)
(cf. 4040 - Employee Use of Technology)
(cf. 5020 - Parent Rights and Responsibilities)
(cf. 5124 - Communications with Parents/Guardians)
(cf, 5125 - Student Records)
(cf. 5145.6 - Parental Notifications}
(cf. 6020 - Parent Involvement)
(cf. 6162.5 - Student Assessment)

Purpose

San Leandro Unified School District has opened a Parent Portal to enhance communication between the District and parents/legal guardians. Following submission of the signed Parent/Legal Guardian Technology Use Agreement, users of the Parent Portal will have access to student information as outlined in AR 1240.1.

San Leandro Unified School District reserves the right to add or remove any of the functions from the Parent Portal at any time. Users must have a signed, current Parent/Legal Guardian Technology Use Agreement on file at the school site. This agreement must be renewed annually. (See Exhibit 1240.1)

Legal Reference: (see next page)

PARENT TECHNOLOGY ACCEPTABLE USE (continued)

Legal Reference:

EDUCATION CODE
11500-11506 Programs to encourage parent involvement
49060-49079 Pupil records
49091.14 Parental review of curriculum
51101 Parent rights and responsibilities
64001 Single plan for student achievement
GOVERNMENT CODE
6252-6260 Inspection of public records
CODE OF REGULATIONS, TITLE 5
430-438 Individual pupil records
UNITED STATES CODE, TITLE 20
1232g Family Educational Rights and Privacy Act
6311 Parental notice of teacher qualifications and student achievement
6318 Parent involvement
CODE OF FEDERAL REGULATIONS, TITLE 34
99.1-99.67 Family Educational Rights and Privacy

Management Resources:

CDE PROGRAM ADVISORIES
0928.90 Guideline for the development of policies on parent involvement, SPB:90/01-3
STATE BOARD OF EDUCATION POLICIES
89-01 Parent Involvement in the Education of Their Children, rev. 1994
U.S. DEPARTMENT OF EDUCATION NON-REGULATORY GUIDANCE
Parental Involvement: Title I, Part A, April 23, 2004
WEB SITES
U.S. Department of Education, Family Policy Compliance Office:http://www.ed.gov/gen/guid/fpco/index.html
California Department of Education, Family, School, Community Partnerships: http://www.cde.ca.gov/ls/pf

PARENT TECHNOLOGY ACCEPTABLE USE

The Board of Trustees recognizes that timely parent/legal guardian communication is important to student success in school. The Board also recognizes that the use of technology can enhance that communication. The district uses the Aeries system for student information management. The Aeries system has a Parent Portal tool that allows parents/legal guardians to view (read only) the records of their student(s) via the internet. The district will provide parents/legal guardians of currently enrolled students the privilege of free access to the Parent Portal through the Aeries upon submission of a signed Parent/Legal Guardian Technology Use Agreement.

Purpose

The district has opened to Parent Portal to enhance communication between the district and parents/legal guardians. Following strict guidelines and submission of the signed Parent/Legal Guardian Technology Use Agreement, users of the Parent Portal will have access to information such as:

1. Student Information:
    a. Demographic Information
    b. Emergency Contacts
    c. Course Requests (secondary only)
    d. State Assessment Results
2. Attendance Information:
    a. Daily Attendance
    b. Tardies
    c. Type of Absences
3. Grades:
    a. Course work
    b. Current Assignments
    c. Course Grades
    d. Graduation Status

PARENT TECHNOLOGY ACCEPTABLE USE (continued)

e. Transcripts

The district reserves the right to add or remove any of the above functions from the Parent Portal at any time. Users must have a signed, current Parent/Legal Guardian Technology Use Agreement on fi

Use of the Aeries System

Access to the Parent Portal on the school district's system is a privilege, not a right. Users of the Parent Portal are required to adhere to the following guidelines:

1. User will act in a responsible, legal, and ethical manner.

2. User will not attempt to harm or destroy data, the school, or the district network.

3. User will not attempt to access data or any other account owned by another user.

4. User will not use the Parent Portal Aeries system for any illegal activity, including violation of data privacy laws. Anyone found to be in violation of these laws may be subject to civil and/or criminal prosecution.

5. Users who identify a security problem with the Parent Portal must notify the principal or designee immediately without demonstrating the problem to someone else.

6. Users will not share their password with anyone.

7. Users will not set their own computer to automatically log-in to the Aeries system.

8. Users identified as a security risk to the Parent Portal, Aeries system, or the district network will be denied access to the Parent Portal.

User Obligations and Responsibilities

Parents/legal guardians authorized to use the Parent Portal must sign the Parent/Legal Guardian Technology Acceptable Use Agreement prior to receiving authorization. (See Exhibit 1240.1)

Technical Issues with Use of the Parent Portal

Technical issues with use of the Parent Portal should be reported to the principal or designee at the school site.

PARENT TECHNOLOGY ACCEPTABLE USE (continued)

Data Accessibility

Data available to be viewed by parents/legal guardians is extracted from the Aeries Student Information System. Each area of data is updated on different schedules and therefore not necessarily available immediately for parent/legal guardian viewing.

Data Concerns

Parent concerns about the data found on the system should be addressed to the principal or designee at the student's school.

(cf. 5125.3 - Challenging Student Records)

Custodian of Records

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

(cf. 5125 - Student Records)

PARENT TECHNOLOGY ACCEPTABLE USE

SAN LEANDRO UNIFIED SCHOOL DISTRICT
PARENT/LEGAL GUARDIAN TECHNOLOGY
ACCEPTABLE USE AGREEMENT

The San Leandro Unified School District has developed the Parent Portal as a means to further promote educational excellence and to enhance communications with parents/legal guardians. The Parent Portal allows parents/legal guardians to view their own students' records anywhere at anytime. The Parent Portal is available to every parent or legal guardian of a student currently enrolled in a school within the San Leandro Unified School District. Parents/legal guardians are required to adhere to the rules listed below. Only by signing this Parent/Legal Guardian Technology Acceptable Use Agreement will you receive access to the Parent Portal. Failure to follow the rules will result in termination of Parent Portal access.

Rules

1. Parents will not share their passwords with anyone. (A student identification number will be assigned for each student).

2. Parents will not attempt to harm or destroy data of another user, school or district network, or the Internet.

3. Parents will not use the Parent Portal for any illegal activity, including violation of Data Privacy laws. Anyone found to be violating laws will be subject to Civil and/or Criminal prosecution.

4. Parents will not access data or any account owned by another parent/legal guardian.

5. Parents who identify a security problem with the Parent Portal must notify their school principal or designee immediately, without demonstrating the problem to anyone else.

6. Parents who are identified as a security risk to the Parent Portal system or any other San Leandro Unified School District computer or network, will be denied access to the Parent Portal system.

Parent and Student Information (One Form Required Per Student)

Parent/Legal Guardian Name(s): (please print) _____

Mailing Address: _____

Email Address: _____

Student Information: _____ School: _____ Grade: _____

PARENT TECHNOLOGY ACCEPTABLE USE (continued)

Agreement

I have read the Parent/Legal Guardian Technology Acceptable Use Agreement and guidelines and I agree to abide by and follow all requirements. I understand that if I violate any term of these guidelines and/or policy, that I may lose my privilege to use the Parent Portal, and may be liable for civil and/or criminal consequences.

Name(s) (please print): _____

_____

Signature(s): _____ Date: _____

_____ Date: _____

VISITORS

The Board of Trustees encourages parents/guardians and interested members of the community to visit the schools and view the educational program.

To ensure minimum interruption of the instructional program, the Superintendent or designee shall establish procedures which facilitate visits during regular school days. For classroom visitations, all visitors must make arrangements with the classroom teacher 24 hours in advance of the desired visitation or by prior arrangement with the classroom teacher. If a conference is desired, an appointment should be set with the teacher during non-instructional time.

To ensure the safety of students and staff and avoid potential disruptions, all visitors shall register immediately upon entering any school building or grounds when school is in session. Visitors include any person entering school premises except current students of the school, or staff members of the District.

(cf 1112 -Media Relations)
(cf 3515.2- Disruptions)

For purposes of school safety and security, the principal or designee may design a visible means of identification for visitors while on school premises.

Unless otherwise directed by the principal or designee, a staff member shall accompany visitors while they are on school grounds.

No electronic listening or recording device may be used by students or visitors in a classroom without the teacher and principal's permission. (Education Code 51512)

The board encourages all individuals to assist in maintaining a safe and secure school environment by behaving in an orderly manner while on school grounds and by utilizing the district's complaint processes if they have concerns with any district program or employee. In accordance with applicable law, the principal or designee may request that any individual who is causing a disruption, including exhibiting volatile, hostile, aggressive, or offensive behavior, immediately leave school grounds.

Presence of Sex Offender on Campus

Any person who is required to register as a sex offender pursuant to Penal Code 290, including a parent/legal guardian of a district student, shall request written permission from the principal before entering the school campus or grounds. As necessary, the principal shall consult with local law enforcement authorities before allowing the presence of any such person at school or other school activity. The principal also shall report to the Superintendent or designee anytime he/she gives such written permission.

Legal Reference: (see next page)

VISITORS (continued)

Legal Reference:

EDUCATION CODE
32210 Willful disturbance of public school or meeting
32211 Threatened disruption or interference with classes; misdemeanor
32212 Classroom interruptions
35160 Authority of governing boards
35292 Visits to schools (board members)
49091.10 Parental right to inspect instructional materials and observe school activities
51101 Parent Rights Act of 2002
51512 Prohibited use of electronic listening or recording device
EVIDENCE CODE
1070 Refusal to disclose news source
LABOR CODE
230.8 Discharge or discrimination for taking time off to participate in child's educational activities
PENAL CODE
290 Sex offenders
626-626.10 Schools
626.81 Misdemeanor for registered sex offender to come onto school grounds
627-627.10 Access to school premises, especially:
627.1 Definitions
627.2 Necessity of registration by outsider
627.7 Misdemeanors; punishment
COURT DECISIONS
Reeves v. Rocklin Unified School District, (2003) 109 Cal.App.4th 652
ATTORNEY GENERAL OPINIONS
95 Ops.Cal.Atty.Gen. 509 (1996)

VISITORS

The Superintendent or designee shall post at every entrance to each school and school grounds a notice setting forth visitor registration requirements, hours during which registration is required, the registration location, the route to take to that location, and the penalties for violation of registration requirements.

To ensure minimum interruption of the instructional program, the Superintendent or designee shall establish procedures which facilitate visits during regular school days. For classroom visitations, all visitors must make arrangements with the classroom teacher 24 hours in advance of the desired visitation or by prior arrangement with the classroom teacher. If a conference is desired, an appointment should be set with the teacher during non-instructional time.

Registration Procedure

All visitors must report to the school office upon entering a school site and receive authorization to visit elsewhere in the school site. This authorization is required even if the visitor has been invited to a classroom, because the office must be able to account for everyone on campus in an emergency.

1. All visitors must check in at the school office.

2. All visitors must sign in and sign out at the school office.

3. All visitors must wear a school provided name tag while on school grounds.

All visitors shall, upon request, furnish the principal or designee with any of the following information:

1. His/her name, address and occupation.

2. His/her age, if less than 21.

3. His/her purpose for entering school grounds.

4. Proof of identity.

5. Other information consistent with the provisions of law.

Denial of Registration

The following provisions of law shall apply to visitors

VISITORS (continued)

1. The principal or designee may refuse to register any visitor if he/she reasonably concludes that the visitor's presence or acts would disrupt the school, students, or employees; would result in damage to property; or would result in the distribution or use of a controlled substance. The principal or designee or school security officer may revoke a visitor's registration if he/she has a reasonable basis for concluding that the visitor's presence on school grounds would interfere or is interfering with the peaceful conduct of school activities or would disrupt or is disrupting the school, students or staff.

(cf. 3515.2 -Disruptions)

2. The principal or designee may request that a visitor who has failed to register, or whose registration privileges have been denied or revoked, promptly leave school grounds. When a visitor is directed to leave, the principal or designee shall inform the visitor that if he/she reenters the school within seven days he/she will be guilty of a misdemeanor subject to a fine and/or imprisonment.

Appeal Procedure

Any person who is denied registration or whose registration is revoked may appeal to the Superintendent or principal by submitting, within five days after the person's departure from school, a written request for a hearing. This request must state why he/she believes the denial or revocation was improper and must provide an address to which the hearing notice may be sent. Upon receipt of the request for a hearing, the Superintendent or principal shall promptly mail a notice of the hearing to the person requesting it. A hearing before the Superintendent or principal shall be held within seven days after receipt of the request.

(cf. 1312.1 - Complaints Concerning District Employee

EDUCATIONAL FOUNDATION

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

(cf. 0200 - Goals for the School District)
(cf. 1230 - School-Connected Organizations)
(cf. 5030 - Student Wellness)
(cf. 6020 - Parent Involvement)
(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6145.2 - Athletic Competition)

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

(cf. 3290 - Gifts, Grants and Bequests)
(cf. 9140 - Board Representatives)

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

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

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

Legal Reference: (see next page)

EDUCATIONAL FOUNDATION (continued)

Legal Reference:

EDUCATION CODE
38130-38138 Civic Center Act, use of school property for public purposes
BUSINESS AND PROFESSIONS CODE
12580-12599.7 Fundraisers for Charitable Purposes Act
17510-17510.95 Solicitations for charitable purposes
25608 Alcohol on school property; use in connection with instruction
PENAL CODE
319-329 Lottery, raffle
CODE OF REGULATIONS, TITLE 11
300-312.1 Fundraising for charitable purposes
COURT DECISIONS
Serrano v. Priest, (1976) 18 Cal. 3d 728

Management Resources:

WEB SITES
CSBA: http://www.csba.org
California Consortium of Education Foundations: http://www.cceflink.org
California Office of the Attorney General, charitable trust registry: http://caag.state.ca.us/charities

COMPLAINTS CONCERNING DISTRICT EMPLOYEES

The Board of Trustees accepts responsibility for providing a means by which the public can hold employees accountable for their actions. The Board desires that complaints be resolved expeditiously without disrupting the educational process.

The Superintendent or designee shall develop regulations which permit the public to submit complaints against district employees in an appropriate way. These regulations shall protect the rights of involved parties. The Board may serve as an appeals body if the complaint is not resolved.

(cf. 1312.2 - Complaints Concerning Instructional Materials)
(cf. 1312.3 - Uniform Complaint Procedures)
(cf. 3515.2 - Disruptions)

The Board prohibits retaliation against complainants. The Superintendent or designee at his/her discretion may keep a complainant's identity confidential, except to the extent necessary to investigate the complaint. The district will not investigate anonymous complaints unless it so desires.

Legal Reference:

EDUCATION CODE
33308.1 Guidelines on procedure for filing child abuse complaints
35146 Closed sessions
44031 Personnel file contents and inspection
44811 Disruption of public school activities
44932-44949 Resignation, dismissal and leaves of absence (rights of employee; procedures to follow)
48987 Child abuse guidelines
GOVERNMENT CODE
54957 Closed session; complaints re employees
54957.6 Closed session; salaries or fringe benefits
PENAL CODE
273 Cruelty or unjustifiable punishment of child
11164-11174.3 Child Abuse and Neglect Reporting Act
WELFARE AND INSTITUTIONS CODE
300 Minors subject to jurisdiction of juvenile court

Management Resources:

CDE LEGAL ADVISORIES
0910.93 Guidelines for parents to report suspected child abuse by school district employees or other persons against a pupil at school site (LO:4-93)

COMPLAINTS CONCERNING DISTRICT EMPLOYEES

The Superintendent or designee shall determine whether a complaint should be considered a complaint against the district and/or an individual employee, and whether it should be resolved by the district's process for complaints concerning personnel and/or other district procedures.

(cf. 1312.2 - Complaints Concerning Instructional Materials)
(cf. 1312.3 - Uniform Complaint Procedures)
(cf. 4144/4244/4344 - Complaints)

To promote prompt and fair resolution of the complaint, appropriate complaint procedures in collective bargaining agreements shall be followed. When no bargaining agreement exists, the following procedures shall govern the resolution of complaints against district employees:

1. Every effort should be made to resolve a complaint at the earliest possible stage. Whenever possible, the complainant should communicate directly to the employee in order to resolve concerns.

2. If a complainant is unable or unwilling to resolve the complaint directly with the employee, he/she may submit an oral or written complaint to the employee's immediate supervisor or the principal.

3. All complaints related to district personnel other than administrators shall be submitted in writing to the principal or immediate supervisor. If the complainant is unable to prepare the complaint in writing, administrative staff shall help him/her to do so. Complaints related to a principal or central office administrator shall be initially filed in writing with the Superintendent or designee. Complaints related to the Superintendent shall be initially filed in writing with the Board.

4. When a written complaint is received, the employee shall be notified within five days or in accordance with collective bargaining agreements.

5. A written complaint shall include:

    a. The full name of each employee involved

    b. A brief but specific summary of the complaint and the facts surrounding it

    c. A specific description of any prior attempt to discuss the complaint with the employee and the failure to resolve the matter

6. Staff responsible for investigating complaints shall attempt to resolve the complaint to the satisfaction of the parties involved within 30 days.

7. Both the complainant and the employee against whom the complaint was made may appeal a decision by the principal or immediate supervisor to the Superintendent or

COMPLAINTS CONCERNING DISTRICT EMPLOYEES (continued)

designee, who shall attempt to resolve the complaint to the satisfaction of the person involved within 30 days. Parties should consider and accept the Superintendent or designee's decision as final. However, the complainant, the employee, or the Superintendent or designee may ask to address the Board regarding the complaint.

8. Before any Board consideration of a complaint, the Superintendent or designee shall submit to the Board a written report concerning the complaint, including but not limited to:

   a. The full name of each employee involved

   b. A brief but specific summary of the complaint and the facts surrounding it, sufficient to inform the Board and the parties as to the precise nature of the complaint and to allow the parties to prepare a response

   c. A copy of the signed original complaint

   d. A summary of the action taken by the Superintendent or designee, together with his/her specific finding that the problem has not been resolved and the reasons

9. The Board may uphold the Superintendent's decision without hearing the complaint.

10. All parties to a complaint may be asked to attend a Board meeting in order to clarify the issue and present all available evidence.

11. A closed session may be held to hear the complaint in accordance with law.

(cf. 9321 - Closed Session Purposes and Agendas)
(cf. 9323 - Meeting Conduct)

12. The decision of the Board shall be final.

Any complaint of child abuse or neglect alleged against a district employee shall be reported to the appropriate local agencies in accordance with law, Board policy and administrative regulation.

(cf. 5141.4 - Child Abuse Prevention and Reporting)

COMPLAINTS CONCERNING DISTRICT EMPLOYEES (continued)

FORM A
SAN LEANDRO UNIFIED SCHOOL DISTRICT
OFFICE OF THE SUPERINTENDENT
COMPLAINT PROCEDURE FOR
PARENTS/GUARDIANS, RESIDENTS AND STUDENTS

This form and process is available for any San Leandro parent/guardian, resident or student who wishes to initiate a complaint. The complainant shall attempt to resolve the complaint at Step 1. If not applicable the complainant may go to Step 2, the site administrator (principal) or supervisor.

- To file a complaint alleging violation of any San Leandro Unified School District policy, practice, procedure or against an employee excluding SLTA members.

- To file a complaint regarding a Categorical Aid Program (Adult Basic Education, Child Nutrition, Childcare and Development Programs, School Improvement, Title I, Title II, Title III, Title IV, Title V, School Safety Block Grant, California Public School Library, Instructional Time & Staff Development Reform, Peer Assistance & Review, TUPE, 10th Grade Counseling, Migrant Education, Vocational Education, or Special Education), please file "Uniform Complaint procedure; see 1312..3

- To file a complaint regarding a member of the San Leandro Teachers' Association, see appropriate form for specific procedures to follow in resolving your complaint.

Please write the nature of the complaint and submit to the site principal/supervisor. (This should be a description in your own words of the grounds of your complaint, including all names, dates and places necessary for a complete understanding of your complaint.)

_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____

COMPLAINTS CONCERNING DISTRICT EMPLOYEES (continued)

Please Print Name, Address, and Telephone Number

Complainant's Name: _____

Complainant's Phone Number (include area code): _____

Complainant's Address: _____

Complainant's City and Zip Code: _____

I certify that the information I have given is true and correct.

Complainant's Signature: _____ Date Signed: _____

COMPLAINTS CONCERNING DISTRICT EMPLOYEES

FORM B
FOR SLTA MEMBERS

STEP 1

Complaints concerning SLTA personnel should be made directly by the complainant to the person against whom the complaint is lodged. Upon request of the employee, the administrator shall be present at any initial meeting.

Complainant: _____

Employee: _____

Date(s) discussed: _____

Site(s): _____

Site Administrator: _____

Results of the meeting: _____

_____

STEP 2

If the complaint is not resolved at Step 1, the complainant is requested to put the complaint into writing and to direct it to the employee's administrative supervisor, or principal. The District shall provide a copy to the employee within five (5) working days of receipt. At this time, the supervisor shall attempt to schedule a meeting between the complainant, employee and supervisor.

Date complaint received: _____

Date complaint provided to employee: _____

Date of conference: _____

Results of the conference: _____

Administrator's Signature: _____

COMPLAINTS CONCERNING DISTRICT EMPLOYEES (continued)

STEP 3

If the complaint was not resolved at Step 2, the supervisor shall refer the written complaint together with the supervisor's report to the Superintendent/designee, with a copy to the employee.

If the complaint is not resolved at this conference, the Assistant Superintendent/designee shall send a response, in writing, to the complainant within five (5) working days of the conference.

The employee may send response to the Superintendent/designee within five (5) working days of supervisor's report.

The Superintendent/designee's decision shall be final unless the complainant, the employee, or the Superintendent requests a closed hearing before the Board of Trustees on the complaint.

Request for hearing: Yes _____ No _____ Open_____ Closed_____

Hearing requested by: _____

COMPLAINTS CONCERNING INSTRUCTIONAL MATERIALS

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

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)
(cf. 6161.11 - Supplementary Instructional Materials)
(cf. 6163.1 - Library Media Centers)

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

The district shall accept complaints concerning instructional materials only from staff, district residents, or the parents/guardians of children enrolled in a district school.

When deliberating upon challenged materials, the Superintendent and/or review committee shall consider the educational philosophy of the district, the professional opinions of teachers of the subject and of other competent authorities, reviews of the materials by reputable bodies, the teacher's stated objectives in using the materials, community standards, and the objections of the complainant.

Complainants are encouraged to accept the Superintendent's or review committee's decision. However, if the complainant finds that decision unsatisfactory, he/she may appeal the decision to the Board.

(cf. 9322 - Agenda/Meeting Materials)

The district's decision shall be based on educational suitability of the materials and the criteria established in Board policy and administrative regulation.

(cf. 6144 - Controversial Issues)
(cf. 9000 - Role of the Board)
(cf. 9005 - Governance Standards)

When any challenged instructional material is reviewed by the district, it shall not be subject to further reconsideration for 12 months, unless the Superintendent determines that reconsideration is warranted.

Complaints related to sufficiency of textbooks or instructional materials shall be resolved pursuant to the district's Williams uniform complaint procedure at AR 1312.4.

(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 1312.3 - Uniform Complaint Procedures)

COMPLAINTS CONCERNING INSTRUCTIONAL MATERIALS (continued)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

Legal Reference:

EDUCATION CODE
18111 Exclusion of books by governing board
35010 Control of district; prescription and enforcement of rules
35186 Williams Uniform Complaint Procedures
44805 Enforcement of course of studies; use of textbooks, rules and regulations
51501 Subject matter reflecting on race, color, etc.
60000-60005 Instructional materials, legislative intent
60040-60048 Instructional requirements and materials
60119 Public hearing on sufficiency of materials
60200-60206 Elementary school materials
60226 Requirements for publishers and manufacturers
60400-60411 High school textbooks
60510-60511 Donation of sale of obsolete instructional materials

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PROGRAM ADVISORIES
1002.90 Selection of Instructional Materials, CIL: 90/91-02
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Standards for Evaluation of Instructional Materials with Respect to Social Content, 1986 edition, revised 2001
WEB SITES
CSBA: http://www.csba.org
California Department of Education, Curriculum and Instruction: http://www.cde.ca.gov/ci

COMPLAINTS CONCERNING INSTRUCTIONAL MATERIALS

Step 1: Informal Complaint

If a staff member, district resident, or parent/guardian of a student enrolled in a district school has a complaint regarding the content or use of any specific instructional material, he/she shall informally discuss the material in question with the principal.

Step 2: Formal Complaint

If the complainant is not satisfied with the principal's initial response, he/she shall present a written complaint to the principal. Complaints regarding printed material shall name the author, title, and publisher and shall identify the objection by page and item numbers. In the case of nonprinted material, written information specifying the precise nature of the objection shall be given. Complainants shall sign all complaints and provide identifying information so that the district is able to make a proper reply. Anonymous complaints will not be accepted.

Upon receiving a complaint, the principal shall acknowledge its receipt and answer any questions regarding procedure. The principal then shall notify the Superintendent or designee and the teacher(s) involved of the complaint.

During the investigation of the complaint, the challenged material may remain in use until a final decision has been reached. However, upon request of the parent/guardian who has filed the complaint, his/her child may be excused from using challenged materials until a resolution has been reached. The teacher shall assign the student an alternate material of equal merit.

Step 3: Superintendent Determination

The Superintendent or designee shall determine whether a review committee should be convened to review the complaint.

If the Superintendent or designee determines that a review committee is not necessary, he/she shall issue a decision regarding the complaint.

Step 4: Review Committee

If the Superintendent or designee determines that a review committee is necessary, he/she shall appoint a committee composed of administrators and staff members selected from relevant instructional and administrative areas. The Superintendent or designee may also appoint community members to serve on the committee.

The review committee shall review the criteria specified in Board policy and shall determine the extent to which the challenged material supports the curriculum, the educational appropriateness of the material, and its suitability for the age level of the student.

COMPLAINTS CONCERNING INSTRUCTIONAL MATERIALS (continued)

Within 30 days of being convened, the review committee shall summarize its findings in a written report. The Superintendent or designee shall notify the complainant of the committee's decision within 15 days of receiving the committee's report.

Step 5: Appeal to the Board of Trustees

If the complainant remains unsatisfied, he/she may appeal the Superintendent's or the review committee's decision to the Board. The Board's decision shall be final.

(cf. 9322 - Agenda/Meeting Materials)

COMPLAINTS CONCERNING INSTRUCTIONAL MATERIALS

REQUEST FOR RECONSIDERATION OF INSTRUCTIONAL MATERIALS

This form is for use only by district employees, district residents, or parents/guardians of children enrolled in a district school to challenge the content or use of an instructional material. For complaints regarding sufficiency of instructional materials, please use the Williams Uniform Complaint Procedure complaint form.

Date:_____

Name of person filing complaint:_____
Anonymous complaints will not be accepted.

Group represented (if any):_____

Phone:_____ E-mail address, if any:_____

Address:_____

Material Being Challenged:

Title:_____

Author:_____

Publisher:_____ Date of Edition:_____

Name of school/classroom material was used: _____

1. Please specifically state the nature of your concern or objection and identify your objection by page, tape sequence, video frame, or words, as appropriate. You may use additional pages if necessary.

2. Did you read/view the entire selection?

3. For what age group would you recommend this material?

4. If not, what percentage did you read/view, or what parts?

5. What do you feel might be the result if a student reads/views this material?

COMPLAINTS CONCERNING INSTRUCTIONAL MATERIALS (continued)

6. What would you like the school to do about this material?

- ❑ Do not assign it to my child
- ❑ Withdraw it from all students
- ❑ Reconsider it

_____

Signature of complainant

For District Use:

Request received by:_____ Date:_____

Title:_____

Action taken: _____ Date: _____

UNIFORM COMPLAINT PROCEDURES

Non-Compliance/Discrimination

The Board of Trustees recognizes that the District is primarily responsible for ensuring that it complies with state and federal laws and regulations governing educational programs. The District shall investigate complaints alleging failure to comply with applicable state and federal regulations alleging discrimination, harassment, intimidation, and bullying, and seek to resolve those complaints in accordance with the procedures set out in Sections 4600-4687, Title V regulations, and in accordance with policies and procedures of the Board. The District shall follow uniform complaint procedures when addressing complaints alleging unlawful discrimination, harassment, intimidation, and bullying, against any protected group as identified under Education Code 200 and 220 and Government Code 11135, including actual or perceived sex, sexual orientation, gender, gender identity* and gender expression**, ethnic group identification, race or ethnicity, ancestry, national origin, nationality, religion, color, genetic information***, mental or physical disability, marital or parental status, age, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics in any District program or activity that receives or benefits from state financial assistance. The District shall also follow uniform complaint procedures when addressing complaints alleging failure to comply with state or federal laws in adult basic education, consolidated categorical aid programs, career/technical and technical education programs, child care and development programs, child nutrition programs and special education programs.

(*gender identity; **gender expression; *** Genetic information, see page BP 1312.3(d))

Education Code 32289 authorizes an individual to file a complaint if he/she believes that the district has not complied with the school safety planning requirements of the No Child Left Behind Act, 20 USC 7114(d)(7).

Uniform complain procedures shall also be used to address any complaint alleging the district's failure to comply with the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities, the requirements for the development and adoption of a school safety plan, and state and/or federal laws in adult education programs, consolidated categorical aid programs, migrant education, career technical and technical education and training programs, child care and development programs, child nutrition programs, and special education programs.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 0450 - Comprehensive Safety Plan)
(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 1312.2 - Complaints Concerning Instructional Materials)
(cf. 1312.4 - Williams Uniform Complaint Procedures)
(cf. 0420.1 - School-Based Coordinated Programs)
(cf. 0420.2 - School Improvement Program)
(cf. 0430 - Comprehensive Local Plan for Special Education)
(cf. 3553 - Free and Reduced -Price Meals)
(cf.4031 - Complaints Concerning Discrimination in Employment)

UNIFORM COMPLAINT PROCEDURES (continued)

(cf. 5141.4 - Child Abuse Prevention and Reporting)
(cf. 6159 - Individualized Education Program)
(cf. 6171 - Title I Programs)
(cf. 6174 - Education for English Language Learners)
(cf. 6178 - Vocational Education)
(cf. 6200 - Adult Education)

The Board encourages the early, informal resolution of complaints at the site level whenever possible.

Upon receipt of a written complaint from an individual, public agency or organization, uniform complaint procedures shall be initiated. The Superintendent or designee shall distribute full information about these procedures.

In investigating complaints, the confidentiality of the parties involved and the integrity of the process shall be protected. As appropriate for any complaint alleging discrimination, harassment, intimidation, or bullying, the Superintendent or designee may keep the identity of a complainant confidential to the extent that the investigation of the complaint is not obstructed.

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

The Board prohibits retaliation in any form for the filing of a complaint, the reporting of instances of discrimination, harassment, intimidation, and bullying, or participation in complaint procedures. Such participation shall not in any way affect the status, grades or work assignments of the complainant.

(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 1312.2 - Complaints Concerning Instructional Materials)
(cf. 4031 - Complaints Concerning Discrimination in Employment)
(cf. 5141.4 - Child Abuse Reporting Procedures)

The Board recognizes that a neutral mediator can often suggest an early compromise that is agreeable to all parties in a dispute. In accordance with uniform complaint procedures, whenever all parties to a complaint agree to try resolving their problem through mediation, the Superintendent or designee shall initiate a mediation process before beginning a formal compliance investigation. The Superintendent or designee shall ensure that mediation results are consistent with state and federal laws and regulations.

Nothing in this policy precludes a complainant from pursuing available civil law remedies under state or federal discrimination, harassment, intimidation, and bullying laws, such as injunctions, restraining orders, public/private interest groups, attorneys, or mediation centers.

UNIFORM COMPLAINT PROCEDURES (continued)

The district's Williams Uniform Complaint Procedures, AR 1312.4, shall be used to investigate and resolve any complaint related to the following:

1. Sufficiency of textbooks or instructional materials

2. Emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff

3. Teacher vacancies and misassignments

4. Deficiency in the district's provision of instruction and/or services to any student who, by the completion of grade 12, has not passed one or both parts of the high school exit examination

(cf. 1312.4 - Williams Uniform Complaint Procedures)

*Gender identity is defined as a person's identity, expression, or physical characteristics regardless of whether those characteristics are traditionally associated with one's assigned biological sex at birth. Gender identity refers to the gender the individual experiences.

**Gender expression refers to the ways in which people externally communicate their gender identity to others through behavior, clothing, hairstyle, voice and other forms of presentation.

***Genetic information includes information about an individual's genetic tests and the genetic tests of an individual's family members, as well as information about the manifestation of a disease or disorder in an individual's family members (i.e. family medical history).

Legal Reference: (see next page)

UNIFORM COMPLAINT PROCEDURES (continued)

Legal Reference:

EDUCATION CODE
200-262.4 Prohibition of discrimination
8200-8498 Child care and development programs
8500-8538 Adult basic education
18100-18203 School libraries
32289 School safety plan, uniform complaint procedures
35186 Williams uniform complaint procedures
37254 Intensive instruction and services for students who have not passed exit exam
41500-41513 Categorical education block grants
48985 Notices in language other than English
49010-49013 Student fees
49060-49079 Student records
49490-49590 Child nutrition programs
52160-52178 Bilingual education programs
52300-52490 Career technical education
52500-52616.24 Adult schools
52800-52870 School-based program coordination
54000-54028 Economic impact aid programs
54100-54145 Miller-Unruh Basic Reading Act
54400-54425 Compensatory education programs
54440-54445 Migrant education
54460-54529 Compensatory education programs
56000-56867 Special education programs
59000-59300 Special schools and centers
64000-64001 Consolidated application process
GOVERNMENT CODE
11135 Nondiscrimination in programs or activities funded by state
12900-12996 Fair Employment and Housing Act
PENAL CODE
422.55 Hate crime; definition
422.6 Interference with constitutional right or privilege
CODE OF REGULATIONS, TITLE 5
3080 Application of section
4600-4687 Uniform complaint procedures
4900-4965 Nondiscrimination in elementary and secondary education programs
UNITED STATES CODE, TITLE 20
6301-6577 Title I basic programs
6601-6777 Title II preparing and recruiting high quality teachers and principals
6801-6871 Title III language instruction for limited English proficient and immigrant students
7101-7184 Safe and Drug-Free Schools and Communities Act
7201-7283g Title V promoting informed parental choice and innovative programs
7301-7372 Title V rural and low-income school programs

Management Resources: (see next page)

UNIFORM COMPLAINT PROCEDURES (continued)

Management Resources:

WEB SITES
CSBA: http://www.csba.org
California Department of Education: http://www.cde.ca.gov
U.S. Department of Education, Office for Civil Rights: http://www.ed.gov/about/offices/list/ocr

Policy
adopted: February 3, 1998
revision adopted: September 8, 2004
revision adopted: March 1, 2005
revision adopted: July 29, 2008
revision adopted: April 21, 2009
revision adopted: January 10, 2012
revision adopted: December 4, 2012
approved: March 5, 2013
reviewed:

SAN LEANDRO UNIFIED SCHOOL DISTRICT
San Leandro, California

UNIFORM COMPLAINT PROCEDURES

Compliance Officers

The Board of Trustees designates the following compliance officer to receive and investigate complaints and ensure district compliance with law:

Assistant Superintendent for Educational Services
14735 Juniper Street
San Leandro, CA 94579
(510) 667-3538

The Superintendent or designee shall ensure that employees designated to investigate complaints are knowledgeable about the laws and programs for which they are responsible. Such employees may have access to legal counsel as determined by the Superintendent or designee.

Except as the Board of Trustees may otherwise specifically provide in other Board policies, the uniform complaint procedures shall be used only to investigate and resolve complaints alleging violations of federal or state laws or regulations governing specific educational programs, the prohibition against requiring students to pay fees, deposits, or other charges for participating in educational activities, and unlawful discrimination, harassment, intimidation, or bullying, as specified in accompanying Board policy.

(cf. 9124 - Attorney)

Notifications

The Superintendent or designee shall annually provide written notification of the District's uniform complaint procedures to students, employees, parents/legal guardians, the District Advisory Committee, school advisory committees, appropriate private school officials or representatives, and other interested parties. The Superintendent or designee shall make available copies of the District's uniform complaint procedures free of charge.

The notice shall:

1. Identify the person(s), position(s), or unit(s) responsible for receiving complaints.

2. Advise the complainant of any civil law remedies that may be available to him/her under state or federal discrimination, harassment, intimidation, and bullying laws, if applicable.

3. Advise the complainant of the appeal process including the complainant's right to take a complaint directly to the California Department of Education (CDE) or to pursue remedies before civil courts or other public agencies.

UNIFORM COMPLAINT PROCEDURES (continued)

4. Include statements that:

   a. The district is primarily responsible for compliance with state and federal laws and regulations.

   b. The complaint investigation shall be completed within 60 calendar days from the date of receipt of the complaint unless the complainant agrees in writing to an extension of the timeline.

   c. An unlawful discrimination, harassment, intimidation, and bullying complaint must be filed not later than six months from the date the alleged discrimination, harassment, intimidation, and bullying occurs, or six months from the date the complainant first obtains knowledge of the facts of the alleged discrimination, harassment, intimidation, and bullying.

   d. The complainant has a right to appeal the district's decision to the CDE by filing a written appeal within 15 calendar days of receiving the District's decision.

   e. The appeal to the CDE must include a copy of the complaint filed with the District and a copy of the District's decision.

   f. Copies of the district's uniform complaint procedures are available free of charge.

(cf. 5145.6 - Parental Notifications)

The above notification shall state that complainants may seek help from agencies such as legal assistance agencies, local mediation centers or the county office of education. Local resources include:

Bay Area Legal Aid	510-663-4744
Alameda County Office of Education	510- 670-4105

An additional listing of free or low cost legal services may be found in E(1)1312.3, Appendix A.

Notification of the Uniform Complaint Procedures will be accomplished by the following:

1. Including a summary of the policy in the district's Student/Parent Handbook.

UNIFORM COMPLAINT PROCEDURES (continued)

2. Providing notification of the policy (including all required elements) to students, employees, parents/legal guardians, the District Advisory Committee, school advisory committees, appropriate private school officials or representatives and other interested parties.

3. Providing copies of the policy with appropriate instructions to all administrators and supervisors in the District.

4. Providing copies of the policy (with appropriate instruction as needed) upon request.

Step 1: Filing a Complaint

The following procedures shall be used to address all complaints which allege that the District has violated federal or state laws or regulations governing educational programs. Compliance officer shall maintain a record of each complaint and subsequent related actions, including information required for compliance with 5 CCR 4631 and 4633.

All parties involved in allegations shall be notified when a complaint is filed, when a complaint meeting or hearing is scheduled, and when a decision or ruling is made.

Any individual, public agency or organization may file a written complaint alleging a matter, which, if true, would constitute a violation of federal or state law or regulation governing the educational programs set forth above or unlawful discrimination, harassment, intimidation, and bullying.

A complaint alleging unlawful discrimination, harassment, intimidation, and bullying shall be initiated no later than 6 months from the date when the alleged discrimination, harassment, intimidation, and bullying occurred or 6 months from date when the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation, and bullying. A complaint may be filed by a person who alleges that he/she personally suffered unlawful discrimination, harassment, intimidation, and bullying, or by a person who believes that an individual or any specific class of individual has been subjected to unlawful discrimination, harassment, intimidation, and bullying.

A complaint alleging noncompliance with the law regarding the prohibition against requiring students to pay student fees, deposits, and charges may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance. (Education Code 49013)

The complaint shall be presented in writing to the Assistant Superintendent of Educational Services except complaints of employment discrimination, harassment, intimidation, and

UNIFORM COMPLAINT PROCEDURES (continued)

bullying, which shall be presented to the Assistant Superintendent of Human Resources. A complaint must be in writing and contain a concise statement of the facts constituting the ground for the complaint, and, where applicable, the laws or regulations violated. Complainant should complete the Uniform Complaint Form E(3) 1312.3, or provide a written statement describing the nature of the complaint and what resolution he/she is seeking. The use of the Uniform Complaint Form E(3) 1312.3 shall not be required for the filing of the complaint.

If the complainant is unable to put a complaint in writing due to conditions such as illiteracy or disability, District staff shall assist him/her to file the complaint (Title 5, Section 4600).

The compliance officer shall maintain a log of complaints received, providing each with a code number and a date stamp.

Step 2: Mediation

Within three calendar days of receiving the complaint, the compliance officer may informally discuss with the complainant the possibility of using mediation. If the complainant agrees to mediation, the compliance officer shall make all arrangements for this process. Before initiating the mediation of a discrimination, harassment, intimidation, and bullying complaint, the compliance officer shall ensure that all parties agree to make the mediator a party to related confidential information.

If the mediation process does not resolve the problem within the parameters of law, the compliance officer shall proceed with his/her investigation of the complaint.

The use of mediation shall not extend the District's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time.

Step 3: Investigation of Complaint

The compliance officer is encouraged to hold an investigative meeting within five calendar days of receiving the complaint or an unsuccessful attempt to mediate the complaint. This meeting shall provide an opportunity for the complainant and/or his/her representative to repeat the complaint orally.

The complainant and/or his/her representative shall have the opportunity to present the complaint and evidence or information to support the allegations in the complaint.

A complainant's refusal to provide the District's investigator with documents or other evidence related to the allegations in the complaint, or his/her failure or refusal to cooperate in the investigation or his/her engagement in any other obstruction of the investigation may result in the dismissal of the complaint because of lack of evidence to support the allegation.

UNIFORM COMPLAINT PROCEDURES (continued)

The District's refusal to provide the investigator with access to records and/or other information related to the allegation in the complaint, or its failure or refusal to cooperate in the investigation or its engagement in any other obstruction of the investigation, may result in a finding, based on evidence collected, that a violation has occurred and may result in the imposition of a remedy in favor or the complainant.

Step 4: Response

Within 30 calendar days of receiving the complaint, the compliance officer shall prepare and send to the complainant a written report of the District's investigation and decision, as described in Step #5 below. If the complainant is dissatisfied with the compliance officer's decision, he/she may within five calendar days, file his/her complaint in writing with the Board of Education.

The Board may consider the matter at its next regular Board meeting or at a special Board meeting convened in order to meet the 60 calendar-day time limit within which the complaint must be answered. The Board may decide not to hear the complaint, in which case the compliance officer's decision shall be final.

If the Board hears the complaint, the compliance officer shall send the Board's decision to the complainant within 60 calendar days of the District's initial receipt of the complaint or within the time period that has been specified in a written agreement with the complainant.

Step 5: Final Written Decision

The District's decision shall be in writing and sent to the complainant. The District's decision shall be written in English and in the language of the complainant whenever feasible or required by law.

The decision shall include:

1. The findings of fact based on the evidence gathered

2. The conclusion(s) of law

3. Disposition of the complaint

4. Rationale for such disposition

5. Corrective actions, if any are warranted

The report shall not give any information as to the nature of any disciplinary action against an employee.

UNIFORM COMPLAINT PROCEDURES (continued)

6. Notice of the complainant's right to appeal the District's decision within 15 calendar days to the California Department of Education (CDE) and procedures to be followed for initiating such an appeal

7. For discrimination, harassment, intimidation, and bullying complaints, notice that the complainant must wait until 60 calendar days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies.

If investigation of a complaint results in discipline to a student or an employee, the decision shall simply state that effective action was taken and that the student or employee was informed of district expectations. The report shall not give any further information as to the nature of the disciplinary action.

If a complaint alleging noncompliance with the laws regarding student fees, deposits, and other charges is found to have merit, the district shall provide a remedy to all affected students and parents/guardians, which, where applicable, shall include reasonable efforts to ensure full reimbursement to them. (Education Code 49013)

Step 6: Right to Appeal

Appeals to the California Department of Education (CDE)

If dissatisfied with the District's decision, the complainant may appeal in writing to the CDE within 15 calendar days of receiving the District's decision. When appealing to CDE, the complainant must specify the basis for the appeal of the decision and whether the facts are incorrect and/or the law has been misapplied. The appeal shall be accompanied by a copy of the locally filed complaint and a copy of the District's decision.

Upon notification by CDE that the complainant has appealed the District's decision, the Superintendent or designee shall forward the following documents to the CDE:

1. A copy of the original complaint

2. A copy of the decision

3. A summary of the nature and extent of the investigation conducted by the District, if not covered by the decision

4. A copy of the investigation file, including but not limited to all notes, interviews, and documents submitted by the parties and gathered by the investigator

5. A report of any action taken to resolve the complaint

UNIFORM COMPLAINT PROCEDURES (continued)

6. A copy of the District's complaint procedures

7. Other relevant information requested by CDE

The CDE may directly intervene in the complaint without waiting for action by the District when one of the conditions listed in 5 CCR 4650 exists, including cases in which the District has not taken action within 60 calendar days of the date the complaint was filed with the District.

Civil Law Remedies

A complainant may pursue available civil law remedies outside of the District's complaint procedures. Complainants may seek assistance from mediation centers or public/private interest attorneys. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions and restraining orders. For discrimination, harassment, intimidation, and bullying complaints, however, a complainant must wait until 60 calendar days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies. The moratorium does to apply to injunctive relief and is applicable only if the District has appropriately, and in a timely manner, apprised the complainant of his/her right to file a complaint in accordance with 5 CCR 4622.

UNIFORM COMPLAINT PROCEDURES

APPENDIX A

Listing of Free or Low Cost Legal Services:

Bay Area Legal Aid
510-663-4744

Deaf Counseling and Referral Agency
14895 E. 14th Street
San Leandro, CA 94578
510-483-0753 or 510-343-6670

Filipino Advocates for Justice
310 Eighth Street
Oakland, CA 94607
510-465-9876

Disability Rights of California
1330 Broadway, Suite 500
Oakland, CA 94612
510-267-1200 or 800-776-5746

State Bar of California
800-843-9053

UNIFORM COMPLAINT PROCEDURES

APPENDIX B

Uniform Complaint Procedure Timeline

	Action	Calendar Days Allotted	Total Elapsed Calendar Days
1.	Complaint files a written complaint with designated compliance officer	10	10
2.	Compliance officer investigates complaint and receives evidence relevant to complaint from all parties	5	15
3.	Compliance officer sends complainant a written report summarizing findings and disposition of complaint	15	30
4.	Complainant appeals to the Board of Education	5	35
5.	If Board hears complaint, it renders a decision within sixty (60) calendar days of receipt of the complaint by the district Compliance officer sends Board's decision to complainant within sixty (60) calendar days of receipt of initial complaint	25	60

UNIFORM COMPLAINT PROCEDURES

SAN LEANDRO UNIFIED SCHOOL DISTRICT
FLOW CHART OF UNIFORM COMPLAINT PROCEDURES

Step 1 - Filing a Complaint

Informal Resolution: (This step is optional) The complainant is encouraged to attempt to resolve the complaint informally.

- If complaint is resolved, process stops here.

- Formal Complaint (60 Calendar Day Timeline Begins): Complainant files written complaint with Assistant Superintendent of Educational Services.

  SLUSD Compliance Officer
  Assistant Superintendent
  Educational Services
  14735 Juniper Street
  San Leandro, CA 94579
  510-667-3538

Step 2 - Mediation

The compliance officer may offer mediation to the complainant.

- If complaint is resolved, process stops here.

Step 3 - Investigating the Complaint

Compliance Officer shall attempt to meet with complainant within five (5) calendar days of receiving written complaint.

- If complaint resolved, process stops.

Step 4 - Response

Within thirty (30) calendar days of receiving the written complaint, the compliance officer shall prepare and send to the complainant a written report of the District's investigation and decision.

- If the complaint is resolved, process stops.

If the complainant is dissatisfied with the decision, he/she may within five (5) calendar days, file his/her complaint in writing with the Board of Education.

UNIFORM COMPLAINT PROCEDURES (continued)

If the Board hears the complaint, the compliance officer shall send the Board's decision to the complainant within sixty (60) calendar days of the District's receipt of the written complaint or within the time period specified in a written agreement with the complainant.

- If complaint is resolved, process stops.

Step 5 - Final Written Decision

The District's final decision shall be in writing and sent to the complainant. The written decision shall contain all of the components as required by the Administrative Regulations.

Step 6 - Right to Appeal

Appeal to the California Department of Education (CDE)
If dissatisfied with the District's decision, the complainant may appeal in writing to the CDE within 15 calendar days of receiving the District's decision.

Civil Law Remedies

A complainant may pursue available civil law remedies outside of the District's complaint procedures. Complainants may seek assistance from mediation centers or public/private interest attorneys. For discrimination, harassment, intimidation, and bullying complaints, the complainant must wait until 60 calendar days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies.

The following agencies can provide assistance:

Bay Area Legal Aid	510-663-4744
Deaf Counseling and Referral Agency	510-483-0753 or 510-343-6670
Filipino Advocates for Justice	510-465-9876
Disability Rights of California	510-267-1200 or 800-776-5746
State Bar of California	800-843-9053

UNIFORM COMPLAINT PROCEDURES (continued)

San Leandro Unified School District
UNIFORM COMPLAINT PROCEDURES
COMPLAINT FORM

FOR OFFICE USE ONLY

Date Received: _____ Received by: _____ Log No. _____
Response Due: _____ Mailed to: _____
Date Mailed: _____ Copy filed by: _____

Please complete the following form if there is a complaint involving Program Non-compliance/Discrimination or Discrimination against any protected group as listed in Board Policy 1312.3. Submit this complaint form to the District Office, Assistant Superintendent of Educational Services, 14735 Juniper Street, San Leandro, CA 94579. The telephone number is (510) 667-3538, FAX (510) 297-6156. Expect a response within thirty (30) calendar days.

TO: Assistant Superintendent, Educational Services
San Leandro Unified School District
14735 Juniper Street
San Leandro, CA 94579

FROM: _____
Name(s)

_____
Address

_____
Telephone Number(s)

Name of school, program or office or name of employee and job location against whom charge or complaint was directed:

_____
(A copy of the written complaint against an employee will be provided to the employee, except for sexual harassment and discrimination complaints.)

Nature of complaint:

_____
_____
_____
_____
_____
_____
_____
_____

UNIFORM COMPLAINT PROCEDURES (continued)

Please check next to the kind of complaint you are presenting:

(*gender identity; **gender expression; ***Genetic information, see page E(3)1312.3(b))

Program Non-compliance/Program Discrimination: and/or Discrimination, harassment, intimidation, and bullying on basis of:

___Adult Basic Education
___Program for English Learners
___Career Technical Ed. & Civil Rights
___Child Care and Development
___Child Nutrition
___Consolidated Categorical Programs
___Educational Equity
___Gifted and Talented Education (GATE)
___State Compensatory Education (SCE)
___School Improvement Program (SIP)
___Special Education
___Title I - No Child Left Behind
___Safe and Drug Free Schools & Tobacco Use and Prevention Education (TUPE)
___Title IX Sex Discrimination
___Student Fees/Charges for Participation in Educational Activities

___Ethnic Group Identification
___Race or Ethnicity
___Ancestry/NationalOrigin, Nationality
___ Religion
___Color
___Mental/Physical Disability
___Actual or perceived Sexual Orientation
___Gender
___Sex
___Sexual Harassment
___Sexual Orientation
___ Gender Identity*
___Gender Expression**
___Genetic Information***
___Nationality
___Age
___OTHER: _____

When did event(s) occur? Date(s): _____

Has charge or complaint been discussed with the school principal, employee or his/her supervisor? _____

To whom, if anyone, have you spoken? (Write name(s) in spaces provided.)

___Director _____ Date:_____
___Principal _____ Date:_____
___Assistant Principal _____ Date:_____
___Counselor _____ Date:_____
___Teacher _____ Date:_____
___Supervisor _____ Date:_____
___Staff Member _____ Date:_____
___Other _____ Date:_____

UNIFORM COMPLAINT PROCEDURES (continued)

If a discussion took place, what was the result of the discussion?

_____
_____
_____
_____

If you desire a remedy or wish the District to take a particular course of action, please specify:

_____
_____
_____
_____

I understand that the District will maintain this information confidential, to the extent provided by law; that I will be protected from retaliation for filing this complaint; that the District may request further information about this matter; and if such information is available, I agree to present it upon request.

I believe that the foregoing is true and correct.

*Gender identity is defined as a person's identity, expression, or physical characteristics regardless of whether those characteristics are traditionally associated with one's assigned biological sex at birth. Gender identity refers to the gender the individual experiences.

**Gender expression refers to the ways in which people externally communicate their gender identity to others through behavior, clothing, hairstyle, voice and other forms of presentation.

***Genetic information includes information about an individual's genetic tests and the genetic tests of an individual's family members, as well as information about the manifestation of a disease or disorder in an individual's family members (i.e. family medical history).

Signature: _____ Date: _____

UNIFORM COMPLAINT PROCEDURES

SAN LEANDRO UNIFIED SCHOOL DISTRICT
BULLYING REPORT FORM

Complaints shall be investigated in a manner that protects the confidentiality of the parties as appropriate. Submission of this report form is encouraged; however oral reports shall be considered official reports. Reports may be made anonymously, but formal disciplinary action may not be based solely on an anonymous report.

Section I: Initial Notification of the Incident or Complaint

Name of Student making report _____ Date of Report _____

Parent/LegalGuardian/Community member _____
(Filing this complaint on behalf of a student)

Person(s) your complaint involves: _____

Date(s) of Incident:_____

Where did the incident take place? _____

Section II: Investigation of Incident or Complaint

Did you report this incident of bullying? (Circle one) **Yes** **No**

If Yes, to whom?_____ When? _____

Please describe your complaint in as much detail as possible. (Use extra sheets of paper if necessary.)

_____
_____
_____
_____
_____
_____
_____
_____
_____

Attach any documents related to this complaint.

UNIFORM COMPLAINT PROCEDURES (continued)

Section III: Actions and Consequences/Discipline

Complainant (person making complaint) informed about results of investigation and actions to be taken, and counseled about reporting any future recurrence or attempts at retaliation. (Circle one) **Yes** **No**

If No, explain: _____

_____

Appeal process described to victim's parent/legal guardian. (Circle one) **Yes** **No**

If No, explain: _____

Harasser (person who complaint is made against) informed about retaliation and disciplinary action if incident recurs. (Circle One) **Yes** **No**

If No, explain: _____

Section IV: Resolution

Disposition _____ Substantiated _____ Unsubstantiated _____ Partially Substantiated _____

_____

Signature _____ Date _____

Please submit this form to the school principal. If you need assistance completing this form, contact the school principal. Complaints will be investigated and resolved <u>within 30 school days of receipt of this form.</u> (Forward copy to Student Support Services).

UNIFORM COMPLAINT PROCEDURES (continued)

SAN LEANDRO UNIFIED SCHOOL DISTRICT

Cindy M. Cathey
Superintendent

Sheila Lawrence
Director

STUDENT SUPPORT SERVICES
14735 Juniper Street, San Leandro, CA, 94579
Telephone (510) 667-3503
Fax (510) 297-0508
www.sanleandro.k12.ca.us

REQUEST FOR APPEAL
(Bullying)

Please print or type all material except signature)

In accordance with Education Code Section 234.1 and the San Leandro Unified School District Board Policy [5131.8], we hereby request an appeal of the bullying complaint decision.

(NOTE: This Notice of Appeal shall be received by the Director's office for the San Leandro Unified School District **within 5 school days** following the resolution of the initial complaint.)

1. _____ 2. _____
Name of Pupil Birthdate

3. _____ 4. _____
Street Address City Zip Code Grade

5. _____
School

6. _____ _____ _____
Name of Parents/Legal Guardian Home Phone Work Phone

7. Appellant's (student/parent/legal guardian) understanding of reason(s) given by the Principal or designee for the decision (attach a copy of Bullying Complaint Decision).

_____
_____
_____
_____
_____

UNIFORM COMPLAINT PROCEDURES (continued)

An appeal before the Superintendent or designee is not a hearing, but rather a procedural review of the evidence of the initial complaint and decision by the Principal or designee to determine if the decision was fair and reasoned. The initial complaint may be appealed only on one or more of the grounds listed in Section 8.

8. Why should the Bullying Complaint Decision be overturned? (Attach documentation, if any.)

   A. Explain how the Bullying Complaint decision was not fair. (For example, was evidence from both sides considered or did evidence support the conclusion reached?)

   _____
   _____
   _____
   _____

   B. Explain if there is new relevant evidence which could not have been produced at the time of the hearing or if there was relevant evidence which was improperly excluded at the hearing. (For example, how was it improperly excluded, why couldn't it be provided, what is the nature of the new evidence?)

   _____
   _____
   _____
   _____

9. I hereby certify that this information is true and correct to the best of my knowledge by signing below.

_____ _____
Parent/Legal Guardian or Adult Student Date

WILLIAMS UNIFORM COMPLAINT PROCEDURES

Types of Complaints

The district shall use the following procedures to investigate and resolve complaints when the complainant alleges that any of the following has occurred: (Education Code 35186; 5 CCR 4681, 4682, 4683)

1. Textbooks and instructional materials

    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 pupil 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 pupil.

    c. Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.

    d. A pupil was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

2. Teacher vacancy or misassignment

    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 more than 20 percent English learner pupils in the class.

(cf. 4112.22 - Staff Teaching English Language Learners)

    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)

WILLIAMS UNIFORM COMPLAINT PROCEDURES (continued)

Beginning of the year or semester means the first day classes necessary to serve all the pupils enrolled are established with a single designated certificated employee assigned for the duration of the class, but not later than 20 working days after the first day pupils attend classes for that semester. (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)

(cf. 4112.2 - Certification)
(cf. 4113 - Assignment)

3. Facilities

a. A condition poses an emergency or urgent threat to the health or safety of pupils 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 pupils 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 pupils 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, or paper towels or functional hand dryers. (Education Code 35292.5)

Open restroom means the school has kept all restrooms open during school hours when pupils are not in classes and has kept a sufficient number of restrooms open during school hours when pupils are in classes. This does not apply when the temporary closing of the restroom is necessary for pupil safety or to make repairs. (Education Code 35292.5)

WILLIAMS UNIFORM COMPLAINT PROCEDURES (continued)

Filing of Complaint

A complaint alleging any condition(s) specified in items #1-3 in the section entitled "Types of Complaints" above shall be filed with the principal or designee at the school in which the complaint arises. The principal or designee shall forward a complaint about problems beyond his/her authority to the Superintendent or designee in a timely manner, but not to exceed 10 working days. (Education Code 35186; 5 CCR 4680)

A complaint alleging any deficiency specified in item #4 in the section entitled "Types of Complaints" above shall be filed with a district official designated by the Superintendent. Such complaints may be filed at the district office or school site and shall be immediately forwarded to the Superintendent or designee. (Education Code 35186)

Investigation and Response

The principal or designee shall make all reasonable efforts to investigate any problem within his/her authority. He/she 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)

Complaints may be filed anonymously. If the complainant has indicated on the complaint form that he/she would like a response to the complaint, the principal or designee shall report the resolution of the complaint to him/her within 45 working days of the initial filing of the complaint. If a response is requested, the response shall be made to the mailing address of the complainant as indicated on the complaint form. At the same time, the principal or designee shall report the same information 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, he/she has the right to describe the complaint to the Board of Trustees 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 pupils or staff as described in item #3a in the section entitled "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 Superintendent of Public Instruction 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 4687)

WILLIAMS UNIFORM COMPLAINT PROCEDURES (continued)

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

(cf. 1340 - Access to District Records)

Reports

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

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 contains a space to indicate whether the complainant desires a response to his/her complaint and specifies the location for filing a complaint. A complainant may add as much text to explain the complaint as he/she wishes. (Education Code 35186; 5 CCR 4680)

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

Legal Reference:

EDUCATION CODE
1240 County superintendent of schools, duties
17592.72 Urgent or emergency repairs, School Facility Emergency Repair Account
33126 School accountability report card
35186 Williams uniform complaint procedure
35292.5 Restrooms, maintenance and cleanliness
37254 Supplemental instruction based on failure to pass exit exam by end of grade 12
48985 Notice to parents in language other than English
60119 Hearing on sufficiency of instructional materials
CODE OF REGULATIONS, TITLE 5
4600-4687 Uniform complaint procedures, especially:
4680-4687 Williams complaints

Management Resources: (see next page)

WILLIAMS UNIFORM COMPLAINT PROCEDURES (continued)

Management Resources:

WEB SITES

CSBA: http://www.csba.org

California County Superintendents Educational Services Association: http://www.ccsesa.org

California Department of Education, Williams case: http://www.cde.ca.gov/eo/ce/wc/index.asp

State Allocation Board, Office of Public School Construction: http://www.opsc.dgs.ca.gov

WILLIAMS UNIFORM COMPLAINT PROCEDURES

NOTICE TO PARENTS/GUARDIANS, PUPILS, AND TEACHERS: COMPLAINT RIGHTS

Parents/Guardians, Pupils, and Teachers:

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

1. There should be sufficient textbooks and instructional materials. For there to be sufficient textbooks and instructional materials, each pupil, including English learners, must have a textbook or instructional material, or both, to use in class and to take home.

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

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.

   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.

   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.

4. A complaint form can be obtained at the school office or district office, or downloaded from the school or district web site. You may also download a copy of the California Department of Education complaint form from the following web site: http://www.cde.ca.gov/re/cp/uc.

WILLIAMS UNIFORM COMPLAINT PROCEDURES

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, teacher vacancy or misassignment, or the lack of opportunity to receive intensive instruction and services to pupils who did not pass one or both parts of the high school exit examination by the end of grade 12. 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:
Name: _____
Address: _____
Phone number: Day: _____ Evening: _____
E-mail address, if any: _____

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: _____
Date problem was observed: _____

Only the following issues may be the subject of this complaint process. If you wish to complain about an issue not specified below, please use 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 pupil, 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.
   - ❑ A pupil 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 pupil.
   - ❑ Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.
   - ❑ A pupil was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.

WILLIAMS UNIFORM COMPLAINT PROCEDURES (continued)

2. Teacher vacancy or misassignment: (Education Code 35186; 5 CCR 4681)
   - ❑ 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.
   - ❑ A teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learners in the class.
   - ❑ A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

3. Facility conditions: (Education Code 17592.72, 35186, 35292.5; 5 CCR 4683)
   - ❑ A condition exists that poses an emergency or urgent threat to the health or safety of pupils or staff 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 pupils or staff; structural damage creating a hazardous or uninhabitable condition; and any other condition deemed appropriate by the district.
   - ❑ 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, or paper towels or functional hand dryers.
   - ❑ The school has not kept all restrooms open during school hours when pupils are not in classes and has not kept a sufficient number of restrooms open during school hours when pupils are in classes. This does not apply when temporary closing of the restroom is necessary for pupil safety or to make repairs.

Please describe the issue of your complaint in detail. You may attach additional pages and include as much text as necessary 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 pupils or staff.

_____

_____

_____

_____

_____

_____

_____

WILLIAMS UNIFORM COMPLAINT PROCEDURES (continued)

Please file this complaint at the following location:

_____
(principal or title of designee of the Superintendent)

_____
(address)

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)

SOLICITATION OF FUNDS FROM AND BY STUDENTS

The Board of Trustees recognizes that student participation in fund-raising activities for the schools and nonprofit, nonpartisan charitable organizations can help develop a sense of social responsibility in students, enhance the relationship between the school and community, and contribute to the improvement of the school program.

(cf. 1325 - Advertising and Promotion)
(cf. 4135/4235/4335 - Soliciting and Selling)
(cf. 5022 - Student and Family Privacy Rights)
(cf. 6142.4 - Service Learning/Community Service Classes)

Whether solicitations are made on behalf of the school or on behalf of a charitable organization, students shall not be barred from an event or activity because they did not participate in fund-raising. Potential donors, including parents/guardians and members of the community, should not be unduly pressured to contribute to the school system or charitable organizations. Staff is expected to emphasize the fact that donations are always voluntary.

The Superintendent or designee shall ensure that parents/guardians are informed of the purpose of fund-raisers.

Solicitations on Behalf of the School

With the prior written approval of the Superintendent or designee, official school-related organizations may organize fund-raising events involving students.

(cf. 0420 - School Plans/Site Councils)
(cf. 1230 - School-Connected Organizations)
(cf. 1260 - Educational Foundation)
(cf. 3290 - Gifts, Grants and Bequests)
(cf. 3554 - Other Food Sales)

After the fund-raiser has been held, parents/guardians shall be informed how much money was raised and how it was spent.

Solicitations on Behalf of Charities

When approved in advance by the Superintendent or designee, nonprofit, nonpartisan organizations that are properly chartered or licensed by state or federal law may solicit students on school grounds during school hours and within one hour before school has opened and one hour after school has closed. (Education Code 51520)

Legal Reference: (see next page)

SOLICITATION OF FUNDS FROM AND BY STUDENTS (continued)

Legal Reference:

EDUCATION CODE
51520 Prohibited solicitations on school premises
51521 Unlawful solicitations of contribution or purchase of personal property for benefit of public school or student body; exception
BUSINESS AND PROFESSIONS CODE
17510-17510.95 Charitable solicitations
PENAL CODE
319-329 Raffles
REVENUE AND TAX CODE
6361 Sales tax exemption for certain sales
CODE OF REGULATIONS, TITLE 8
11706 Dangerous activities and occupations

Management Resources:

CSBA PUBLICATIONS
Healthy Food Policy Resource Guide, 2003
ATTORNEY GENERAL PUBLICATIONS
Guide to Charitable Solicitation, 1999
Attorney General's Guide for Charities, 1988
WEB SITES
Office of the Attorney General: http://caag.state.ca.us

SOLICITATION OF FUNDS FROM AND BY STUDENTS

The Superintendent or designee shall approve all fund-raising activities at least 15 days before the activity. If the event involves a contract with a commercial vendor, the Superintendent or designee shall review the contract.

In order to minimize interruptions to the educational program, staff shall limit fund-raising activities to appropriate time periods designated by the principal.

(cf. 6116 - Classroom Interruptions)

No student shall be required to raise a specified amount of money in order to participate in an activity sponsored by a school-related organization.

(cf. 1230 - School-Connected Organizations)

Students engaged in fund-raising activities on behalf of the school or for school-related projects are expected to be courteous and respectful towards all individuals and businesses.

Door-to-Door Sales

Students under 16 years old may engage in door-to-door sales of newspaper or magazine subscriptions, candy, cookies, flowers or other merchandise only under the following conditions:

1. The students shall work in pairs, as a team, on the same or opposite side of the street. (8 CCR 11706)

2. The students shall be supervised by an adult, with one adult for every crew of 10 or fewer students. (8 CCR 11706)

3. The students must be within the sight or sound of their adult supervisor at least once every 15 minutes. (8 CCR 11706)

4. The students shall be returned to their respective homes or meeting places after each day's work. (8 CCR 11706)

5. The students shall not engage in door-to-door sales after dark.

6. The students shall not work outside of their immediate neighborhood.

7. Students in grades K - 5 shall not be involved in any door-to-door sales or solicitations.

ADVERTISING AND PROMOTION

The Board of Trustees desires to promote positive relationships between the schools and community organizations in order to enhance community support and involvement in district schools. Just as community organizations can build support for the schools, the schools can cooperate with these groups under certain circumstances by publicizing services, special events and public meetings of interest to students and parents/legal guardians. The Superintendent or designee may approve:

(cf. 6145.5 - Student Organizations and Equal Access)

1. Distribution of noncommercial materials that publicize services, special events, public meetings or other items of interest to students or parents/legal guardians.

(cf. 1400 - Relations Between Other Government Agencies and the Schools)
(cf. 5145.2 - Freedom of Speech/Expression)
(cf. 6145.5 - Student Organizations and Equal Access)
(cf. 6162.8 - Research)

2. Distribution of promotional materials of a commercial nature to students or parents/legal guardians.

(cf. 1700 - Relations Between Private Industry and the Schools)

3. Paid advertisements on school property, including but not limited to billboard advertisements.

4. Paid advertisements in school-sponsored publications, yearbooks, announcements and other school communications.

(cf. 1113 - District and School Web Sites)

5. Products and materials donated by commercial enterprises for use in the classroom, as long as they serve an educational purpose and do not unduly promote any commercial activity or products. Such materials may bear the name and/or logo of the donor.

(cf. 3290 - Gifts, Grants and Bequests)
(cf. 6161.11 0 Supplementary Instructional Materials)

The Superintendent, principal or designee may selectively approve or disapprove distribution of materials or publishing of copy based on the criteria listed in the Administrative Regulations, but may not disapprove materials or copy in an arbitrary or capricious manner or in a way that discriminates against a particular viewpoint on a subject that would otherwise be allowed.

All materials to be distributed shall bear the name and contact information of the sponsoring entity.

ADVERTISING AND PROMOTION (continued)

The use of promotional materials or advertisements does not imply district endorsement of any identified products or services. Schools are encouraged to include a disclaimer in school publications and yearbooks stating that the school does not endorse any advertised products or services.

Students shall not be exploited to raise money, and time spent securing ads shall not infringe upon the school program.

(cf. 5145.2 - Freedom of Speech/Expression: Publications Code)
(cf. 6145.3 - Publications)

Students shall not be required to view commercials during instructional time. Advertisements may be studied, however, as part of the consumer education curriculum.

Legal Reference: (see next page)

ADVERTISING AND PROMOTION (continued)

Legal Reference:

CALIFORNIA CONSTITUTION
Article 1, Section 2 Free speech rights
EDUCATION CODE
7050-7058 Political activities of school officers and employees
35160 Authority of governing boards
35160.1 Broad authority of school districts
35172 Promotional activities
38130-38138 Civic Center Act
BUSINESS AND PROFESSIONS CODE
25664 Advertisements encouraging minors to drink
U.S. CONSTITUTION
Amendment 1, Freedom of speech and expression
COURT CASES
Hills v. Scottsdale Unified School District 48, (2003) 329 F.3d 1044
DiLoreto v. Downey Unified School District, (1999) 196 F.3d 958
Yeo v. Town of Lexington, (1997) U.S. First Circuit Court of Appeals, No. 96-1623
Hemry v. School Board of Colorado Springs, (D.Col. 1991) 760 F.Supp. 856
Bright v. Los Angeles Unified School District, (1976) 134 Cal. Rptr. 639, 556 P.2d 1090, 18 Cal. 3d 350
Lehman v. Shaker Heights, (1974) 418 U.S. 298

Management Resources:

CSBA PUBLICATIONS
School-Based Marketing of Foods and Beverages: Policy Implications for School Boards, Policy Brief, March 2006
WEB SITES
CSBA: http://www.csba.org

Policy
adopted: October 20, 1998
adopted: June 30, 2008
approved: April 9, 2013
reviewed:

SAN LEANDRO UNIFIED SCHOOL DISTRICT
San Leandro, California

ADVERTISING AND PROMOTION

Distribution of Materials

Materials generated by non-students may be distributed or posted in district schools only when prior approval has been granted by the Superintendent or designee. Materials prepared by non-profit organizations which are school sponsored or school related and which further the district's intended purposes, directly benefit students and/or support the educational mission of the district will be considered. Materials shall not promote any particular religious or political interest.

Unless generated by the school, surveys or questionnaires requiring student or parent/legal guardian response also must be first approved by the Superintendent or designee. All materials to be distributed shall bear the name and contact location of the sponsoring group.

(cf. 6162.8 - Research)

Prohibitions/Criteria for Approval

The Superintendent, principal or designee shall not accept for distribution any materials or advertisements that:

1. Are obscene, libelous or slanderous (Education Code 48907).

2. Incite students to commit unlawful acts, violate school rules or disrupt the orderly operation of the schools (Education Code 48907).

3. Discriminate against, attack or denigrate any group on account of gender, race, color, religion, ancestry, national origin, disability, or other unlawful consideration; or promote one group over another.

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

4. Solicit funds or services for an organization, with the exception of solicitations authorized in Board policy.

5. Promote the use or sale of materials or services that are illegal or inconsistent with school objectives, including but not limited to materials or advertisements for tobacco, intoxicants, and movies or products unsuitable for children.

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

6. Promote any particular political interest, candidate, party or ballot measure, unless such materials are being distributed at a forum in which candidates, party or ballot measure, unless such materials are being distributed at a forum in which candidates or advocates from all sides are presenting their views to the students during school hours or during events scheduled pursuant to the Civic Center Act.

ADVERTISING AND PROMOTION

(cf. 1160 – Political Processes)
(cf. 1330- Use of School Facilities)
(cf. 4119.25/4219.25/4319.25 – Political Activities of Employees)

7. Distribute unsolicited merchandise for which an ensuing payment is requested. The Superintendent or designee also may consider the educational value of the materials or advertisements, the age or maturity of students in the intended audience, and whether the materials or advertisements support the basic educational mission of the district, directly benefit the students or are of intrinsic value to the students or their parents/legal guardians.

(cf. 0000 – Vision)

Schools may establish additional criteria pertaining to the content of advertisements in school publications and yearbooks. Such criteria may limit advertisements to those that contain congratulatory or commemorative messages, curriculum-related content, advertisements for products or services of interest to students, noncontroversial content, and/or other content deemed appropriate by the school publication staff and adviser in accordance with law and Board policy.

Before publication and distribution, the Superintendent or designee shall review all advertising copy (i.e. flyers, posters, contests) to assure that it complies with the provisions of Board policy and administrative regulations. Advertising copy should be submitted for approval at least two weeks in advance of the event or two weeks prior to distribution of the materials.

At their discretion and in support of Board-approved curriculum, teachers may use commercial-free instructional television programs and other instructional materials that do not require advertising to be viewed.

(cf. 6161.11 - Supplementary Instructional Materials)

JOINT USE AGREEMENTS

In order to ensure the efficient use of public resources and increase access to needed services, the Board of Trustees may enter into an agreement with any public agency, public institution, and/or community organization to use community facilities for school programs or to make school facilities or grounds available for use by those entities. Such an agreement shall be based on an assessment of student and community needs and may be designed to increase access to spaces for recreation and physical activity, library services, school health centers, preschool programs, child care centers, before- or after-school programs, or other programs that benefit students and the community.

(cf. 1020 - Youth Services)
(cf. 1330 - Use of School Facilities)
(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 5030 - Student Wellness)
(cf. 5141.6 - School Health Services)
(cf. 5148 - Child Care and Development)
(cf. 5148.2 - Before/After School Programs)
(cf. 5148.3 - Preschool/Early Childhood Education)
(cf. 6142.7 - Physical Education and Activity)
(cf. 6145.2 - Athletic Competition)
(cf. 6163.1 - Library Media Centers)
(cf. 7000 - Concepts and Roles)
(cf. 7131 - Relations with Local Agencies)

When it is determined that joint use of facilities is in the best interest of the district and community, the Superintendent or designee shall identify a potential partner agency, institution, or organization. He/she shall involve that partner, appropriate district and school staff, and community members in establishing planning processes, goals and priorities for joint use, locations where programs or facilities are most needed, and protocols for ongoing communication and coordination between the partners.

(cf. 1220 - Citizen Advisory Committees)

The Superintendent or designee shall work with the partner agency, institution, or organization to develop a written site-specific joint use agreement that delineates the terms and conditions for joint use of the district or community facilities and the responsibilities of all parties. As appropriate, the agreement may address:

1. The underlying philosophy or reasons for entering into the joint use agreement

2. The specific district or community facilities or grounds that will be made available to the other party and areas that will be restricted

3. Priorities for use of the property

4. Hours that the property will be available for use by the district, the partner, or other parties

JOINT USE AGREEMENTS (continued)

5. Projected capital costs, if any, and operating costs

(cf. 7110 - Facilities Master Plan)
(cf. 7150 - Site Selection and Development)
(cf. 7210 - Facilities Financing)

6. Resources to be allocated by the district and the partner

(cf. 3100 - Budget)

7. Rental or other fees, if any, to be charged to either party or third parties using the facilities

8. Responsibilities for management, scheduling, maintenance, on-site supervision, accounting, and other operations

9. Procedures and timelines for requesting use of the facilities

10. Code of conduct for users of the facilities and consequences for violations of the code

(cf. 3513.3 - Tobacco-Free Schools)
(cf. 3515.2 - Disruptions)
(cf. 5131 - Conduct)
(cf. 5131.5 - Vandalism and Graffiti)

11. Provision for regular inspection and notification of damage, as well as restitution and repair of property

(cf. 3515.4 - Recovery for Property Loss or Damage)
(cf. 3517 - Facilities Inspection)

12. Safety and security measures

(cf. 0450 - Comprehensive School Safety Plan)
(cf. 3515 - Campus Security)
(cf. 3516 - Emergencies and Disaster Preparedness Plan)
(cf. 5142 - Safety)

13. Liability, insurance, and risk management issues

(cf. 3320 - Claims and Actions Against the District)
(cf. 3530 - Risk Management/Insurance)
(cf. 9260 - Legal Protection)

14. Duration of the agreement, process for amending the agreement, and the bases for cancelling or terminating the agreement before the expiration date

JOINT USE AGREEMENTS (continued)

15. Process for resolving disputes regarding any aspect of the agreement

16. How any equipment purchased or other investments made through the agreement will be disposed of at the termination of the agreement

The agreement shall be reviewed by legal counsel and approved by the Board.

The Superintendent or designee shall provide regular reports to the Board regarding progress toward project goals, including, but not limited to, levels of participation in joint use programs held at school or community facilities, feedback from program participants, and any report of damage to property or harm to individuals resulting from the joint use. As needed, the Superintendent or designee shall recommend amendments to the joint use agreement.

(cf. 0500 - Accountability)

Legal Reference: (see next page)

JOINT USE AGREEMENTS (continued)

Legal Reference:

EDUCATION CODE
8482-8484.6 After School Education and Safety Program
8484.7-8484.9 21st Century Community Learning Centers
10900-10914.5 Community recreation programs
17051-17052 Joint use
17077.40-17077.45 Eligibility for joint use funding
17565-17592 Board duties re property maintenance and control
35200-35214 Liabilities
37220 School holidays; use of facilities when school is closed
38130-38138 Civic Center Act, use of school property for public purposes
44808 Exemption from liability when students not on school property
BUSINESS AND PROFESSIONS CODE
25608 Alcoholic beverages on school premises
GOVERNMENT CODE
814-825.6 Liability of public entities and employees
830-840.6 Liability; dangerous conditions on property
895-895.8 Liability; agreement between public entities
989-991.2 Local public entity insurance
UNITED STATES CODE, TITLE 20
7171-7176 21st Century Community Learning Centers
7905 Equal access to public facilities

Management Resources:

CSBA PUBLICATIONS
Maximizing Opportunities for Physical Activity Through Joint Use of Facilities, Policy Brief, rev. February 2010
Building Healthy Communities: A School Leader's Guide to Collaboration and Community Engagement, 2009
NATIONAL POLICY AND LEGAL ANALYSIS NETWORK TO PREVENT CHILDHOOD OBESITY PUBLICATIONS
Model California Joint Use Agreements
Liability for Use of School Property After Hours: An Overview of California Law, July 2009
Checklist for Developing Joint Use Agreements, March 2009
PUBLIC HEALTH LAW AND POLICY PUBLICATIONS
Opening School Grounds to the Community After Hours: A Toolkit for Increasing Physical Activity Through Joint Use Agreements, 2010
WEB SITES
CSBA: http://www.csba.org
California Project LEAN (Leaders Encouraging Activity and Nutrition): http://www.californiaprojectlean.org
Cities Counties and Schools Partnership: http://www.ccspartnership.org
Joint Use Statewide Task Force: http://www.jointuse.org
National Policy and Legal Analysis Network: http://www.nplan.org
Public Health Law and Policy: http://www.phlpnet.org

ACCESS TO DISTRICT RECORDS

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

(cf. 3553 - Free and Reduced Price Meals)
(cf. 3580 - District Records)
(cf. 4112.6/4212.6/4312.6 - Personnel Files)
(cf. 4112.62/4212.62/4312.62 - Maintenance of Criminal Offender Records)
(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 5020 - Parent Rights and Responsibilities)
(cf. 5125 - Student Records)
(cf. 5125.1 - Release of Directory Information)
(cf. 6162.5 - Student Assessment)
(cf. 9011 - Disclosure of Confidential/Privileged Information)
(cf. 9321 - Closed Session Purposes and Agendas)

The district may charge for copies of public records or other materials requested by individuals or groups. The charge shall be based on actual costs of duplication, as determined by the Superintendent or designee and as specified in administrative regulation.

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

Legal Reference: (see next page)

ACCESS TO DISTRICT RECORDS (continued)

Legal Reference:

EDUCATION CODE
35145 Public meetings
35170 Authority to secure copyrights
35250 Duty to keep certain records and reports
41020 Requirement for annual audit
42103 Publication of proposed budget; hearing
44031 Personnel file contents and inspections
44839 Medical certificates; periodic medical examination
49060-49079 Pupil records
49091.10 Parental review of curriculum and instruction
52850 Applicability of article (School-Based Program Coordination Plan availability)
GOVERNMENT CODE
3547 Proposals relating to representation
6250-6270 California Public Records Act
6275-6276.48 Other exemptions from disclosure
53262 Employment contracts
54957.2 Minute book record of closed sessions
54957.5 Agendas and other writings distributed for discussion or consideration
81008 Political Reform Act, public records; inspection and reproduction
CALIFORNIA CONSTITUTION
Article 1, Section 3 Right of access to governmental information
CODE OF REGULATIONS, TITLE 5
430-438 Individual pupil records
COURT DECISIONS
International Federation of Professional and Technical Engineers v. The Superior Court of Alameda County, (2007) 42 Cal.4th 319
Los Angeles Times v. Alameda Corridor Transportation Authority, (2001) 88 Cal.App.4th 1381
Kleitman v. Superior Court, (1999) 74 Cal.App. 4th 324
Fairley v. Superior Court, (1998) 66 Cal.App. 4th 1414
North County Parents Organization for Children with Special Needs v. Department of Education, (1994) 23 Cal.App. 4th 144
ATTORNEY GENERAL OPINIONS
71 Ops.Cal.Atty.Gen. 235 (1988)
64 Ops.Cal.Atty.Gen. 186 (1981)

Management Resources: (see next page)

ACCESS TO DISTRICT RECORDS (continued)

Management Resources:

ATTORNEY GENERAL PUBLICATIONS
Summary of the California Public Records Act, 2004
LEAGUE OF CALIFORNIA CITIES PUBLICATIONS
The People's Business: A Guide to the California Public Records Act, 2008
WEB SITES
CSBA: http://www.csba.org
California Attorney General's Office: http://www.caag.state.ca.us
Institute for Local Government: http://www.cacities.org/index.jsp?zone=ilsg
State Bar of California: http://www.calbar.ca.gov

ACCESS TO DISTRICT RECORDS

Definitions

Public records include any writing containing information relating to the conduct of the district's business prepared, owned, used, or retained by the district regardless of physical form or characteristics. (Government Code 6252)

(cf. 3580 - District Records)
(cf. 9012 - Board Member Electronic Communications)

Writing means any handwriting, typewriting, printing, photostating, photographing, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored. (Government Code 6252)

Member of the public means any person, except a member, agent, officer, or employee of the district or a federal, state, or other local agency acting within the scope of his/her membership, agency, office, or employment.

Public Records

Public records to which members of the public shall have access include, but are not limited to:

1. Proposed and approved district budgets and annual audits (Education Code 41020, 42103)

(cf. 3100 - Budget)
(cf. 3460 - Financial Reports and Accountability)

2. Statistical compilations

3. Reports and memoranda

4. Notices and bulletins

5. Minutes of public meetings (Education Code 35145)

(cf. 9324 - Minutes and Recordings)

6. Meeting agendas (Government Code 54957.5)

(cf. 9322 - Agenda/Meeting Materials)

7. Official communications between the district and other government agencies

ACCESS TO DISTRICT RECORDS (continued)

8. School-based program plans (Education Code 52850)

(cf. 0420 - School Plans/Site Councils)
(cf. 0420.1 - School-Based Program Coordination)

9. Information and data relevant to the evaluation and modification of district plans

(cf. 0440 - District Technology Plan)
(cf. 0520.2 - Title I Program Improvement Schools)
(cf. 0520.3 - Title I Program Improvement Districts)

10. Initial proposals of exclusive employee representatives and of the district (Government Code 3547)

(cf. 4143.1/4243.1 - Public Notice - Personnel Negotiations)

11. Claims filed against the district and records pertaining to pending litigation (Government Code 6254.25; Fairley v. Superior Court; 71 Ops.Cal.Atty.Gen. 235 (1988))

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

12. Statements of economic interests required by the Conflict of Interest Code (Government Code 81008)

(cf. 9270 - Conflict of Interest)

13. Employment contracts and settlement agreements (Government Code 53262)

(cf. 2121 - Superintendent's Contract)
(cf. 4117.5/4217.5/4317.5 - Termination Agreements)
(cf. 4141/4241 - Collective Bargaining Agreement)

14. Instructional materials including, but not limited to, textbooks (64 Ops.Cal.Atty.Gen. 186 (1981))

(cf. 5020 - Parent Rights and Responsibilities)
(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

Board of Trustees members shall have the ability to access public records permitted by law in the administration of their duties or open to inspection by members of the public. (Government Code 6252.5)

ACCESS TO DISTRICT RECORDS (continued)

The Superintendent or designee shall ensure that any public record containing personal information is redacted to ensure that such information, including, but not limited to, an employee's home address or social security number, is not disclosed to the public.

Confidential Records

Records to which the members of the public shall not have access include, but are not limited to:

1. Preliminary drafts, notes, interagency or intradistrict memoranda which are not retained by the district in the ordinary course of business, provided that the public interest in withholding these records clearly outweighs the public interest in disclosure (Government Code 6254)

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

2. Records specifically prepared for litigation to which the district is a party or to respond to claims made against the district pursuant to the Tort Claims Act, until the litigation or claim has been finally adjudicated or otherwise settled, or beyond, if the records are protected by some other provision of law (Government Code 6254, 6254.25; Fairley v. Superior Court; 71 Ops.Cal.Atty.Gen. 235 (1988))

3. Personnel records, medical records, student records, or similar materials, the disclosure of which would constitute an unwarranted invasion of personal privacy (Government Code 6254)

(cf. 4112.6/4212.6/4312.6 - Personnel Files)
(cf. 4112.62/4212.62/4312.62 - Maintenance of Criminal Offender Records)
(cf. 5125 - Student Records)
(cf. 5125.1 - Release of Directory Information)

The home addresses and home telephone numbers of employees may only be disclosed as follows: (Government Code 6254.3)

a. To an agent or a family member of the employee

b. To an officer or employee of a state agency or another school district or county office of education when necessary for the performance of official duties

ACCESS TO DISTRICT RECORDS (continued)

c. To an employee organization pursuant to regulations and decisions of the Public Employment Relations Board, unless the employee performs law enforcement-related functions or requests in writing that the information not be disclosed

(cf. 4140/4240/4340 - Bargaining Units)

d. To an agent or employee of a health benefit plan providing health services or administering claims for health services to district employees and their enrolled dependents, for the purpose of providing the health services or administering claims for employees and their enrolled dependents

(cf. 4154/4254/4354 - Health and Welfare Benefits)

4. Test questions, scoring keys, and other examination data except as provided by law (Government Code 6254)

(cf. 6162.51 - State Academic Achievement Tests)
(cf. 6162.52 - High School Exit Examination)

5. Without affecting the law of eminent domain, the contents of real estate appraisals or engineering or feasibility estimates and evaluations made for or by the district relative to the acquisition of property, or to prospective public supply and construction contracts, until all of the property has been acquired or all of the contract agreement obtained (Government Code 6254)

6. Information required from any taxpayer in connection with the collection of local taxes that is received in confidence and the disclosure of the information to other persons would result in unfair competitive disadvantage to the person supplying the information (Government Code 6254)

7. Library circulation and patron use records of a borrower or patron including, but not limited to, his/her name, address, telephone number, email address, borrowing information, or use of library information resources (Government Code 6254, 6267)

(cf. 6163.1 - Library Media Centers)

8. Records for which the disclosure is exempted or prohibited pursuant to state or federal law, including, but not limited to, provisions of the Evidence Code relating to privilege (Government Code 6254)

(cf. 9124 - Attorney)

ACCESS TO DISTRICT RECORDS (continued)

9. Documents prepared by or for the district to assess its vulnerability to terrorist attack or other criminal acts intended to disrupt district operations and that are for distribution or consideration in closed session (Government Code 6254)

(cf. 0450 - Comprehensive Safety Plan)

10. Recall petitions, petitions for special elections to fill Board vacancies, or petitions for the reorganization of the school district (Government Code 6253.5)

(cf. 9223 - Filling Vacancies)

11. Minutes of Board meetings held in closed session (Government Code 54957.2)

(cf. 9321 - Closed Session Purposes and Agendas)

12. Computer software developed by the district (Government Code 6254.9)

13. Information security records, the disclosure of which would reveal vulnerabilities to, or increase potential for an attack on, the district's information technology system (Government Code 6254.19)

14. Records that contain individually identifiable health information, including records that may be exempt pursuant to physician-patient privilege, the Confidentiality of Medical Information Act, and the Health Insurance Portability and Accountability Act (Government Code 6254, 6255)

(cf. 5141.6 - School Health Services)

15. Any other records listed as exempt from public disclosure in the California Public Records Act or other statutes

16. Records for which the district can demonstrate that, based on the particular facts of the case, the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record (Government Code 6255)

Inspection of Records and Requests for Copies

Any person may request a copy or inspection of any district record that is open to the public and not exempt from disclosure. (Government Code 6253)

Within 10 days of receiving any request to inspect or copy a district record, the Superintendent or designee shall determine whether the request seeks release of a disclosable

ACCESS TO DISTRICT RECORDS (continued)

public record in the district's possession. The Superintendent or designee shall promptly inform the person making the request of his/her determination and the reasons for the decision. (Government Code 6253)

In unusual circumstances, the Superintendent or designee may extend the 10-day limit for up to 14 days by providing written notice to the requester and setting forth the reasons for the extension and the date on which a determination is expected to be made. Unusual circumstances include the following, but only to the extent reasonably necessary to properly process the request: (Government Code 6253)

1. The need to search for and collect the requested records from field facilities or other establishments that are separate from the office processing the request

2. The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records which are demanded in a single request

3. The need for consultation, which shall be conducted with all practicable speed, with another agency (e.g., a state agency or city) having a substantial interest in the determination of the request or among two or more components of the district (e.g., two different school sites) with substantial interest in the request

4. In the case of electronic records, the need to compile data, write programming language or a computer program, or construct a computer report to extract data

If the Superintendent or designee determines that the request seeks disclosable public records, the determination shall state the estimated date and time when the records will be made available. (Government Code 6253)

Public records shall be open to inspection at all times during district office hours. Any reasonably segregable portion of a record shall be made available for inspection by any person requesting the record after deletion of the portions that are exempted by law. (Government Code 6253)

Upon request for a copy that reasonably describes an identifiable record, an exact copy shall be promptly provided unless it is impracticable to do so. (Government Code 6253)

The Superintendent or designee shall charge an amount for copies that reflects the direct costs of duplication. Written requests to waive the fee shall be submitted to the Superintendent or designee.

If any person requests that a public record be provided in an electronic format, the district shall make that record available in any electronic format in which it holds the information.

ACCESS TO DISTRICT RECORDS (continued)

The district shall provide a copy of the electronic record in the format requested as long as the requested format is one that has been used by the district to create copies for its own use or for use by other agencies. (Government Code 6253.9)

The cost of duplicating an electronic record shall be limited to the direct cost of producing a copy of the record in electronic format. However, the requester shall bear the cost of producing the copy of the electronic record, including the cost to construct the record and the cost of programming and computer services necessary to produce the copy, under the following circumstances: (Government Code 6253.9)

1. The electronic record is one that is produced only at otherwise regularly scheduled intervals.

2. The request would require data compilation, extraction, or programming to produce the record.

Assistance in Identifying Requested Records

If the Superintendent or designee denies a request for disclosable records, he/she shall assist the requester in making a focused and effective request that reasonably describes an identifiable record. To the extent reasonable under the circumstances, the Superintendent or designee shall do all of the following: (Government Code 6253.1)

1. Assist in identifying records and information responsive to the request or the purpose of the request, if specified

   If, after making a reasonable effort to elicit additional clarifying information from the requester to help identify the record, the Superintendent or designee is still unable to identify the information, this requirement shall be deemed satisfied.

2. Describe the information technology and physical location in which the records exist

3. Provide suggestions for overcoming any practical basis for denying access to the records or information sought

Provisions of the Public Records Act shall not be construed so as to delay access for purposes of inspecting records open to the public. Any notification denying a request for public records shall state the name and title of each person responsible for the denial. (Government Code 6253)

RELATIONS BETWEEN OTHER GOVERNMENTAL AGENCIES AND THE SCHOOLS

The Board of Trustees recognizes that agencies at all levels of government share its concern and responsibility for the health, safety, and welfare of youth. The Board and Superintendent or designee shall initiate and maintain good working relationships with representatives of these agencies in order to help district schools and students make use of the resources which governmental agencies can provide.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 1020 - Youth Services)
(cf. 1330 - Use of School Facilities)
(cf. 3515.2 - Disruptions)
(cf. 3515.3 - District Police/Security Department)
(cf. 3515.5 - Sex Offender Notification)
(cf. 3516 - Emergencies and Disaster Preparedness Plan)
(cf. 5030 - Student Wellness)
(cf. 5131.7 - Weapons and Dangerous Instruments)
(cf. 5141.22 - Infectious Diseases)
(cf. 5141.4 - Child Abuse Prevention and Reporting)
(cf. 5145.11 - Questioning and Apprehension by Law Enforcement)
(cf. 5145.12 - Search and Seizure)
(cf. 7131 - Relations with Local Agencies)

The district may enter into agreements with other agencies which involve the exchange of funds or reciprocal services. Such agreements shall be approved by the Board and executed in writing.

Elections/Voter Registration

If a city or county elections official specifically requests the use of a school building as a polling place, the Board shall allow its use for such purpose. The Board may authorize the use of school buildings as polling places on any election day, and may also authorize the use of school buildings, without cost, for the storage of voting machines and other vote-tabulating devices. If school will be in session, the Superintendent or designee shall identify to elections officials the specific areas of the school buildings not occupied by school activities that will be allowed for use as polling places. (Elections Code 12283)

(cf. 6111 - School Calendar)

When a school is used as a polling place, the Superintendent or designee shall provide the elections official a site with an adequate amount of space that will allow the precinct board to perform its duties in a manner that will not impede, interfere, or interrupt the normal process of voting and shall make a telephone line for Internet access available for use by local elections officials if so requested. He/she shall make a reasonable effort to ensure that the site is accessible to disabled persons. (Elections Code 12283)

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

RELATIONS BETWEEN OTHER GOVERNMENTAL AGENCIES AND THE SCHOOLS (continued)

The Superintendent or designee shall designate a contact person at each high school for the Secretary of State to contact in order to facilitate the distribution of voter registration forms to eligible students. The Superintendent or designee shall provide the address, phone number, and email address of each contact person to the Secretary of State. (Elections Code 2148)

To encourage students to participate in the elections process when they are eligible, the Superintendent or designee shall determine the most effective means of distributing the voter registration forms provided by the Secretary of State including, but not limited to, distributing the forms at the start of the school year, with orientation materials, at central locations, and/or with graduation materials.

(cf. 6142.3 - Civic Education)

Legal Reference:

EDUCATION CODE
10900-10914.5 Cooperative community recreation programs
12400 Authority to receive and expend federal funds
12405 Authority to participate in federal programs
17050 Joint use of library facilities
17051 Joint use of park and recreational facilities
32001 Fire alarms and drills
32288 Notice of safety plan
35160 Authority of governing boards
35160.1 Broad authority of school districts
48902 Notification of law enforcement agencies
48909 District attorney may give notice student drug use, sale or possession
49305 Cooperation of police and California Highway Patrol
49402 Contracts with city, county or local health departments
49403 Cooperation in control of communicable disease and immunization
51202 Instruction in personal and public health and safety
ELECTIONS CODE
2145-2148 Distribution of voter registration forms
12283 Polling places: schools
WELFARE AND INSTITUTIONS CODE
828 Disclosure of information minors by law enforcement agency
828.1 School district police department; disclosure of juvenile criminal records

Management Resources:

WEB SITES
CSBA: http://www.csba.org
California Secretary of State: http://www.ss.ca.gov
California Voter Foundation: http://www.calvoter.org
Cities, Counties, and Schools Partnership: http://www.ccspartnership.org

WAIVERS

The Board of Trustees recognizes that strict compliance with the law may sometimes hinder the district's ability to provide its students with an effective, well-rounded educational program. When it is in the interest of district students, the Board may request that the State Board of Education (SBE) waive any provision of state or federal law or regulation which it has authority to waive pursuant to Education Code 33050.

Any waiver request to be submitted to the SBE shall first be approved by the Board. The Superintendent or designee shall ensure that each proposed waiver request includes all information necessary for the Board to analyze the need for the waiver and make an informed decision.

Prior to presenting the proposed request for Board approval, the Superintendent or designee shall consult with and obtain the approval of any advisory committee or site council when required by law.

(cf. 0420 - School Plans/Site Councils)
(cf. 0420.1 - School-Based Program Coordination)
(cf. 1220 - Citizen Advisory Committees)

In addition, the Superintendent or designee shall involve the exclusive representative of district employees in the development of the waiver request, and shall include in the request the exclusive representative's position regarding the waiver. (Education Code 33050)

(cf. 4140/4240/4340 - Bargaining Units)

To receive public testimony on each waiver request proposal, the Board shall hold a properly noticed public hearing during a Board meeting. (Education Code 33050)

The notice, which shall state the time, date, location, and subject of the public hearing, may be printed in a newspaper of general circulation or posted at each school and three public places in the district.

(cf. 9320 - Meetings and Notices)

When the district has requested and received the same general waiver from the SBE for two consecutive years, the Board is not required to reapply annually if the information contained on the request remains current. However, the district shall apply annually for the renewal of any waiver regarding teacher credentialing. (Education Code 33051)

Legal Reference: (see next page)

WAIVERS (continued)

Legal Reference:

EDUCATION CODE
305-311 Structured English immersion program; parental exception waivers
5000-5033 Governing board elections
8750-8754 Grants for conservation education
10400-10407 Cooperative improvement programs
17047.5 Facilities used by special education students
17291 Portable school buildings
33050-33053 General waiver authority
37202 Equity length of time
41000-41360 School finance
41381 Minimum school day
41600-41854 Computation of allowances
41920-42842 Budget requirements; local taxation by school districts
44520-44534 New Careers Program
44666-44669 School-Based Management and Advanced Career Opportunities
44681-44689 Administrator Training and Evaluation
45108.7 Maximum number of senior management positions
48660-48666 Community day schools
48800 Attendance at community college
49550-49560 Meals for needy students
51224.5 Algebra instruction
51745.6 Charter school independent study ratio
52160-52178 Bilingual-Bicultural Education Act of 1976
52340-52346 Career Guidance Centers
52522 Plans for adult education
52850-52863 School-Based Program Coordination
54100-54145 Miller-Unruh Basic Reading Program
54407 Waiver for compensatory education programs
56000-56867 Special education programs
58407 Waiver related to individualized instruction program
58900-58928 Restructuring demonstration programs
60119 Public hearing on sufficiency of instructional materials
60851 High school exit examination, waiver for student with disabilities
CODE OF REGULATIONS, TITLE 5
1032 Academic Performance Index
3100 Resource specialist caseload waivers
3945 Cooperative programs
9531 Instructional materials funding
11960 Charter school attendance
11963.4 Charter school percentage funding
13017 Waivers, compensatory education New Careers in Education Program
13044 Waivers, compensatory education Professional Development and Program Improvement Programs

Legal Reference continued: (see next page)

WAIVERS (continued)

Legal Reference: (continued)
UNITED STATES CODE, TITLE 20
1400-1482 Individuals with Disabilities Education Act
7115 Safe and Drug Free Schools, authorized activities

Management Resources:
WEB SITES
California Department of Education, Waiver Office: http://www.cde.ca.gov/re/lr/wr
Commission on Teacher Credentialing: http://www.ctc.ca.gov

RELATIONS BETWEEN PRIVATE INDUSTRY AND THE SCHOOLS

The Board of Trustees recognizes that private industry and the schools have a mutual interest in maximizing student achievement in order to prepare students to be productive citizens and contribute to the economic health of the community. The Board shall encourage local business involvement in efforts that support the core mission and goals of the district and promote the academic, social, and physical well-being of students.

(cf. 0000 - Vision)
(cf. 0200 - Goals for the School District)
(cf. 6142.3 - Civic Education)
(cf. 6142.4 - Service Learning/Community Service Classes)

The Board and the Superintendent or designee may develop strategies to initiate business partnerships and shall communicate with business partners about district needs and priorities. The Superintendent or designee may assign district staff to coordinate community/business outreach efforts on behalf of the district and work to ensure equitable distribution of business involvement across all district schools.

(cf. 9000 - Role of the Board)

Businesses and industry and/or their representatives may support district schools and programs by:

1. Volunteering in the classroom or school, providing special instructional programs or assemblies, and serving as tutors or mentors for individual students

(cf. 1240 - Volunteer Assistance)
(cf. 1250 - Visitors/Outsiders)

2. Donating funds, products, instructional materials, or services that serve an educational purpose

(cf. 1260 - Educational Foundation)
(cf. 3290 - Gifts, Grants and Bequests)
(cf. 6161.1- Selection and Evaluation of Instructional Materials)
(cf. 9270 - Conflict of Interest)

3. Purchasing advertisements in school-sponsored publications or on school property in accordance with law and Board policy

(cf. 1325 - Advertising and Promotion)
(cf. 3312 - Contracts)

4. Serving on advisory committees in order to provide business expertise or perspectives

(cf. 1220 - Citizen Advisory Committees)
(cf. 5030 - Student Wellness)

RELATIONS BETWEEN PRIVATE INDUSTRY AND THE SCHOOLS (continued)

5. Working with district staff to ensure the relevance and rigor of the district's career technical education program and providing work opportunities for students enrolled in these programs

(cf. 5113.2 - Work Permits)
(cf. 6178 - Career Technical Education)
(cf. 6178.1 - Work-Based Learning)

6. Engaging in other activities approved by the Superintendent or designee that are designed to increase student learning or support school operations

The Board urges employers to further support the schools by recognizing their employees' needs as parents/guardians, accommodating their needs for child care, and supporting their involvement with their children's schools.

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

The Superintendent or designee may publicly acknowledge the support of a business partner in district communications and/or by allowing the use of the business name or logo on donated products or materials, but shall not unduly promote or endorse any commercial activity or products. He/she also may recommend Board commendation to those individuals and/or businesses that have made extraordinary contributions to the district.

(cf. 1150 - Commendation and Awards)

The Superintendent or designee shall regularly report to the Board regarding the district's progress in establishing and sustaining business partnerships and the ways in which businesses have supported district programs.

(cf. 0500 - Accountability)

Legal Reference: (see next page)

RELATIONS BETWEEN PRIVATE INDUSTRY AND THE SCHOOLS (continued)

Legal Reference:

EDUCATION CODE
8070 Career technical education advisory committee
35160 Authority of governing boards
35160.1 Broad authority of school districts
41030-41037 Gifts and bequests
51760-51769.5 Work experience education
52300-52499.66 Career technical education
UNITED STATES CODE, TITLE 20
2301-2414 Carl D. Perkins Career and Technical Education Act of 2006, especially:
2354 Local plan for career technical education, business involvement

Management Resources:

CSBA PUBLICATIONS
School-Based Marketing of Foods and Beverages: Policy Implications for School Boards, Policy Brief, March 2006
Maximizing School Board Governance: Community Leadership, 1996
COUNCIL FOR CORPORATE AND SCHOOL PARTNERSHIPS PUBLICATIONS
A How-To Guide for School-Business Partnerships
NATIONAL ASSOCIATION OF STATE BOARDS OF EDUCATION PUBLICATIONS
Building Business Support for School Health Programs, 1999
WEB SITES
CSBA: http://www.csba.org
California Consortium of Education Foundations: http://www.cceflink.org
California Department of Education, Parents/Family and Community: http://www.cde.ca.gov/ls/pf
Council for Corporate and School Partnerships: http://www.corpschoolpartners.org
National Association of State Boards of Education: http://www.nasbe.org