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**Board Policy
Community Relations
Concepts and Roles**

BP 1000

The Governing Board 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.

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.

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.

Legal Reference:

EDUCATION CODE

35160 Authority of governing boards

35172 Promotional activities

(6/85) 10/96

Adopted by the Board of Trustees: 2/15/06

**Board Policy
Community Relations
Communication with the Public**

BP 1100(a)

The Governing Board 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.

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 methods to provide information to the public with access to information. Such methods may include, but are not limited to, district and school newsletters, web sites, social media, electronic 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.

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.

The Superintendent or designee may provide staff members with professional development to assist them in effectively responding to requests for information or assistance by parents/guardians or members of the public.

The Superintendent or designee shall provide multiple avenues and 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.

Mass Mailings at Public Expense

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

A mass mailing is prohibited if all of the following criteria are met: (Government Code 89001-89002)

1. The mailing involves sending a tangible item, such as a videotape, record, button, or written document, which is delivered by any means to recipients at their residence, place of employment or business, or post office box.

Communication with the Public

BP 1100(b)

2. The item features a Board member or includes the name, office, photograph, or other reference to a Board member and is prepared or sent in cooperation, consultation, coordination, or concert with the Board member.
3. The costs of distribution, or any costs of design, production, and printing exceeding \$50, are paid with district funds.
4. More than 200 substantially similar items, as defined in Government Code 89002, are sent in a single calendar month.

The above prohibition does not apply to the types of mass mailings specified in Government Code 89002(b), including, but not limited to: (Government Code 89002)

1. An item in which the Board member's name appears only in a roster containing the names of all Board members or in the letterhead or logotype of the stationery, forms, and envelopes of the district, a district committee, or the Board member
2. An announcement including only a single mention of the Board member's name which concerns a public meeting related to the Board member's duties or any official district event(s) for which the district is providing the use of its facilities, staff, or other financial support
3. A business card that contains only one mention of the Board member's name and no photograph of the Board member

However, any of the excepted mailings listed in items #1-3 above that meets the criteria for prohibited mass mailings shall not be sent within 60 days preceding an election in which a Board member to whom the mailing relates will appear on the ballot as a candidate. (Government Code 89003)

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 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.

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.

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: (Next page)

Communication with the Public

BP 1100(c)

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

89001-89003 Newsletter or mass mailing

CODE OF REGULATIONS, TITLE 2

18901.1 Campaign-related mailings sent at public expense

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 Americans with Disabilities Act

WEB SITES

California School Public Relations Association: <http://www.calspra.org>

Fair Political Practices Commission: <http://www.fppc.ca.gov>

(3/08 3/11) 10/18

Adopted by the Board of Trustees

Date: (08/11/11) December 10, 2018

The Governing Board 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.

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

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.

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 students' 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.

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.

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.

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.

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>

(9/92 10/96) 7/01

Adopted by the Board of Trustees: 2/15/06

**Board Policy
Community Relations
District and School Web Sites**

BP 1113(a)

To enhance communication with students, parents/guardians, staff, and community members, the Governing Board encourages the Superintendent or designee to develop and maintain district and school 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.

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 and school web sites to individuals with disabilities, including compatibility with commonly used assistive technologies.

Web Site Content

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

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

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.

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

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

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

Employees' home addresses, personal telephone numbers, and personal email addresses 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)

Legal Reference: (Next page)

District and School Web Sites (continued)

BP 1113(b)

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

BUSINESS AND PROFESSIONS CODE

- 22580-22582 Digital privacy
- 22584-22585 Student Online Personal Information Protection Act
- 22586 Preschool and prekindergarten privacy

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

- 101-122 Subject matter and scope of copyright
- 504 Penalties for copyright infringement

UNITED STATES CODE, TITLE 20

- 1232g Federal Family Educational Rights and Privacy Act

UNITED STATES CODE, TITLE 29

- 705 Definitions; Vocational Rehabilitation Act
- 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
- 104.1-104.61 Nondiscrimination on the basis of disability

COURT DECISIONS

- City of San Jose v. Superior Court, (2017) 2 Cal.5th 608
- Aaris v. Las Virgenes Unified School District, (1998) 64 Cal.App.4th 1112
(7/07 7/11) 10/17

Adopted by the Board of Trustees

Date: (08/11/08, 02/16/12) December 11, 2017

Design Standards

The Superintendent or designee shall develop design standards for district and school web sites that include, but are not limited to, guidelines to ensure the clear organization of the material, readability of the font type and size, and simplicity of the navigation structure linking the content on the web site. Such standards shall take into consideration the ease of use on a wide range of devices.

In accordance with the requirements of the Americans with Disabilities Act and Section 504 of the federal Rehabilitation Act of 1973, district and school web sites shall contain features that ensure accessibility for individuals with disabilities, which may include, but are not limited to, captions for videos and multimedia presentations, text alternatives to images, provision of sufficient time to use the content, avoidance of flashing images, adequate contrast in visual presentations, and/or other features that meet applicable standards for web site accessibility. The Superintendent or designee shall regularly review district and school web sites and modify them as needed to ensure legal compliance with accessibility standards.

Web Site Content

As applicable, district and school web sites shall provide current information regarding the district's mission and goals, district/school programs and operations, district/school news, agendas and minutes of Governing Board meetings, School Accountability Report Cards, school calendars, and links to educational resources.

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.

Any copyrighted material to be posted on a district or school web site shall be submitted to the Superintendent or designee together with the permission of the copyright owner to reprint the material. Any copyrighted material submitted without the copyright owner's permission shall only be posted on a district or school web site if the Superintendent or designee determines that the material is in the public domain or that the intended use meets the criteria for fair use or another exception pursuant to 17 USC 107-122. When any copyrighted material is posted, the web site shall include a notice crediting the copyright owner and, as necessary, shall note that permission to reprint the material was granted.

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 review district and school web sites to ensure consistency 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 editorial reviews 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)

AR 1113(b)

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.

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.

(3/00 7/11) 10/17

Adopted by the Board of Trustees

Date: (02/15/06, 02/16/12) December 11, 2017

**Board Policy
Community Relations
Commendations and Awards**

BP 1150

To encourage community involvement in district programs and activities, the Governing Board 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.

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.

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

(1/85 12/91) 7/10

Adopted by the Board of Trustees

Date: November 8, 2010

**Board Policy
Community Relations
Political Processes**

BP 1160(a)

The Governing Board 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.

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 agendaized 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.

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)

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.

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.

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.

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.

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.

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)

Legal Reference:

EDUCATION CODE	8314 Unlawful use of state resources
7050-7058 Political activities of school officers and employees, including:	53060.5 Attendance at legislative body; expenses
7054 Use of district property	54953.5 Right to record proceedings
7054.1 Requested appearance	54953.6 Broadcasts of proceedings
7056 Soliciting or receiving political funds	81000-91015 Political Reform Act, including:
35160 Authority of governing boards	82031 Definition of independent expenditure
35172 Promotional activities	CODE OF REGULATIONS, TITLE 2
ELECTIONS CODE	18600-18640 Lobbyists
9501 School district elections, arguments for or against a measure	18901.1 Campaign related mailings sent at public expense
GOVERNMENT CODE	(2/96 6/98) 3/11

Adopted by Board of Trustees: August 11, 2011

**Board Policy
Community Relations
Citizen Advisory Committees**

BP 1220

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

The Board shall 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.

The Superintendent or designee may establish advisory committees which shall 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 may 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.

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
1751 Note Local wellness policy
COURT DECISIONS
Frazer v. Dixon Unified School District, (1993) 18 Cal.App.4th 781
(10/94 7/05) 7/07

Adopted by the Board of Trustees

Date: August 11, 2008

**Administrative Regulation
Community Relations
Citizen Advisory Committees**

AR 1220(a)

Committee Charge

When committees are appointed, committee members shall receive written information which includes, but is 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

Committees Subject to Brown Act Requirements

Brown Act requirements pertaining to open meetings, notices, and public participation pursuant to Government Code 54950-54963 shall be complied with by any committee created by formal action of the Governing Board, including, but not limited to, the following:

1. Advisory committee established pursuant to Education Code 56190-56194 related to special education
2. Advisory committee established pursuant to Education Code 8070 related to career technical education
3. Committee established to assist in development of a student wellness policy pursuant to 42 USC 1758b
4. Committee established pursuant to Education Code 17387-17391 related to the use or disposition of excess real property
5. Citizens' oversight committee established to examine the expenditure of general obligation bond or school facilities improvement bond revenues passed with a 55 percent majority of the voters pursuant to Education Code 15278 and 15359.3

Committees Not Subject to Brown Act Requirements

The following committees shall comply with procedural meeting requirements established in Education Code 35147:

1. Parent advisory committee and English learner parent advisory committee established pursuant to Education Code 52063 to review and comment on the local control and accountability plan
2. School site councils established pursuant to Education Code 65000-65001 to develop and approve a school plan for student achievement
3. District or school advisory committees established pursuant to Education Code 52176 related to programs for English learners
4. School advisory committees established pursuant to Education Code 54425(b) related to compensatory education
5. Any district advisory committee established pursuant to Education Code 54444.2 related to migrant education programs

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

Meetings of the above councils or committees shall be open to the public, and 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)

Any council or committee 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 council or committee shall be made available to any member of the public upon request pursuant to the California Public Records Act, Government Code 6250-6270. (Education Code 35147)

Committees Created by Superintendent

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

(7/07 12/14) 12/18

Adopted by the Board of Trustees

Date: (08/11/08, 07/21/15) February 4, 2019

**Board Policy
Community Relations
School-Connected Organizations**

BP 1230(a)

The Governing Board recognizes that parents/guardians and community members may wish to organize parent organizations and/or booster clubs for the purpose of supporting the district's educational and extracurricular programs. The Board appreciates the contributions made by such organizations toward the Board's vision for student learning and for providing all district students with high-quality educational opportunities.

Persons proposing to establish a school-connected organization shall submit a request to the Board for authorization to operate within the district or at a district school.

A school-connected organization, including a booster club, parent-teacher association or organization, or other organization that does not include an associated student body or other student organization, shall be established and maintained as a separate entity from the school or district. Each school-connected organization shall be subject to its own bylaws and operational procedures or to the rules or bylaws of its affiliated state or national organization, as applicable.

In addition, activities by school-connected organizations shall be conducted in accordance with law, Board policies, administrative regulations, and any rules of the sponsoring school.

The Superintendent or designee shall establish appropriate rules for the relationship between school-connected organizations and the district.

A school-connected organization shall obtain the written approval of the Superintendent or designee prior to soliciting funds upon the representation that the funds will be used wholly or in part for the benefit of a district school or the students at that school. (Education Code 51521)

A school-connected organization may consult with the principal to determine school needs and priorities.

Any participation in fundraising activities by students and their parents/guardians and/or any donation of funds or property shall be voluntary. (Education Code 49011)

Legal Reference: (Next page)

School-Connected Organizations (continued)

BP 1230(b)

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
49011 Student fees
49431-49431.7 Nutritional standards
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
15575-15578 Requirements for foods and beverages outside the federal meals program

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

CODE OF FEDERAL REGULATIONS, TITLE 7

210.11 Competitive food services
220.12 Competitive food services

COURT DECISIONS

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

Management Resources:

FISCAL CRISIS AND MANAGEMENT ASSISTANCE TEAM PUBLICATIONS

2015 ASB Accounting Manual, Fraud Prevention Guide and Desk Reference

WEB SITES

California Office of the Attorney General, charitable trust registry: <http://caag.state.ca.us/charities>

California State PTA: <http://www.capta.org>

Fiscal Crisis and Management Assistance Team (FCMAT); <http://www.fcmat.org>
(12/90 7/07) 5/16

Adopted by the Board of Trustees

Date: (08/11/08) July 1, 2016

**Administrative Regulation
Community Relations
School-Connected Organizations**

AR 1230(a)

A school-connected organization's request for authorization to operate within the district or at a district school shall contain, as appropriate:

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, either by district personnel or a certified public accountant, whenever any concern is raised regarding the use of the funds
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 and/or directors and officers insurance when and in the manner required by law.

Groups, organizations, or persons using school facilities or grounds shall be liable for any property damage caused by the activity. The district may charge the amount necessary to repair the damages and may deny the group further use of school facilities or grounds. (Education Code 38134)

Any group or organization using school facilities or grounds shall be liable for any injuries resulting from its negligence during the use of district facilities or grounds. The group shall bear the cost of insuring against this risk and defending itself against claims arising from this risk. (Education Code 38134)

Groups or organizations shall provide the district with evidence of insurance against claims arising out of the group's own negligence when using school facilities. (Education Code 38134)

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

When deemed necessary by the Board or the Superintendent or designee, the authorization for a school-connected organization to conduct activities in the district may be revoked at any time.

Each school-connected organization shall abide by the following rules:

1. The organization shall not act as an agent of the district or school.
2. The organization shall not use the district's tax-exempt status and identification number. It shall be responsible for its own tax status, accounting, internal controls, financial reporting, retention of records, and other operations.

School-Connected Organizations (continued)

AR 1230(b)

3. The organization shall use a separate name and logo. Any use of a name or logo affiliated with the district, a district school, or a school team shall require the prior consent of the Superintendent or designee.
4. Funds of the school-connected organization shall not be co-mingled with district funds, including associated student body funds.
5. The organization shall not hire or directly pay any district employee. If a school-connected organization wishes to pay for additional and/or extracurricular services, the person to provide the services shall be hired through the district's personnel department, provided the Board approves the position. At their discretion, employees may volunteer to perform activities for school-connected organizations during nonworking hours.

(12/90 7/07) 5/16

Adopted by the Board of Trustees
Date: (08/11/08, 04/20/15) July 11, 2016

**Board Policy
Community Relations
Volunteer Assistance**

BP 1240(a)

The Governing Board recognizes that volunteer assistance in schools can enrich the educational program, increase supervision of students, and contribute to school safety while strengthening the schools' relationships with the community. The Board encourages parents/guardians and other members of the community to share their time, knowledge, and abilities with students.

The Superintendent or designee shall develop and implement a plan for recruiting, screening, and placing volunteers, including strategies for reaching underrepresented groups of parents/guardians and community members. He/she may also recruit community members to serve as mentors to students and/or make appropriate referrals to community organizations.

The Board prohibits harassment of any volunteer on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status. (Government Code 12940)

As appropriate, the Superintendent or designee shall provide volunteers with information about school goals, programs, and practices and an orientation or other training related to their specific responsibilities. Employees who supervise volunteers shall ensure that volunteers are assigned meaningful responsibilities that utilize their skills and expertise and maximize their contribution to the educational program.

Volunteer work shall be limited to those projects that do not replace the normal duties of classified staff. The Board nevertheless encourages volunteers to work on short-term projects to the extent that they enhance the classroom or school and comply with employee negotiated agreements.

The Superintendent or designee shall establish procedures for determining whether volunteers possess the qualifications, if any, required by law and administrative regulation for the types of duties they will perform.

Volunteers shall act in accordance with district policies, regulations, and school rules. The Superintendent or designee shall be responsible for investigating and resolving complaints regarding volunteers.

The Board encourages principals to develop a means for recognizing the contributions of each school's volunteers.

The Superintendent or designee shall periodically report to the Board regarding the district's volunteer assistance program.

Workers' Compensation Insurance

The Board desires to provide a safe environment for volunteers and minimize the district's exposure to liability.

Unsalariated 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)

Legal Reference (Next page)

Volunteer Assistance (continued)

BP 1240(b)

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

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

48981 Parental notifications

49024 Activity Supervisor Clearance Certificate

49406 Examination for tuberculosis

GOVERNMENT CODE

3543.5 Prohibited interference with employees' rights

12940 Prohibited discrimination and harassment

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

3352 Workers' compensation; definitions

3364.5 Authority to provide workers' compensation insurance for volunteers

PENAL CODE

290 Registration of sex offenders

290.4 Information re: sex offenders

290.95 Disclosure by person required to register as sex offender

626.81 Sex offender; permission to volunteer at school

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

PUBLIC EMPLOYMENT RELATIONS BOARD DECISIONS

Whisman Elementary School District, (1991) PERB Decision No. 868

Management Resources:

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education, Parents/Family and Community: <http://www.cde.ca.gov/l/p/f>

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>

(3/10 7/10) 12/14

Adopted by the Board of Trustees

Date: (11/08/10, 09/08/14) 07/21/2015

**Administrative Regulation
Community Relations
Volunteer Assistance**

AR 1240(a)

Duties of Volunteers

The Superintendent or designee may assign volunteers to:

1. Assist certificated personnel in the performance of their duties, including in the supervision of students and in the performance of instructional tasks which, in the judgment of the certificated personnel to which the volunteer is assigned, may be performed by a person not licensed as a classroom teacher (Education Code 35021, 45343, 45344, 45349)
2. Serve as nonteaching aides under the immediate supervision and direction of certificated personnel to perform noninstructional work which assists certificated personnel in the performance of teaching and administrative responsibilities (Education Code 35021)
3. Supervise students during lunch, breakfast, or other nutritional periods (Education Code 35021, 44814, 44815)
4. Work on short-term facilities projects pursuant to the section below entitled "Volunteer Facilities Projects"
5. Perform other duties in support of district or school operations as approved by the Superintendent or designee

Volunteers shall not be authorized to assign grades to students, and shall not be used to assist certificated staff in performing teaching or administrative responsibilities in place of regularly authorized classified employees who have been laid off. (Education Code 35021, 45344)

Basic Skills Proficiency Requirement

Volunteers who supervise or provide instruction to students pursuant to Education Code 45349 shall submit evidence of basic skills proficiency to the Superintendent or designee. (Education Code 45344.5, 45349)

Criminal Background Check

Prior to assuming a volunteer position working with students in a district-sponsored student activity program, a volunteer shall obtain fingerprint clearance through the Department of Justice and Federal Bureau of Investigation. At his/her discretion, the volunteer may choose to meet this requirement by obtaining an Activity Supervisor Clearance Certificate from the Commission on Teacher Credentialing. Student activity programs include, but are not limited to, scholastic programs, interscholastic programs, and extracurricular activities sponsored by the district or a school booster club, such as cheer team, drill team, dance team, and marching band. (Education Code 49024)

(cf. 4012.5 - Criminal Background Check; 4027 - Temporary Athletic Team Coaches; 6145 - Extracurricular and Cocurricular Activities)

The Superintendent or designee shall determine which volunteer positions in the district are subject to the above requirement.

The criminal background check requirement shall not apply to volunteer supervisors for breakfast, lunch, or other nutritional periods or to volunteer nonteaching aides under the immediate supervision and direction of certificated personnel pursuant to Education Code 35021, including parents/guardians volunteering in a classroom or on a field trip or community members providing noninstructional services. (Education Code 49024)

Registered Sex Offenders

The Superintendent or designee may require all volunteers to disclose whether they are a registered sex offender and/or to provide the district with sufficient information in order to allow verification of this status on the Department of Justice's Megan's Law web site.

The principal may grant a registered sex offender, who is not the parent/guardian of a student at the school, permission to come into a school building or upon school grounds to volunteer at the school. At least 14 days prior to the first date for which permission has been granted, the principal or designee shall notify the parent/guardian of each student at the school, using one of the methods specified in Education Code 48981, that a person who is required to register as a sex offender pursuant to Penal Code 290 has been granted permission to come into a school building or upon school grounds, the date(s) and times for which permission has been granted, and the parent/guardian's right to obtain information regarding the person from a designated law enforcement agency. (Penal Code 626.81)

However, no person who is required to register as a sex offender pursuant to Penal Code 290 shall be assigned as a volunteer to assist certificated personnel in the performance of their duties; supervise students during lunch, breakfast, or other nutritional period; or serve as a nonteaching aide to perform noninstructional tasks. In addition, a person who is required to register as a sex offender because of a conviction for a crime where the victim was a minor under age 16 shall not serve as a volunteer in any capacity in which he/she would be working directly and in an unaccompanied setting with minors on more than an incidental and occasional basis or have supervision or disciplinary power over minors. (Education Code 35021, 45349; Penal Code 290.95)

Tuberculosis Assessment/Examination

Upon initial volunteer assignment, a volunteer shall have on file with the school a certificate showing that he/she has submitted to a tuberculosis risk assessment and, if tuberculosis risk factors were identified, was examined and found to be free of infectious tuberculosis. (Education Code 49406)

The Superintendent or designee may exempt from the tuberculosis risk assessment and/or examination those volunteers whose functions do not require frequent or prolonged contact with students. (Education Code 49406)

Volunteer Facilities Projects

All volunteer facilities projects shall have approximate start and completion dates and shall be approved by the principal in advance. Projects also shall be approved in advance by the Superintendent or designee if they involve the following types of work:

1. Alterations, additions, or repairs to buildings and grounds
2. Construction involving wall or roof penetration, drilling, or nailing
3. Structural modifications
4. Electrical, electronic, plumbing, or heating and cooling work
5. Painting
6. Installation of carpet, playground equipment, benches, sprinkler systems, marquees or signs
7. Paving
8. Tree planting, pruning, or removal

The Superintendent or designee shall ensure that volunteers possess the appropriate license and/or have sufficient expertise required for the project. He/she shall also ensure that such projects comply with building and safety codes and other applicable laws and collective bargaining agreements. The district shall provide on-site assistance and supervision for such projects as necessary.

(3/10 7/10) 12/14

**Board Policy
Visitors/Outsiders
Community Relations**

BP 1250(a)

The Governing Board believes that it is important for parents/guardians and community members to take an active interest in the issues affecting district schools and students. Therefore, the Board encourages interested parents/guardians and community members to visit the schools and participate in the educational program.

To ensure the safety of students and staff and minimize interruption of the instructional program, the Superintendent or designee shall establish procedures which facilitate visits during regular school days. Visits during school hours should be arranged with the principal or designee. When a visit involves a conference with a teacher or the principal, an appointment should be scheduled during noninstructional time.

(cf. 6116 - Classroom Interruptions)

Any person who is not a student or staff member shall register immediately upon entering any school building or grounds when school is in session.

The principal or designee may provide a visible means of identification for all individuals who are not students or staff members while on school premises.

No electronic listening or recording device may be used by any person in a classroom without the teacher's 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 Penal Code 626.7, 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/guardian of a district student, shall request written permission from the principal before entering the school campus or grounds. The principal shall indicate on the written permission the date(s) and time(s) for which permission has been granted.

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: (Next page)

Visitors/Outsiders (continued)

BP 1250(b)

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)
- (10/96 7/10) 3/12

Adopted by the Board of Trustees

Date: (November 8, 2010) October 8, 2012

**Administrative Regulation
Community Relations
Visitors/Outsiders**

AR 1250

The Superintendent or designee shall post at every entrance to each school and school grounds a notice describing registration requirements, school hours or hours during which registration is required, the registration location, the route to take to that location, and the penalties for violation of registration requirements. (Education Code 32211; Penal Code 627.6)

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

Registration Procedure

In order to register, a visitor shall, upon request, furnish the principal or designee with the following information: (Penal Code 627.3)

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

Principal's Registration Authority

The principal or designee may refuse to register any visitor if he/she reasonably concludes that the individual'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 any visitor's registration if he/she has a reasonable basis for concluding that the individual'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. (Penal Code 627.4)

When a visitor fails to register, or when the principal or designee denies or revokes a visitor's registration privileges, the principal or designee may request that the individual promptly leave school grounds. When an outsider is directed to leave, the principal or designee shall inform him/her that if he/she reenters the school within seven days he/she may be guilty of a misdemeanor subject to a fine and/or imprisonment. (Penal Code 627.7)

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. (Penal Code 627.5)

(6/96 10/96) 7/10

Adopted by the Board of Trustees
Date: November 8, 2010

**Board Policy
Community Relations
Educational Foundation**

BP 1260

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

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

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

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

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>
(9/91) 7/07

Adopted by the Board of Trustees

Date: August 11, 2008

**Board Policy
Community Relations
Complaints Concerning the Schools**

BP 1312

The Governing Board believes that the quality of the educational program can improve when the district listens to complaints, considers differences of opinion, and resolves disagreements through an established, objective process.

The Board encourages complainants to resolve problems early and informally whenever possible. If a problem remains unresolved, the individual should submit a formal complaint as early as possible in accordance with appropriate district procedures. District procedures shall be readily accessible to the public.

Individual Board members do not have authority to resolve complaints. If approached directly with a complaint, however, Board members should listen to the complaint and show their concern by referring the complainant to the Superintendent or designee so that the problem may receive proper consideration.

Legal Reference:

EDUCATION CODE

35146 Closed sessions

GOVERNMENT CODE

950-950.8 Actions against public employees

54957-54957.8 Closed sessions

CODE OF REGULATIONS, TITLE 5

3080 Application of section 4600-4671

4600-4671 - Uniform complaint procedures

(6/85 12/87) 12/91

Adopted by the Board of Trustees: 2/15/06

**NORMA DE LA MESA DIRECTIVA DEL DISTRITO ESCOLAR
RELACIONES COMUNITARIAS
QUEJAS CON RESPECTO A LAS ESCUELAS**

BP 1312

La Mesa Directiva del distrito escolar cree que la calidad del programa educativo puede mejorar cuando el distrito escucha las quejas, considera las diferencias de opinión, y resuelve desacuerdos por un proceso establecido y objetivo.

La Mesa Directiva del distrito escolar anima a los demandantes a resolver los problemas lo mas pronto posible e informalmente cuando sea posible. Si un problema permanece sin ser resuelto, el individuo debe someter una queja formal tan rápido como sea posible de acuerdo con los procedimientos apropiados del distrito. Los procedimientos del distrito deben ser facilmente accesibles al público.

Los miembros individuales de la Mesa Directiva del distrito escolar no tienen la autoridad para resolver las quejas. Sin embargo, si son dirigidos directamente con una queja, miembros de la Mesa Directiva del distrito escolar deben escuchar la queja y mostrar su preocupación refiriendo al demandante al Superintendente o a la persona designada para que el problema pueda recibir la consideración apropiada.

Referencia legal:

CÓDIGO EDUCATIVO

35146 Sesiones cerradas

CÓDIGO GUBERNAMENTAL

950-950.8 Acciones contra empleados públicos

54957-54957.8 Sesiones cerradas

CÓDIGO DE REGULACIONES, TITULO 5

3080 Aplicación de la sección 4600-4671

4600-4671 - Procedimiento uniforme de quejas

**Board Policy
Community Relations
Complaints Concerning District Employees**

BP 1312.1

The Governing Board 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.

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)

(6/92 6/93) 6/94

Errata changes 10/96

Adopted by the Board of Trustees: 2/15/06

**Administrative Regulation
Community Relations
Complaints Concerning District Employees**

AR 1312.1(a)

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.

To promote prompt and fair resolution of the complaint, 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 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

Complaints Concerning District Employees

AR 1312.1(b)

- 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.

Before the Board holds a closed session on specific complaints or charges brought against an employee, the employee shall receive written notice of his/her right to have the complaints or charges heard in open session if desired. This notice shall be delivered personally or by mail at least 24 hours before the time of the session. (Govt Code 54957)

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.

(12/88 6/94) 3/01

Adopted by the Board of Trustees: 2/15/06

**NORMA DE LA MESA DIRECTIVA DEL DISTRITO ESCOLAR
RELACIONES COMUNITARIAS
QUEJAS RELACIONADAS A EMPLEADOS DEL DISTRITO**

BP 1312.1

La Mesa Directiva del distrito escolar acepta responsabilidad en proporcionar medios por lo cuales el público puedan esperar que los empleados del distrito sean responsables por sus propias acciones. La Mesa Directiva del distrito escolar desea que las quejas se resuelvan pronto sin interrumpir el proceso educativo.

El Superintendente o persona designada debe desarrollar las regulaciones que permiten al público someter quejas contra empleados del distrito en una manera apropiada. Estas regulaciones deben proteger los derechos de los participantes comprometidos. La Mesa Directiva del distrito escolar puede servir como un cuerpo de apelaciones si la queja no se resuelve.

La Mesa Directiva del distrito escolar prohíbe la venganza contra los demandantes. El Superintendente o persona designada usando discreción pueden mantener la identidad del demandante confidencial, hasta el punto que sea necesario de investigar la queja. El distrito no investigará las quejas anónimas a menos que tal deseen.

Referencia legal:

CÓDIGO EDUCATIVO

33308.1 *Guías del procedimiento para presentar quejas del abuso de niños*

35146 *Sesiones cerradas*

44031 *Contenido e inspecciones del archivo del personal*

44811 *Interrupción de las actividades de la escuela pública*

44932-44949 *Resignación, despido y ausencias programadas (derechos de empleados; procedimientos a seguir)*

48987 *Guías del abuso de niños*

CÓDIGO GUBERNAMENTAL

54957 *Sesión cerrada; las quejas hacia empleados*

54957.6 *Sesión cerrada; salarios o beneficios adicionales*

CÓDIGO PENAL

273 *Crueldad o castigo no justificable hacia un niño*

11164-1174.3 *Acto de abuso de niños y reportar su descuido*

CÓDIGO DEL BIENESTAR E INSTITUCIONES

300 *Menores sujetos la jurisdicción del tribunal juvenil*

Recursos de la administración:

CONSULTOR LEGAL DE CDE

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)*

(6/92 6/93) 6/94

**REGULACIONES ADMINISTRATIVAS
RELACIONES COMUNITARIAS
QUEJAS RELACIONADAS A EMPLEADOS DEL DISTRITO**

AR 1312.1(a)

Las siguientes regulaciones pueden modificarse para reflejar el método de trabajo del distrito.

El superintendente o persona designada debe determinar si la queja debería ser considerada una queja contra el distrito y/o un empleado individual y además, si se debería resolver por el proceso de quejas sobre el personal y/u otros procedimientos del distrito.

Para resolver una queja con rapidez y justicia, el siguiente procedimiento debe determinar la resolución de quejas contra empleados del distrito.

1. Se deben hacer todos los esfuerzos para resolver quejas lo más rápido posible. Cuando sea posible, la persona afectada debe comunicarse directamente con el empleado para resolver las diferencias.
2. Si la persona afectada no puede o no quiere resolver la queja directamente con el empleado, él/ella debe someter una queja oral o escrita al supervisor inmediato o al director del empleado.
3. Todas las quejas relacionadas al personal del distrito deben someterse por escrito al director o al supervisor inmediato. Si la persona afectada no puede preparar la queja por escrito, el personal administrativo debe brindar apoyo. Las quejas relacionadas a un director o a la oficina central primero deben ser registradas por el administrador y por escrito con el Superintendente o persona designada. Las quejas relacionadas con el Superintendente, deben registrarse por escrito con la Mesa Directiva del distrito escolar.
4. Cuando se recibe una queja escrita, el empleado debe ser notificado dentro de 5 días o de acuerdo a la negociación colectiva estipulada.
5. Una queja escrita deberá incluir:
 - a. Nombre completo del empleado afectado
 - b. Descripción breve y específica de la queja y los hechos
 - c. Descripción específica de cualquier intento de resolver la queja con el empleado y de la falla a resolverla.
6. El personal encargado de investigar quejas debe tratar de resolverlas dentro de 30 días y con satisfacción de ambas partes relacionadas con la queja.
7. Las personas relacionadas con la queja y el empleado contra quién se hizo, pueden apelar la decisión hecha por el director o supervisor, con el Superintendente o persona designada y éste debe tratar de resolver la queja dentro de 30 días en una manera que satisfice a ambas partes. Ambas partes deben considerar y aceptar la decisión final del Superintendente o persona designada. Sin embargo, la persona afectada, el empleado, el Superintendente o persona designada, podrían sugerir presentar la queja a la Mesa Directiva del distrito escolar.
8. Antes que la Mesa Directiva del distrito escolar considere la queja, el Superintendente o persona designada deben presentar a la Mesa Directiva un reporte escrito que describa la queja y que puede incluir entre otras cosas:
 - a. El nombre completo de cada empleado implicado en la queja.

QUEJAS RELACIONADAS A EMPLEADOS DEL DISTRITO (continuado)

AR 1312.1(b)

- b. Un resumen breve y específico de la queja con hechos concretos, que puedan informar a la Mesa Directiva del distrito escolar y a los participantes de la naturaleza específica de la queja y permitir que ambas partes preparen una respuesta.
 - c. Copia original de la queja.
 - d. Una breve descripción de la acción tomada por el Superintendente o persona designada, incluyendo el motivo por lo cual la queja no ha sido resuelto.
9. La Mesa Directiva del distrito escolar puede favorecer la decisión del Superintendente sin llevar la queja a una audiencia.
10. Todas las personas relacionadas con la queja deben ser citadas a asistir a una reunión de la Mesa Directiva del distrito escolar para clarificar el problema y presentar las evidencias que se tengan disponibles.
11. Una sesión cerrada deberá llevarse a cabo para escuchar la queja de acuerdo con la ley.
12. La decisión de la Mesa Directiva del distrito escolar debería ser final.

Cualquier queja de abuso o negligencia de niños cometidos por un empleado del distrito, se debe informar a la agencia local apropiada en conformidad con la ley, las leyes de la Mesa Directiva del distrito escolar y sus regulaciones administrativas.

**Board Policy
Community Relations
Complaints Concerning Instructional Materials**

BP 1312.2

The Governing Board uses a comprehensive process to adopt district instructional materials that is based on selection criteria established by law and Board policy and includes opportunities for the involvement of 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.

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.

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

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.

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>
(9/88 12/90) 3/06

Adopted by the Board of Trustees: 2/15/06, Revised: 07/09/07

**Administrative Regulation
Community Relations
Complaints Concerning Instructional Materials**

AR 1312.2

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.

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 Governing Board

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.

**Norma de la Mesa Directiva del distrito escolar
Relaciones Comunitarias
QUEJAS RELACIONADAS A MATERIALES DE INSTRUCCIÓN**

BP 1312.2

La Mesa Directiva deberá usar un proceso comprensivo para adoptar los materiales de instrucción del distrito que sea basado en selecciones de criterios establecida por el distrito y la Mesa Directiva y que incluya oportunidades de involucramiento de padres o tutores y miembros de la comunidad. Quejas que conciernen el contenido o el uso de materiales de instrucción, incluyendo libros de texto, materiales de instrucción suplementaria, materiales de biblioteca, u otros materiales de instrucción y equipo, deberá ser apropiadamente y justamente consideradas usando procedimientos establecidos de quejas.

Padres o tutores deberán ser mocionados a cualquier preocupación que tengan acerca de los materiales de instrucción con el maestro de su hijo/a y/o con el director de la escuela. Si la situación continúa sin resolución, una queja deberá ser entregada usando el proceso especificado en la regulación administrativa.

El distrito deberá aceptar las quejas que se relacionen a materiales de instrucción solo de empleados, residentes del distrito o padres o tutores de los niños que estén inscritos en el distrito escolar.

Cuando delibera sobre materiales de desafío, el Superintendente y/o el comité de consejo deberá considerar la filosofía del distrito, opiniones profesionales de maestros de la materia y de otras autoridades, y evaluaciones de los materiales por personas respetables, los objetivos mencionados por el maestro en el uso de estos materiales, normas de la comunidad, y las objeciones de la queja.

Los demandantes son motivados a aceptar las decisiones del Superintendente o del comité de consejo. De cualquier manera si el demandante dicha decisión insatisfactoria, el/ella podrá apelar la decisión de la Mesa.

La decisión del distrito deberá ser basada en las oportunidades educacionales que ofrezcan dichos materiales y en la criterio establecida por la Mesa Directiva y la regulación administrativa.

Cuando cualquiera de los materiales de instrucción de desafío sean revisados por el distrito, no deberá ser sujeto a reconsideración adicional por 12 meses, a menos que el Superintendente que la reconsideración sea justificada.

Los demandantes relacionados a quejas de suficiencia de libros de texto o de materiales de instrucción deberá resolver de acuerdo con los procedimientos uniformes de la queja Williams en AR 1312.4

Referencia Legal:

CODIGO EDUCATIVO

18111 Exclusion de libros por la mesa directiva
35010 Control del distrito; la prescripción y la aplicación de reglas
35186 Procedimientos Uniformes de la Queja Williams
44805 Aplicación de cursos de estudio; uso de libros de texto, reglas y regulaciones
51501 Tema que refleje en raza, color, etc.
6000-60005 Materiales de instrucción legislativa
60040-60048 Requerimientos de instrucción y materiales
60119 La vista del público en la suficiencia de materiales
60200-60206 Materiales de escuelas primarias
60226 Requisitos para publicar y fabricar
60400-60411 Libros de texto de la preparatoria
60510-60511 Donación de ventas de materiales de instrucción obsoletos

Los Recursos de la Administración

*DEPARTAMENTO DE CALIFORNIA DE PROGRAMAS
CONSULTORES DE LA EDUCACION*
1002.90 Selección de Materiales de Instrucción, CIL:
90/91-02
*DEPARTAMENTO DE CALIFORNIA DE PUBLICACIONES
DE EDUCACION*
Normas para Evaluaciones de Materiales de Instrucción
con Respecto a Contenido Social, edición de 1986,
revisado en 2001

SITIOS WEB

CSBA: <http://www.csba.org>
Departamento de Educación de California, Curriculum e
Instrucción: <http://www.cde.ca.gov/ci>

(9/88 12/90) 3/06

Regulaciones Administrativas
Relaciones Comunitarias
QUEJAS RELACIONADAS A MATERIALES DE INSTRUCCIÓN

AR 1312.2(a)

Paso 1: Queja Informal

Si un miembro del personal, residente del distrito o padre o tutor de un estudiante que esté inscrito en una escuela del distrito tiene una queja considerando el contenido o el uso de cualquiera de los materiales de instrucción, el/ella deberá discutir informalmente el material en cuestión con el director.

Paso 2: Queja Formal

Si el demandante no está satisfecho con la respuesta inicial del director, el/ella deberá presentar una queja por escrito al director. Quejas que conciernen material imprimido deberán tener el nombre del autor, título, y publicador y se deberá identificar la objeción por página y los números de artículos. En el caso de materiales no impresos, se deberá dar información especificando la naturaleza precisa de la queja. Los demandantes deberán firmar todas las quejas y proporcionar información que el distrito pueda usar para contestar apropiadamente. Quejas anónimas no serán aceptadas.

Al recibir quejas, el director reconocerá el recibo y las respuestas a cualquier pregunta que se refiera a el procedimiento. El director después deberá notificar al Superintendente o persona designada y a los maestros involucrados en la queja.

Durante la investigación de la queja, el material de instrucción de desafío podrá ser usado hasta que la decisión final sea tomada. Pero, sobre petición del padre o tutor que ha archivado la queja, su hijo/a podrá ser excluido de usar los materiales de instrucción de desafío hasta que una resolución haya sido hecha. El maestro deberá asignar al estudiante materiales alternativos de méritos iguales.

Paso 3: Determinación del Superintendente

El Superintendente o persona designada deberá determinar si el comité de consejo debe ser convocado a revisar la queja.

Si el Superintendente o persona designada determina que no es necesario que el comité de consejo revise la queja, el/ella deberá publicar una decisión con respecto a la queja.

Paso 4: Comité de Consejo

Si el Superintendente o persona designada determina que una revisión es necesaria por parte del comité de consejo, el/ella deberá designar un comité compuesto por administradores y miembros del personal y miembros escogidos relativamente de las áreas instruccionales y administrativas. El Superintendente o persona designada puede también designar miembros de la comunidad para que sirvan en el comité.

El comité de consejo deberá revisar la criteria especificada en la Mesa Directiva y deberá determinar hasta que punto y material de desafío sostiene el plan del curriculum, la educación apropiada de los materiales, y su efectividad para la edad del estudiante.

Con 30 días de haber sido convocado, el comité de consejo deberá resumir sus conclusiones en un reporte por escrito. El Superintendente o persona designada deberá notificar al demandante de la decisión del comité en un lapso de 15 días de haber recibido el reporte del comité.

Paso 5: Apelación a la Mesa Directiva

Si el demandante sigue insatisfecho, el/ella puede apelar la decisión del Superintendente o el comité de consejo a la Mesa Directiva. La decisión de la Mesa Directiva será la final.

(12/90) 3/06

**Exhibit
Community Relations
Complaints Concerning Instructional Materials**

E 1312.2

REQUEST FOR RECONSIDERATION OF INSTRUCTIONAL MATERIALS
PEDIDO LA RECONSIDERACIÓN DE LOS MATERIALES DE INSTRUCCIÓN

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.

Esta forma está para el uso solamente por los empleados del distrito, los residentes del distrito, o los padres/los guardas de los niños alistados en una escuela del distrito para desafiar el contenido o el uso de un material de instrucción. Para las quejas con respecto al desahogo de los materiales de instrucción, utilizar por favor la forma uniforme de la queja del procedimiento de la queja de Williams.

Date/Fecha: _____

Name of person filing complaint/Nombre de la queja de la limadura de la persona

(Anonymous complaints will not be accepted. Las quejas anónimas no serán aceptadas)

Group represented (if any)/El grupo representó (si cualesquiera) _____

Telephone/ Teléfono : _____ E-mail, if any: _____

Address/Dirección: _____

Material Being Challenged/Material que es desafiado:

Title/Título: _____ Author/Autor: _____

Publisher/Editor: _____ Date of Edition/ Fecha de la edición: _____

Name of school/classroom material was used/El nombre del material de la escuela/de la sala de clase fue utilizado:

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.

Indicar por favor específicamente la naturaleza de tu preocupación u objeción e identificar tu objeción por la página, la secuencia de la cinta, el marco video, o palabras, como apropiado. Puedes utilizar las páginas adicionales en caso de necesidad.

2. Did you read/view the entire selection? ¿Tú leen/vieron la selección entera?
3. For what age group would you recommend this material? ¿Para qué categoría de edad recomendarías este material?
If not, what percentage did you read/view, or what parts? ¿Si no, qué porcentaje leiste/visión, o qué piezas?
4. What do you feel might be the result if a student reads/views this material? ¿Qué te sientes puede ser que seas el resultado si un estudiante lee/ve este material?
5. What would you like the school to do about this material? ¿Qué tienes gusto de la escuela para hacer sobre este material?
- Do not assign it to my child/No asignarlo a mi niño
 - Withdraw it from all students/Retirarlo de todos los estudiantes
 - Reconsider it/Reconsiderarlo

Signature of complainant/Firma de complainant _____

For District Use:

Request received by (Name and Title) : _____

Date _____

Action taken: _____

Date _____

Adopted by the Board of Trustees: 2/15/06, Revised 7/09/07

**Board Policy
Community Relations
Uniform Complaint Procedures**

BP 1312.3(a)

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

Complaints Subject to the UCP

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

1. Any complaint alleging district violation of applicable state or federal law or regulations governing Adult Education programs, After School Education and Safety programs, Agricultural Vocational Education, Bilingual Education, Peer Assistance and Review programs for teachers, Career Technical and Technical Education and Training programs, Child Nutrition programs, Compensatory Education, Consolidated Categorical Aid Programs, Economic Impact Aid, English Learner programs, Federal Education Programs in Title I-VII, Migrant Education, Regional Occupational Centers and Programs, School Safety plans, Special Education programs, Tobacco-Use Prevention Education programs, and any other district-implemented program which is listed in Education Code 64000(a)
2. Any complaint alleging the occurrence of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) against any student, employee, or other person participating in district programs and activities, including, but not limited to, those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on the person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, **immigration status**, ethnic group identification, age, religion, marital status, pregnancy, parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on his/her association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610)
3. Any complaint alleging district noncompliance with the requirement to provide reasonable accommodation to a lactating student on school campus to express breast milk, breastfeed an infant child, or address other breastfeeding-related needs of the student. (Education Code 222)
4. Any complaint alleging district noncompliance with the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities. (5 CCR 4610)
5. Any complaint alleging district noncompliance with legal requirements related to the implementation of the local control and accountability plan. (Education Code 52075)
6. Any complaint, by or on behalf of any student who is a foster youth, alleging district noncompliance with any legal requirement applicable to the student regarding placement decisions, the responsibilities of the district's educational liaison to the student, the award of credit for coursework satisfactorily completed in another school or district, school transfer, or the grant of an exemption from Board-imposed graduation requirements (Education Code 48853, 48853.5, 49069.5, 51225.1, 51225.2)
7. Any complaint, by or on behalf of a homeless student as defined in 42 USC 11434a, a former juvenile court school student, or a child of a military family as defined in Education Code 49701 who transfers into the district after his/her second year of high school, alleging district noncompliance with any requirement applicable to the student regarding the award of credit for coursework satisfactorily completed in another school or district or the grant of an exemption from Board-imposed graduation requirements (Education Code 51225.1, 51225.2)

Uniform Complaint Procedures (continued)

BP 1312.3(b)

8. Any complaint alleging district noncompliance with the requirements of Education Code 51228.1 and 51228.2 that prohibit the assignment of a student in grades 9-12 to a course without educational content for more than one week in any semester or to a course the student has previously satisfactorily completed, without meeting specified conditions (Education Code 51228.3)
9. Any complaint alleging district noncompliance with the physical education instructional minutes requirement for students in elementary school (Education Code 51210, 51223)
10. Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy
11. Any other complaint as specified in a district policy

The district shall protect all complainants from retaliation. In investigating complaints, the confidentiality of the parties involved shall be protected as required by law. For any complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the Superintendent or designee shall keep the identity of the complainant, and/or the subject of the complaint if he/she is different from the complainant, confidential when appropriate and as long as the integrity of the complaint process is maintained.

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

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

The Superintendent or designee shall maintain records of all UCP complaints and the investigations of those complaints in accordance with applicable law and district policy.

Non-UCP Complaints

The following complaints shall not be subject to the district's UCP but shall be referred to the specified agency: (5 CCR 4611)

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services, the County Protective Services Division, and the appropriate law enforcement agency.
2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services and shall, for licensing-exempt facilities, be referred to the appropriate Child Development regional administrator.
3. Any complaint alleging fraud shall be referred to the Legal, Audits and Compliance Branch of the California Department of Education.
4. Any complaint alleging employment discrimination or harassment shall be investigated and resolved by the district in accordance with the procedures specified in AR 4030 - Nondiscrimination in Employment. In addition, 5 CCR 4611 requires that employment discrimination complaints be referred to the Department of Fair Employment and Housing (DFEH).

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

Adopted by the Board of Trustees

Date: (10/12/15, 07/11/16, 09/11/17) June 11, 2018

**Administrative Regulation
Community Relations
Uniform Complaint Procedures**

AR 1312.3(a)

A UCP complaint is a written and signed statement by a complainant alleging a violation of federal or state laws or regulations, which may include an allegation of unlawful discrimination, harassment, intimidation, bullying or charging pupil fees for participation in an educational activity or non-compliance with the requirements of our Local Control and Accountability Plan (LCAP). A complainant is any individual, including a person's duly authorized representative or an interested third party, public agency, or organization who files a written complaint alleging violation of federal or state laws or regulation, including allegation of unlawful discrimination, harassment, intimidation, bullying and non-compliance with laws relating to pupil fees or non-compliance with the requirements of our LCAP.

Except as the Governing Board may otherwise specifically provide in other district policies, these uniform complaint procedures (UCP) shall be used to investigate and resolve only the complaints specified in BP 1312.3.

Compliance Officers

The district designates the individual identified below as the employee responsible for coordinating the district's response to complaints and for complying with state and federal civil rights laws. The individual also serve as the compliance officer specified in AR 5145.3 - Nondiscrimination/Harassment as the responsible employee to handle complaints regarding unlawful discrimination (such as discriminatory harassment, intimidation, or bullying). The individual shall receive and coordinate the investigation of complaints and shall ensure district compliance with law.

Name and Title: Douglas T. Kline, Superintendent
Address: 501 W. Main Street, Calipatria, CA 92233
Telephone: (760) 348-2151 Email: dkline@calipat.com

The compliance officer who receives a complaint may assign another compliance officer to investigate and resolve the complaint. The compliance officer shall promptly notify the complainant and respondent, if applicable, if another compliance officer is assigned to the complaint.

In no instance shall a compliance officer be assigned to a complaint in which he/she has a bias or conflict of interest that would prohibit him/her from fairly investigating or resolving the complaint. Any complaint against a compliance officer or that raises a concern about the compliance officer's ability to investigate the complaint fairly and without bias shall be filed with the Superintendent or designee who shall determine how the complaint will be investigated.

The Superintendent or designee shall ensure that employees assigned to investigate and resolve complaints receive training and are knowledgeable about the laws and programs at issue in the complaints to which they are assigned. Training provided to such employees shall cover current state and federal laws and regulations governing the program, applicable processes for investigating and resolving complaints, including those alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), applicable standards for reaching decisions on complaints, and appropriate corrective measures. Assigned employees may have access to legal counsel as determined by the Superintendent or designee.

The compliance officer or, if necessary, any appropriate administrator shall determine whether interim measures are necessary during and pending the result of an investigation. If interim measures are determined to be necessary, the compliance officer or the administrator shall consult with the Superintendent, the Superintendent's designee, or, if appropriate, the site principal to implement one or more interim measures. The interim measures shall remain in place until the compliance officer determines that they are no longer necessary or until the district issues its final written decision, whichever occurs first.

Notifications

The district's UCP policy and administrative regulation shall be posted in all district schools and offices, including staff lounges and student government meeting rooms. (Education Code 234.1)

The Superintendent or designee shall annually provide written notification of the district's UCP to students, employees, parents/guardians of district students, district advisory committee members, school advisory committee members, appropriate private school officials or representatives, and other interested parties. The notification shall include information regarding the prohibition of discrimination, harassment, intimidation, and bullying; unlawful student fees; local control and accountability plan (LCAP) requirements; and requirements related to the educational rights of foster youth, homeless students, former juvenile court school students, and children of military families. (Education Code 262.3, 48853, 48853.5, 49010-49013, 49069.5, 51225.1, 51225.2, 52075; 5 CCR 4622)

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 antidiscrimination laws, if applicable
3. Advise the complainant of the appeal process, including, if applicable, 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, such as the U.S. Department of Education's Office for Civil Rights (OCR) in cases involving unlawful discrimination (such as discriminatory harassment, intimidation, or bullying).
4. Include statements that:
 - a. The district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs.
 - b. The complaint review 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. A complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) must be filed not later than six months from the date it occurred, or six months from the date the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension.
 - d. Complaints should be filed in writing and signed by the complainant. If a complainant is unable to put his/her complaint in writing, for example, due to conditions such as a disability or illiteracy, district staff shall assist him/her in the filing of the complaint.
 - e. If a complaint is not filed in writing but the district receives notice of any allegation that is subject to the UCP, the district shall take affirmative steps to investigate and address the allegations, in a manner appropriate to the particular circumstances.

If the allegation involves retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) and the investigation confirms that discrimination has occurred, the district will take steps to prevent recurrence of discrimination and correct its discriminatory effects on the complainant, and on others, if appropriate.
 - f. A student enrolled in a public school shall not be required to pay a fee for his/her participation in an educational activity that constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities.
 - g. The Board is required to adopt and annually update the LCAP in a manner that includes meaningful engagement of parents/guardians, students, and other stakeholders in the development and/or review of the LCAP.

Uniform Complaint Procedures (continued)

AR 1312.3(c)

- h. A foster youth shall receive information about educational rights related to his/her educational placement, enrollment in and checkout from school, as well as the responsibilities of the district liaison for foster youth to ensure and facilitate these requirements and to assist the student in ensuring proper transfer of his/her credits, records, and grades when he/she transfers between schools or between the district and another district.
- i. A foster youth, homeless student, former juvenile court school student, or child of a military family who transfers into a district high school or between district high schools as applicable shall be notified of the district's responsibility to:
 - (1) Accept any coursework or part of the coursework that the student has satisfactorily completed in another public school, juvenile court school, or a nonpublic, nonsectarian school or agency, and to issue full or partial credit for the coursework completed
 - (2) Not require the student to retake any course or a portion of a course which he/she has satisfactorily completed in another public school, juvenile court school, or a nonpublic, nonsectarian school or agency
 - (3) If the student has completed his/her second year of high school before the transfer, provide the student information about district-adopted coursework and Board-imposed graduation requirements from which he/she may be exempted pursuant to Education Code 51225.1
- j. The complainant has a right to appeal the district's decision to CDE by filing a written appeal within 15 calendar days of receiving the district's decision.

In any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the respondent also shall have the right to file an appeal with CDE in the same manner as the complainant, if he/she is dissatisfied with the district's decision.
- k. The appeal to CDE must include a copy of the complaint filed with the district and a copy of the district's decision.
- l. Copies of the district's UCP are available free of charge.

The annual notification, complete contact information of the compliance officer(s), and information related to Title IX as required pursuant to Education Code 221.61 shall be posted on the district web site and may be provided through district-supported social media, if available.

The Superintendent or designee shall ensure that all students and parents/guardians, including students and parents/guardians with limited English proficiency, have access to the relevant information provided in the district's policy, regulation, forms, and notices concerning the UCP.

If 15 percent or more of students enrolled in a particular district school speak a single primary language other than English, the district's policy, regulation, forms, and notices concerning the UCP shall be translated into that language, in accordance with Education Code 234.1 and 48985. In all other instances, the district shall ensure meaningful access to all relevant UCP information for parents/guardians with limited English proficiency.

District Responsibilities

All UCP-related complaints shall be investigated and resolved within 60 calendar days of the district's receipt of the complaint unless the complainant agrees in writing to an extension of the timeline. (5 CCR 4631)

For complaints alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the district shall inform the respondent when the complainant agrees to an extension of the timeline for investigating and resolving the complaint.

Uniform Complaint Procedures (continued)

AR 1312.3(d)

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

All parties involved in the allegations shall be notified when a complaint is filed and when a decision or ruling is made. However, the compliance officer shall keep all complaints or allegations of retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) confidential except when disclosure is necessary to carry out the investigation, take subsequent corrective action, conduct ongoing monitoring, or maintain the integrity of the process. (5 CCR 4630, 4964)

All complainants shall be protected from retaliation.

Filing of Complaints

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp.

All complaints shall be filed in writing and signed by the complainant. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, district staff shall assist him/her in the filing of the complaint. (5 CCR 4600)

Complaints shall also be filed in accordance with the following rules, as applicable:

1. A complaint alleging district violation of applicable state or federal law or regulations governing the programs specified in the accompanying Board policy (item #1 of the section "Complaints Subject to the UCP") may be filed by any individual, public agency, or organization. (5 CCR 4630)
2. Any complaint alleging noncompliance with law regarding the prohibition against requiring students to pay student fees, deposits, and charges or any requirement related to the LCAP may be filed anonymously if the complaint provides evidence, or information leading to evidence, to support an allegation of noncompliance. A complaint about a violation of the prohibition against the charging of unlawful student fees may be filed with the principal of the school or with the Superintendent or designee. However, any such complaint shall be filed no later than one year from the date the alleged violation occurred. (Education Code 49013, 52075; 5 CCR 4630)
3. A complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) may be filed only by a person who alleges that he/she personally suffered the unlawful discrimination or by a person who believes that an individual or any specific class of individuals has been subjected to it. The complaint shall be initiated no later than six months from the date when the alleged unlawful discrimination occurred, or six months from the date when the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension. (5 CCR 4630)
4. When a complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) is filed anonymously, the compliance officer shall pursue an investigation or other response as appropriate, depending on the specificity and reliability of the information provided and the seriousness of the allegation.
5. When the complainant of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) or the alleged victim, when he/she is not the complainant, requests confidentiality, the compliance officer shall inform him/her that the request may limit the district's ability to investigate the conduct or take other necessary action. When honoring a request for confidentiality, the district shall nevertheless take all reasonable steps to investigate and resolve/respond to the complaint consistent with the request.

Investigation of Complaint

Within 10 business days after the compliance officer receives the complaint, the compliance officer shall begin an investigation into the complaint.

Within one business day of initiating the investigation, the compliance officer shall provide the complainant and/or his/her representative with the opportunity to present the information contained in the complaint to the compliance officer and shall notify the complainant and/or his/her representative of the opportunity to present the compliance officer with any evidence, or information leading to evidence, to support the allegations in the complaint. Such evidence or information may be presented at any time during the investigation.

In conducting the investigation, the compliance officer shall collect all available documents and review all available records, notes, or statements related to the complaint, including any additional evidence or information received from the parties during the course of the investigation. He/she shall individually interview all available witnesses with information pertinent to the complaint, and may visit any reasonably accessible location where the relevant actions are alleged to have taken place. At appropriate intervals, the compliance officer shall inform both parties of the status of the investigation.

To investigate a complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the compliance officer shall interview the alleged victim(s), any alleged offenders, and other relevant witnesses privately, separately, and in a confidential manner. As necessary, additional staff or legal counsel may conduct or support the investigation.

A complainant's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in any other obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegation. Similarly, a respondent's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in any other obstruction of the investigation may result in a finding, based on evidence collected, that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

In accordance with law, the district shall provide the investigator with access to records and other information related to the allegation in the complaint and shall not in any way obstruct the investigation. Failure or refusal of the district to cooperate in the investigation may result in a finding based on evidence collected that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

The compliance officer shall apply a "preponderance of the evidence" standard in determining the veracity of the factual allegations in a complaint. This standard is met if the allegation is more likely to be true than not.

Report of Findings

Unless extended by written agreement with the complainant, the compliance officer shall prepare and send to the complainant, and respondent if there is one, a written report, as described in the section "Final Written Decision" below, within 60 calendar days of the district's receipt of the complaint. (5 CCR 4631)

Final Written Decision

The district's decision on how it will resolve the complaint shall be in writing and shall be sent to the complainant and respondent. (5 CCR 4631)

Uniform Complaint Procedures (continued)

AR 1312.3(f)

In consultation with district legal counsel, information about the relevant part of a decision may be communicated to a victim who is not the complainant and to other parties who may be involved in implementing the decision or are affected by the complaint, as long as the privacy of the parties is protected. In a complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying), notice of the district's decision to the alleged victim shall include information about any sanction to be imposed upon the respondent that relates directly to the alleged victim.

If the complaint involves a limited-English-proficient student or parent/guardian and the student involved attends a school at which 15 percent or more of the students speak a single primary language other than English, then the decision shall also be translated into that language. In all other instances, the district shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.

For all complaints, the decision shall include: (5 CCR 4631)

1. The findings of fact based on the evidence gathered. In reaching a factual determination, the following factors may be taken into account:
 - a. Statements made by any witnesses
 - b. The relative credibility of the individuals involved
 - c. How the complaining individual reacted to the incident
 - d. Any documentary or other evidence relating to the alleged conduct
 - e. Past instances of similar conduct by any alleged offenders
 - f. Past false allegations made by the complainant
2. The conclusion(s) of law
3. Disposition of the complaint
4. Rationale for such disposition

For complaints of retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the disposition of the complaint shall include a determination for each allegation as to whether retaliation or unlawful discrimination has occurred.

The determination of whether a hostile environment exists may involve consideration of the following:

- a. The manner in which the misconduct affected one or more students' education
 - b. The type, frequency, and duration of the misconduct
 - c. The relationship between the alleged victim(s) and offender(s)
 - d. The number of persons engaged in the conduct and at whom the conduct was directed
 - e. The size of the school, location of the incidents, and context in which they occurred
 - f. Other incidents at the school involving different individuals
5. Corrective action(s), including any actions that have been taken or will be taken to address the allegations in the complaint and including, with respect to a student fees complaint, a remedy that comports with Education Code 49013 and 5 CCR 4600

For complaints of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the decision may, as required by law, include:

- a. The corrective actions imposed on the respondent
- b. Individual remedies offered or provided to the complainant or another person who was the subject of the complaint, but this information should not be shared with the respondent.
- c. Systemic measures the school has taken to eliminate a hostile environment and prevent recurrence

Uniform Complaint Procedures (continued)

AR 1312.3(g)

6. Notice of the complainant's and respondent's right to appeal the district's decision to CDE within 15 calendar days, and procedures to be followed for initiating such an appeal

The decision may also include follow-up procedures to prevent recurrence or retaliation and for reporting any subsequent problems.

For complaints alleging unlawful discrimination based on state law (such as discriminatory harassment, intimidation, and bullying), the decision shall also include a notice to the complainant that:

1. He/she may pursue available civil law remedies outside of the district's complaint procedures, including seeking assistance from mediation centers or public/private interest attorneys, 60 calendar days after the filing of an appeal with CDE. (Education Code 262.3)
2. The 60 days moratorium does not apply to complaints seeking injunctive relief in state courts or to discrimination complaints based on federal law. (Education Code 262.3)
3. Complaints alleging discrimination based on race, color, national origin, sex, gender, disability, or age may also be filed with the U.S. Department of Education, Office for Civil Rights at www.ed.gov/ocr within 180 days of the alleged discrimination.

Corrective Actions

When a complaint is found to have merit, the compliance officer shall adopt any appropriate corrective action permitted by law. Appropriate corrective actions that focus on the larger school or district environment may include, but are not limited to, actions to reinforce district policies; training for faculty, staff, and students; updates to school policies; or school climate surveys.

For complaints involving retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), appropriate remedies that may be offered to the victim but not communicated to the respondent may include, but are not limited to, the following:

1. Counseling
2. Academic support
3. Health services
4. Assignment of an escort to allow the victim to move safely about campus
5. Information regarding available resources and how to report similar incidents or retaliation
6. Separation of the victim from any other individuals involved, provided the separation does not penalize the victim
7. Restorative justice
8. Follow-up inquiries to ensure that the conduct has stopped and there has been no retaliation
9. Determination of whether any past actions of the victim that resulted in discipline were related to the treatment the victim received and described in the complaint

For complaints involving retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), appropriate corrective actions that focus on a student offender may include, but are not limited to, the following:

1. Transfer from a class or school as permitted by law
2. Parent/guardian conference
3. Education regarding the impact of the conduct on others
4. Positive behavior support
5. Referral to a student success team

Uniform Complaint Procedures (continued)

AR 1312.3(h)

6. Denial of participation in extracurricular or co-curricular activities or other privileges as permitted by law
7. Disciplinary action, such as suspension or expulsion, as permitted by law

When an employee is found to have committed retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

The district may also consider training and other interventions for the larger school community to ensure that students, staff, and parents/guardians understand the types of behavior that constitute unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), that the district does not tolerate it, and how to report and respond to it.

When a complaint is found to have merit, an appropriate remedy shall be provided to the complainant or other affected person.

If a complaint alleging noncompliance with the laws regarding student fees, deposits, and other charges, physical education instructional minutes for students in elementary schools, or any requirement related to the LCAP is found to have merit, the district shall provide a remedy to all affected students and parents/guardians subject to procedures established by regulation of the State Board of Education. (Education Code 49013, 51223, 52075)

For complaints alleging noncompliance with the laws regarding student fees, the district shall attempt in good faith, by engaging in reasonable efforts, to identify and fully reimburse all affected students and parents/guardians who paid the unlawful student fees within one year prior to the filing of the complaint. (Education Code 49013; 5 CCR 4600)

Appeals to the California Department of Education

Any complainant who is dissatisfied with the district's final written decision of a complaint regarding any specified federal or state educational program subject to the UCP may file an appeal in writing with CDE within 15 calendar days of receiving the district's decision. (Education Code 222, 48853, 48853.5, 49013, 49069.5, 51223, 51225.1, 51225.2, 51228.3, 52075; 5 CCR 4632)

When a respondent in any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying) is dissatisfied with the district's final written decision, he/she, in the same manner as the complainant, may file an appeal with CDE.

The complainant or respondent shall specify the basis for the appeal of the decision and how the facts of the district's decision are incorrect and/or the law has been misapplied. The appeal shall be sent to CDE with a copy of the original locally filed complaint and a copy of the district's decision in that complaint. (5 CCR 4632)

Upon notification by CDE that the complainant or respondent has appealed the district's decision, the Superintendent or designee shall forward the following documents to CDE: (5 CCR 4633)

1. A copy of the original complaint
2. A copy of the written 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

Uniform Complaint Procedures (continued)

AR 1312.3(i)

5. A report of any action taken to resolve the complaint
6. A copy of the district's uniform complaint procedures
7. Other relevant information requested by CDE

(9/16 5/17) 3/18

Adopted by the Board of Trustees

Date: (10/12/15, 07/11/16, 10/10/16, 09/11/17) June 11, 2018

Mesa directiva
Procedimientos de quejas uniformes

BP 1312.3(a)

El Consejo reconoce que el distrito tiene la responsabilidad primaria de garantizar el cumplimiento del estado aplicable y leyes federales y reglamentos de programas educativos. La Junta alienta a la pronta resolución de las reclamaciones siempre que sea posible. Para resolver las quejas que pueden requerir un proceso más formal, la Junta adopta el sistema uniforme de procedimientos para la denuncia especificada en 5 CCR 4600-4670 y la regulación administrativa que acompaña.

Quejas conforme a la UCP

Procedimientos de quejas uniformes del distrito (UCP) se utilizarán para investigar y resolver las reclamaciones siguientes:

1. Toda queja por violación de distrito de estado o ley federal o reglamento de programas de Educación de adultos, después de la escuela de educación y programas de seguridad, educación agrícola, educación bilingüe, asistencia de pares y revisión programas para profesores, programas de carrera técnica y educación técnica y formación, programas de nutrición infantil, educación compensatoria, programas de ayuda categóricos consolidados, ayuda de impacto económico, aprendiz del inglés, programas federales de educación en Título VII, Educación Migrante, centros regionales de profesionales y programas, planes de seguridad escolar, programas de educación especial, programas de Educación de prevención del consumo de tabaco y cualquier otro programa implementado por el distrito que figura en el código de educación 64000(a)
2. Toda denuncia por la ocurrencia de discriminación ilegal (por ejemplo, acoso discriminatorio, intimidación o bullying) contra cualquier estudiante, empleado, u otra persona participar en actividades y programas del distrito incluyendo pero no limitado a , aquellos programas o actividades financiadas directamente por lo que reciben o se benefician de cualquier ayuda financiera del estado, basado en las características real o percibida de la persona de raza o etnia, color, ascendencia, nacionalidad, origen nacional, inmigración estado, étnico identificación de grupo, edad, religión, estado civil, embarazo, estado de los padres, discapacidad física o mental, sexo, orientación sexual, género, identidad de género, expresión de género, o información genética o cualquier otra característica identificadas en educación código 200 o 220, código de gobierno 11135 o 422.55 del Código Penal, o en base a su asociación con una persona o grupo con uno o más de estas características reales o percibidas (5 CCR 4610)
3. Cualquier queja por incumplimiento del distrito con la obligación de proporcionar alojamiento razonable para un estudiante de lactante en el campus de la escuela a expreso de la leche, amamantar a un niño infantil, o abordar otras necesidades relacionadas con la lactancia materna del estudiante. (Código de educación 222)
4. Cualquier queja por incumplimiento del distrito con la prohibición de que requieren los estudiantes para pagar cuotas, depósitos u otros cargos de participación en actividades educativas. (5 CCR 4610)
5. Cualquier queja alegando distrito incumplimiento de requisitos legales relacionados con la implementación del plan de control y rendición de cuentas local. (Código de educación 52075)
6. Cualquier queja, por o en nombre de cualquier estudiante que es un jóvenes, alegando incumplimiento del distrito con cualquier requisito legal aplicable a los estudiantes con respecto a decisiones de colocación, las responsabilidades de enlace educativo del distrito al estudiante, la concesión de créditos por cursos satisfactoriamente completado en otra escuela o distrito, escuela de transferencia o la concesión de una exención de los requisitos de graduación impuestas por el Consejo (código de educación 48853, 48853.5, 49069.5, 51225.1, 51225.2)
7. Cualquier queja, por o en nombre de un estudiante sin hogar como definido en 42 USC 11434a, un estudiante de escuela del ex Tribunal de menores o un niño de una familia de militares contempladas en el código de educación 49701 que transfiere en el distrito después de su segundo año de secundaria , alegando incumplimiento del distrito con cualquier requisito aplicable al estudiante sobre la concesión de créditos por cursos satisfactoriamente completado en otra escuela o distrito o la concesión de una exención de (requerimientos) impuestas por la Junta de graduación Código de educación 51225.1, 51225.2)

8. Cualquier queja por incumplimiento del distrito con los requisitos de educación código 51228.1 y 51228.2 que prohíben la asignación de un estudiante en los grados 9-12 un curso sin contenido educativo para más de una semana en cualquier semestre o un curso de la estudiante ha previamente completado satisfactoriamente, sin cumplir las condiciones especificadas (51228.3 del código de educación)
9. Cualquier queja por incumplimiento del distrito con la instrucción de educación física minutos requisito para los estudiantes en la escuela primaria (código de educación 51210, 51223)
10. Cualquier queja por represalias contra el denunciante u otro participante en el proceso de queja o cualquier persona que ha actuado para revelar o informar de un incumplimiento sujeto a esta política
11. Cualquier otra queja como se especifica en una política del distrito

El distrito protegerá a los querellantes de represalia. En la investigación de las quejas, se protegerá la confidencialidad de las partes involucradas como es requerido por ley. Para cualquier denuncia por represalia o discriminación ilegal (por ejemplo, acoso discriminatorio, intimidación o bullying), el Superintendente o su designado se mantendrán la identidad del denunciante, o el tema de la queja si es diferente de la organización querellante, confidencial cuando sea apropiado y que se mantenga la integridad del proceso de queja.

Cuando una denuncia que no está sujeta a la UCP se incluye en una queja de la UCP, el distrito será la alegación de la UCP no se refieren a la agencia o personas que investigar y, si corresponde, resolver las acusaciones relacionadas con UCP a través de la UCP del distrito.

El Superintendente o su designado deberán proporcionar capacitación al personal del distrito para asegurar la conciencia y el conocimiento de la legislación vigente y requisitos relacionados, incluyendo los pasos y plazos especificados en esta política y la regulación administrativa que lo acompaña.

El Superintendente o su designado deberán mantener registros de todas las denuncias de la UCP y las investigaciones de las denuncias con arreglo a ley y política del distrito.

UCP no quejas

Los siguientes síntomas no estará sujeta a la UCP del distrito pero se someterá a la agencia especificada: (5 CCR 4611)

1. Cualquier denuncia por abuso o negligencia se someterá a la Departamento de servicios sociales del Condado, el Condado de división de servicios de protección y la Agencia policiaca apropiada.
2. Salud de queja alegando violaciones de seguridad por parte de un programa de desarrollo infantil, para instalaciones con licencia, se transmitirán al Departamento de servicios sociales y, para instalaciones de exentos de licencia, se someterán para el adecuado desarrollo del niño administrador regional.
3. Cualquier queja por fraude se someterá a la Legal, auditorías y cumplimiento rama del Departamento de Educación de California.
4. Cualquier queja alegando discriminación en el empleo o el acoso será investigado y resuelto por el distrito de conformidad con los procedimientos especificados en el AR 4030 - no discriminación en el empleo. Además, 5 CCR 4611 requiere que las quejas de discriminación de empleo remitirán al Departamento de empleo justo y vivienda (DFEH).

Cualquier queja relacionada con la suficiencia de libros de texto o materiales de instrucción, condiciones de instalaciones de emergencia o urgencia que representan una amenaza para la salud o la seguridad de estudiantes o personal, o asignaciones incorrectas de maestros y puestos vacantes de profesor será investigado y resuelto en conformidad con los procedimientos en AR 1312.4 - procedimiento uniforme de quejas Williams. (Código Educativo 35186)

Adoptado: (12/10/15, 11/07/16, 11/09/17) 11 de junio de 2018

Regulación administrativa Procedimientos de quejas uniformes

AR 1312.3(a)

Una queja de la UCP es una declaración escrita y firmada por el demandante alegando una violación de leyes federales o estatales o regulaciones, que incluyen una denuncia de discriminación ilegal, acoso, intimidación, acoso o cobrar comisiones de alumnos para participación en una actividad educativa o incumplimiento de los requisitos de nuestro Local de Control y rendición de cuentas Plan (LCAP). Demandante es cualquier persona, incluyendo el representante debidamente autorizado de una persona o un tercero interesado, agencia pública u organización que presenta una denuncia por violación de federal o las leyes del estado o regulación, incluyendo la denuncia de discriminación ilegal, acoso, intimidación, acoso y no cumplir con las leyes relativas a los alumnos cuotas o incumplimiento de los requisitos de la LCAP.

Salvo que la Junta de gobierno de lo contrario pueda proporcionar específicamente en otras políticas de distrito, estos procedimientos de quejas uniformes (UCP) se utilizará para investigar y resolver solamente las quejas especificadas en 1312.3 BP.

Cumplimiento de normas oficiales

El distrito señala al individuo identificado más abajo como el empleado responsable de coordinar la respuesta del distrito a las quejas y para cumplir con leyes federales y estatales los derechos civiles. El individuo también sirven como el oficial de cumplimiento especificado en 5145.3 AR - no discriminación/acoso como el responsable de manejar quejas de discriminación ilegal (por ejemplo, acoso discriminatorio, intimidación o bullying). El individuo deberá recibir y coordinar la investigación de quejas y garantice la conformidad del distrito con la ley.

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El oficial de cumplimiento que recibe una queja puede asignar otro oficial de cumplimiento para investigar y resolver la queja. El oficial de cumplimiento notificará el demandante y el demandado, en su caso, si otro oficial de cumplimiento se le asigna a la queja.

En ningún caso se asignarán un oficial de cumplimiento a una queja en la que tiene un prejuicio o conflicto de intereses que le prohibiría bastante investigar o resolver la queja. Cualquier queja contra un oficial de cumplimiento o plantea una preocupación sobre la capacidad del oficial de cumplimiento para investigar la queja justa y sin prejuicios se presentará con el Superintendente o persona designada que determinará cómo será la denuncia investigado.

El Superintendente o su designado se asegurarán de que los empleados asignados a investigar y resolver quejas reciben capacitación y están bien informados sobre las leyes y programas en el tema de las denuncias a las que se asignan. Capacitación a estos empleados deberá cubrir el estado actual y las leyes federales y reglamentos que rigen el programa, los procesos aplicables para investigar y resolver quejas, los que se alega discriminación ilegal incluidos (como discriminatorias acoso, intimidación o acoso escolar), las normas para llegar a decisiones sobre quejas y medidas correctivas apropiadas. Asignados empleados pueden tener acceso a un abogado según lo determinado por el Superintendente o su designado.

El oficial de cumplimiento o, si es necesario, cualquier administrador apropiado determinará si las medidas cautelares son necesarias durante y a la espera del resultado de una investigación. Si las medidas cautelares se determinaron que es necesario, el oficial de cumplimiento o el administrador consultará con el Superintendente, el designado del Superintendente, o, si procede, el principal sitio para implementar una o más medidas cautelares. Las medidas provisionales permanecerán en el lugar hasta que el oficial de cumplimiento determina que ya no son necesarias o hasta que el distrito emita su final decisión por escrito, lo que ocurra primero.

Notificaciones

Política UCP y regulación administrativa del distrito se publicará en todas las escuelas del distrito y las oficinas, salas de personal y gobierno estudiantil, salas de reuniones. (Código de educación 234.1)

Procedimientos de quejas uniformes

AR 1312.3(b)

El Superintendente o su designado anualmente proporcionará notificación por escrito de la UCP del distrito a estudiantes, empleados, padres de los estudiantes del distrito, miembros del Comité Asesor del distrito, los miembros del Comité Escolar, privado adecuado Escuela de funcionarios o representantes y otras partes interesadas. La notificación incluirá información con respecto a la prohibición de discriminación, acoso, intimidación y acoso; estudiantes ilegales tarifas; local de control y rendición de cuentas plan de requisitos (LCAP); y requisitos relacionados a los derechos educativos de los jóvenes, alumnos sin hogar, ex Tribunal de menores estudiantes y niños de familias militares. (Código de educación 262.3, 48853, 48853.5, 49010-49013, 49069.5, 51225.1, 51225.2, 52075; 5 CCR 4622)

El aviso deberá:

1. Identificar la (s), puesto (s) o unidad responsable de recibir quejas
2. Aconsejar al demandante de los recursos de derecho civil que pueden estar disponibles para él/ella bajo leyes estatales o federales contra la discriminación, en su caso
3. Aconsejar al demandante del proceso de apelación, incluyendo, en su caso, derecho de la denunciante una queja directamente al departamento de educación de California o procurar remedios antes de tribunales civiles o de otros organismos públicos, como los estados unidos oficina del departamento de educación para los derechos civiles en casos de discriminación ilegal (por ejemplo, acoso discriminatorio, intimidación o bullying).
4. Incluya declaraciones que:
 - a. El distrito tiene la responsabilidad primaria de garantizar el cumplimiento del estado aplicable y leyes federales y reglamentos de programas educativos.
 - b. El informe de queja se completará dentro de 60 días calendario desde la fecha de recibo de la queja a menos que el demandante se compromete por escrito a una extensión de la línea de tiempo.
 - c. Una queja alegando represalia o discriminación ilegal (por ejemplo, acoso discriminatorio, intimidación o bullying) debe presentarse a más tardar seis meses desde la fecha en que ocurrió, o seis meses a partir de la fecha el demandante primero obtuvieron conocimientos de los hechos de la supuesta discriminación ilegal. El tiempo de presentación puede ampliarse hasta 90 días por el Superintendente o su designado para buena causa previa solicitud por escrito por el autor establece las razones de la extensión.
 - d. Quejas deben interponerse por escrito y firmadas por el denunciante. Si el demandante es incapaz de poner su queja por escrito, por ejemplo, debido a condiciones tales como discapacidad o analfabetismo, personal del distrito él/ella asistirá en la presentación de la queja.
 - e. Si no una denuncia por escrito, pero el distrito reciba aviso de cualquier alegación de que está sujeta a la UCP, el distrito deberá tomar medidas afirmativas para investigar y tramitar las denuncias, de una manera apropiada a las circunstancias particulares.

Si la alegación consiste en represalia o discriminación ilegal (por ejemplo, acoso discriminatorio, intimidación o acoso escolar) y la investigación confirma que se ha producido la discriminación, el distrito deberá tomar medidas para prevenir la recurrencia de discriminación y de corregir sus efectos discriminatorios en el demandante y en otros, si procede.
 - f. Un estudiante matriculado en una escuela pública no estará obligado a pagar una cuota por su participación en una actividad educativa que constituye una parte fundamental del programa educativo del distrito, como curriculares y extracurriculares actividades.
 - g. La Mesa Directiva es necesaria adoptar y actualizar anualmente la LCAP de una manera que incluye un compromiso significativo de los padres o tutores, estudiantes y otros interesados en el desarrollo o revisión de la LCAP.
 - h. Unos jóvenes recibirán información sobre los derechos relacionados con su colocación educacional, inscripción y retirada de la escuela, así como las responsabilidades de enlace distrito para jóvenes asegurar y facilitar estos requisitos y para ayudar a los estudiantes para garantizar la adecuada transferencia de sus créditos, registros y grados cuando transfieren entre escuelas o entre el distrito y otro distrito.

Procedimientos de quejas uniformes

AR 1312.3(c)

- i. Unos jóvenes, estudiante sin hogar, estudiante de la escuela ex Tribunal de menores o hijo de una familia militar que se notificará a las transferencias en un distrito de escuela secundaria o entre colegios de Distrito según sea el caso de responsabilidad del distrito:
 - (1) Aceptar cualquier curso o parte de los cursos que el estudiante ha completado satisfactoriamente en otra escuela pública, escuela de corte juvenil, o una privada, no sectaria escuela o agencia y al tema crédito total o parcial para el trabajo completado
 - (2) No requieren al estudiante a tomar un curso o una parte de un curso que él o ella ha completado satisfactoriamente en otra escuela pública, escuela de corte juvenil, o una privada, no sectaria escuela o agencia
 - (3) Si el estudiante ha completado su segundo año de preparatoria antes de la transferencia, proporcionar la información del estudiante sobre distrito aprobó los cursos y requisitos de graduación impuestas por el Consejo de que él o ella pueden estar exentos en virtud del código de educación 51225.1
- j. El querellante tiene derecho a apelar la decisión del distrito a CDE por presentar una apelación por escrito dentro de 15 días calendario de recibir la decisión del distrito.

En una queja alegando discriminación ilegal (por ejemplo, acoso discriminatorio, intimidación o bullying), el demandado también tendrá derecho a presentar una apelación ante el CDE de la misma manera que el querellante, si está satisfecho con la decisión del distrito.
- k. El llamamiento a CDE debe incluir una copia de la denuncia presentada ante el distrito y una copia de la decisión del distrito.
- l. Copias de la UCP del distrito están disponibles de forma gratuita.

La notificación anual, información de contacto completa del oficial de cumplimiento, información relacionada con el Título IX como sea necesario con arreglo al código de educación 221.61 será publicado en el sitio web del distrito y puede ser proporcionada a través de social apoyado por el distrito medios de comunicación, si está disponible.

El Superintendente o persona designada se asegurará de que todos los estudiantes y los padres o tutores, incluyendo estudiantes y padres con habilidad limitada en inglés, tengan acceso a la información relevante en la política del distrito, Reglamento, formas, y Avisos relativos a la UCP.

Si el 15 por ciento o más de los estudiantes matriculados en una escuela particular distrito hablan un solo idioma aparte del inglés, política, Reglamento, formas y avisos relativos a la UCP del distrito deberán traducirse en ese idioma, de acuerdo con Código de educación 234.1 y 48985. En todos los casos, el distrito asegurará significativo acceso a toda información relevante de la UCP para padres con habilidad limitada en inglés.

Responsabilidades del distrito

Todas las quejas relacionadas con la UCP serán investigadas y resuelto dentro de 60 días calendario del recibo del distrito de la queja a menos que el demandante se compromete por escrito a una extensión de la línea de tiempo. (5 CCR 4631)

Para quejas por discriminación ilegal (por ejemplo, acoso discriminatorio, intimidación o bullying), el distrito informará al demandado cuando el querellante está de acuerdo en una extensión de la línea de tiempo para investigar y resolver la queja.

El oficial de cumplimiento deberá mantener un registro de cada queja y posteriores acciones relacionadas, incluyendo medidas tomadas durante la investigación y toda la información necesaria para el cumplimiento de 5 CCR 4631 y 4633. Todas las partes involucradas en las denuncias se notificarán cuando una denuncia y cuando se hace una decisión o sentencia. Sin embargo, el oficial de cumplimiento mantendrá todas las quejas o denuncias de represalia o discriminación ilegal (por ejemplo, acoso discriminatorio, intimidación o bullying) confidencial excepto cuando la divulgación es necesaria para llevar a cabo la investigación, tomar medidas correctivas posteriores, realizar un seguimiento continuo o mantener la integridad del proceso. (5 CCR 4630, 4964)

Todos los denunciantes deberán estar protegidos contra represalia.

Presentación de quejas

La queja se presentará al oficial de cumplimiento que deberá mantener un registro de quejas recibidas, proporcionando cada uno con un número de código y una fecha.

Todas las quejas serán presentadas por escrito y firmadas por el denunciante. Si el demandante es incapaz de poner una queja por escrito debido a condiciones tales como discapacidad o analfabetismo, personal del distrito él/ella asistirá en la presentación de la queja. (5 CCR 4600)

Las quejas también se presentarán según las normas siguientes, según corresponda:

1. Una queja por violación de distrito de estado o ley federal o reglamento los programas especificados en la Directiva que lo acompaña (artículo #1 de la sección "Quejas conforme a la UCP") se puede presentar por cualquier agencia pública, individual u organización. (5 CCR 4630)
2. Cualquier queja por incumplimiento de la ley sobre la prohibición de que requieren los estudiantes estudiante pagar, depósitos y cargos o cualquier requisito relacionado con la LCAP puede presentarse anónimamente si la queja proporciona evidencia o información llevando a la evidencia, para apoyar la alegación de incumplimiento. Puede presentarse una queja sobre una violación de la prohibición contra la carga de estudiantes ilegales con el director de la escuela o con el Superintendente o su designado. Sin embargo, cualquier denuncia debe ser presentada no más tarde de un año desde la fecha de la presunta violación ocurrió. (Código educativo 49013, 52075; 5 CCR 4630)
3. Una queja alegando discriminación ilegal (por ejemplo, acoso discriminatorio, intimidación o bullying) puede presentarse solamente por una persona que alega que él o ella personalmente sufrió la discriminación ilegal o por una persona que cree que un individuo o cualquier clase específica de individuos ha sido sometido a él. La queja deberá iniciarse no más tarde de seis meses a partir de la fecha cuando ocurrió la presunta discriminación ilegal, o seis meses desde la fecha cuando el demandante obtuvo primero conocimiento de los hechos de la supuesta discriminación ilegal. El tiempo de presentación puede ampliarse hasta 90 días por el Superintendente o su designado para buena causa previa solicitud por escrito por el autor establece las razones de la extensión. (5 CCR 4630)
4. Cuando una denuncia por discriminación ilegal (por ejemplo, acoso discriminatorio, intimidación o bullying) es anónima, el oficial de cumplimiento deberá seguir una investigación u otra respuesta según corresponda, dependiendo de la especificidad y confiabilidad de la información proporcionada y la gravedad de la denuncia.
5. Cuando el querellante de discriminación ilegal (por ejemplo, acoso discriminatorio, intimidación o acoso) o la supuesta víctima, cuando éste no es el demandante, solicita confidencialidad, el oficial de cumplimiento le informará que la solicitud puede limitar la capacidad del distrito para investigar la conducta o adoptar otras medidas. Cuando honrar una solicitud de confidencialidad, el distrito sin embargo tomará todas las medidas razonables para investigar y resolver/responder a la demanda constante con la solicitud.

Investigación de denuncia

Dentro de 10 días hábiles después de que el oficial de cumplimiento reciba la denuncia, el oficial de cumplimiento iniciará una investigación sobre la denuncia.

Dentro de un día hábil de iniciar la investigación, el oficial de cumplimiento deberá proporcionar al demandante o su representante con la oportunidad de presentar la información contenida en la queja al oficial de cumplimiento y se notificará a la querellante o su representante la oportunidad de presentar al oficial de cumplimiento con cualquier evidencia o información que conduzca a la evidencia, para apoyar las alegaciones en la queja. Dichas pruebas o información puede presentarse en cualquier momento durante la investigación.

Procedimientos de quejas uniformes

AR 1312.3(e)

En la realización de la investigación, el oficial de cumplimiento deberá reunir todos los documentos disponibles y revisar todos los registros disponibles, notas, o declaraciones relacionadas con la queja, incluyendo cualquier información o evidencia adicional proveniente de las partes durante el curso de la investigación. Él/ella individualmente deberá entrevistar a todos los testigos disponibles con información relativa a la queja y puede visitar cualquier lugar razonablemente accesible donde presuntamente se han producido las acciones pertinentes. A intervalos apropiados, el oficial de cumplimiento deberá informar a ambas partes de la situación de la investigación.

Para investigar una denuncia por represalia o discriminación ilegal (por ejemplo, acoso discriminatorio, intimidación o bullying), el oficial de cumplimiento deberá entrevistar a las presuntas víctimas, cualquier presunto delincuente y otros testigos relevantes privado, por separado y de manera confidencial. Como personal adicional necesario o abogado puede realizar o apoyar la investigación.

Negativa del demandante a proporcionar investigador del distrito documentos u otras pruebas relacionadas con las alegaciones en la queja, la falta o negativa a cooperar en la investigación, o participación en cualquier otra obstrucción de la investigación puede como resultado la desestimación de la denuncia por falta de pruebas para apoyar la alegación. Asimismo, la negativa del demandado a proporcionar investigador del distrito documentos u otras pruebas relacionadas con las alegaciones en la queja, la falta o negativa a cooperar en la investigación, o participación en cualquier otra obstrucción de la investigación puede resultar en una conclusión, basada en la evidencia recogida, que ha producido una infracción y la imposición de una medida correctiva a favor de la demandante. (5 CCR 4631)

Conformidad con la ley, el distrito deberá proporcionar al investigador el acceso a registros y otra información relacionada con la denuncia en la demanda y en ningún caso deberá obstruir la investigación. La falta o negativa del distrito a cooperar en la investigación puede resultar en una conclusión basada en la evidencia recogida que ha producido una infracción y la imposición de una medida correctiva a favor de la demandante. (5 CCR 4631)

El oficial de cumplimiento aplicará un nivel de "preponderancia de la evidencia" en la determinación de la veracidad de los alegatos hechos en la queja. Esta norma se cumple si la afirmación es más probable que sea cierto que no.

Informe de resultados

A menos que extienda por acuerdo escrito con el denunciante, el oficial de cumplimiento elaborará y enviará a la demandante y el demandado si hay uno, un informe por escrito, como se describe en la sección "Decisión Final escrito" debajo, dentro de 60 días después de la recibir la queja del distrito. (5 CCR 4631)

Final escrito decisión

La decisión del distrito sobre cómo resolverá la queja será por escrito y se enviará a la demandante y el demandado. (5 CCR 4631)

En consulta con el abogado de distrito, información acerca de la parte pertinente de la decisión podrá ser comunicado a una víctima que no es el autor y a otras partes que pueden estar implicados en la aplicación de la decisión o se ven afectados por la queja, siempre y cuando se protege la privacidad de las partes. En una queja alegando discriminación ilegal (por ejemplo, acoso discriminatorio, intimidación y acoso escolar), notificación de la decisión del distrito a la presunta víctima deberá incluir información sobre cualquier sanción a imponerse a la demandada que se refiere directamente a la presunta víctima.

Si la queja involucra a un estudiante de inglés-dominio limitado o padre o tutor y el estudiante participan asiste a una escuela en la que 15 por ciento o más de los estudiantes hablan un solo idioma aparte del inglés, entonces la decisión será también puede traducirse en ese idioma. En todos los casos, el distrito asegurará acceso significativo a toda la información relevante para los padres o tutores con dominio limitado del inglés.

Para todas las quejas, la decisión deberá incluir: (5 CCR 4631)

Procedimientos de quejas uniformes

AR 1312.3(f)

1. Los resultados de hecho basada en la evidencia reunieron. Al llegar a una determinación fáctica, los siguientes factores pueden tenerse en cuenta:
 - a. declaraciones de testigos
 - b. la credibilidad relativa de los individuos implicados
 - c. cómo el individuo reclamante reaccionó al incidente
 - d. cualquier documental u otras pruebas relativas a la presunta conducta
 - e. más allá de las instancias de conducta similar por parte de cualquier presunto delincuente
 - f. más allá de falsas acusaciones hechas por el demandante

2. Las conclusiones de la ley

3. Disposición de la demanda

4. Razón de ser de esa disposición

Para las quejas de represalia o discriminación ilegal (por ejemplo, acoso discriminatorio, intimidación o bullying), la disposición de la queja deberá incluir una determinación de cada alegación en cuanto a si como represalia o discriminación ilegal se ha producido.

La determinación de si existe un ambiente hostil puede involucrar la consideración de los siguientes:

- a. la manera en que la mala conducta afectada Educación de uno o más alumnos
 - b. el tipo, frecuencia y duración de la conducta
 - c. la relación entre la presunta víctima y agresor
 - d. el número de personas participan en la conducta y a quien fue dirigida la conducta
 - e. el tamaño de la escuela, ubicación de los incidentes y contexto en que ocurrieron
 - f. otros incidentes en la escuela que involucran diferentes individuos
5. Correctivas acciones, incluyendo las acciones que se han tomado o se tomarán para enfrentar las acusaciones en la queja y como, con respecto a una queja de honorarios del estudiante, un remedio que conlleva con el código de educación 49013 y 5 CCR 4600

Para las quejas de discriminación ilegal (por ejemplo, acoso discriminatorio, intimidación o bullying), la decisión, como exige la ley, son:

- a. las acciones correctivas impusieron a la demandada
 - b. individuales remedios ofrecieron o proporcionan al denunciante u otra persona que fue objeto de la queja, pero esta información no debe ser compartida con el demandado.
 - c. medidas sistémicas de la escuela ha llevado a un ambiente hostil de eliminar y prevenir la recurrencia
6. Notificación del demandante y el demandado derecho a apelar la decisión del distrito a CDE dentro de los 15 días calendario y procedimientos a seguir para iniciar tal apelación

La decisión también puede incluir procedimientos de seguimiento para evitar la repetición o represalia y para reportar cualquier problema posterior.

Para quejas por discriminación ilegal basada en la ley estatal (por ejemplo, acoso discriminatorio, intimidación y acoso), la decisión también incluirá un aviso al demandante que:

1. El o ella puede aplicar remedios de ley civil disponible fuera de procedimientos de queja del distrito, incluyendo asistencia de centros de mediación o abogados de interés público y el privado, 60 días después de la presentación de un recurso con CDE. (Código de Educación de 262.3)

2. La moratoria de 60 días no se aplica a las quejas que buscan amparo en los tribunales del estado o a las quejas de discriminación basadas en la ley federal. (Código de Educación de 262.3)
3. Las quejas alega discriminación basada en raza, color, origen nacional, sexo, género, discapacidad o edad puede presentarse también con el Departamento de educación, oficina de derechos civiles en www.ed.gov/ocr dentro de los 180 días de la supuesta discriminación.

Acciones correctivas

Cuando una queja se tiene mérito, el oficial de cumplimiento deberá adoptar cualquier acción correctiva apropiada permitida por la ley. Medidas correctivas adecuadas que se centran en el ámbito más amplio de la escuela o distrito pueden incluir, pero no se limitan a, las acciones para reforzar las políticas del distrito; formación para profesores, personal y estudiantes; actualizaciones de las políticas de la escuela; o encuestas de clima escolar.

Para quejas de represalia o discriminación ilegal (por ejemplo, acoso discriminatorio, intimidación o bullying), remedios apropiados que pueden ser ofrecidos a la víctima pero no comunicó al demandado pueden incluir, pero no se limitan a, los siguientes:

1. consejería
2. académica
3. servicios de salud
4. asignación de una escolta para permitir que la víctima para desplazarse con seguridad en el campus
5. información sobre recursos disponibles y cómo reportar incidentes o represalias similares
6. separación de la víctima de otras personas involucradas, siempre la separación no penalizar a la víctima
7. restaurativa justicia
8. investigaciones seguimiento para asegurar que la conducta se ha detenido y no ha habido ninguna represalia
9. determinación de si alguno más allá de acciones de la víctima que dio lugar a la disciplina fueron relacionados con el tratamiento recibido de la víctima y descrito en la denuncia

Para quejas de represalia o discriminación ilegal (por ejemplo, acoso discriminatorio, intimidación o bullying), medidas correctivas adecuadas que se enfoquen en un agresor de estudiante pueden incluir, pero no se limitan a, los siguientes:

1. transferencia de una clase o escuela en la medida permitida por la ley
2. conferencia de padres
3. educación sobre el impacto de la conducta de otros
4. apoyo de comportamiento positivo
5. derivación a un equipo de éxito de estudiantes
6. negación de la participación en actividades extracurriculares o curriculares u otros privilegios como permitidos por la ley
7. disciplinaria, como la suspensión o expulsión, en la medida permitida por la ley

Cuando un empleado se encuentra haber cometido como represalia o discriminación ilegal (por ejemplo, acoso discriminatorio, intimidación o bullying), el distrito tomará acción disciplinaria apropiada, hasta e incluyendo el despido, de acuerdo con acuerdo vigente de la ley y la negociación colectiva.

El distrito también puede considerar entrenamiento y otras intervenciones de la comunidad escolar asegurar que los tipos de comportamiento que constituyen discriminación ilícita (como el acoso discriminatorio, estudiantes, personal y padres intimidación o acoso escolar), que el distrito no tolera y cómo reportar y responder a él.

Procedimientos de quejas uniformes

AR 1312.3(h)

Cuando una queja se encuentra tener mérito, se dispondrán un remedio apropiado para el denunciante u otra persona afectada.

Si una denuncia por incumplimiento de las leyes sobre cuotas de estudiante, depósitos y otros cargos, minutos instrucción de educación física para los estudiantes de las escuelas primarias, o cualquier requisito relacionado con la LCAP se encuentra tener mérito, el distrito deberá proporcionar un remedio a todos los estudiantes afectados y padres conforme a procedimientos establecidos por el Reglamento de la Junta de educación del estado. (Código de educación 49013, 51223, 52075)

Para quejas por incumplimiento de las leyes sobre estudiantes, el distrito tratará de buena fe, participando en los esfuerzos razonables identificar y totalmente reembolsar a todos los afectados los estudiantes y padres que pagaban los estudiantes ilegales cuotas dentro de un año antes de la presentación de la queja. (Código educativo 49013; 5 CCR 4600)

Apelaciones al Departamento de Educación de California

Cualquier demandante que está insatisfecho con la decisión del distrito final escrito de una reclamación relativa a cualquier programa educativo federal o estatal especificado conforme a la UCP puede presentar una apelación por escrito con CDE dentro de 15 días calendario de recibir del distrito decisión. (Código educativo 222, 48853, 48853.5, 49013, 49069.5, 51223, 51225.1, 51225.2, 51228.3, 52075; 5 CCR 4632)

Cuando un demandado en cualquier queja alegando discriminación ilegal (por ejemplo, acoso discriminatorio, intimidación y acoso) está satisfecho con la decisión del distrito final escrito, en la misma forma que el demandante, puede presentar una apelación con CDE.

El demandante o el demandado especificarán la base para la apelación de la decisión y cómo los hechos de la decisión del distrito están incorrecta o ha sido mal aplicada la ley. La apelación se enviará a CDE con una copia de la original local denuncia y una copia de la decisión del distrito en que la queja. (5 CCR 4632)

Tras la notificación por CDE que el demandante o el demandado apeló la decisión del distrito, el Superintendente o su designado deberá enviar los siguientes documentos al CDE: (5 CCR 4633)

1. una copia de la denuncia original
2. una copia de la decisión por escrito
3. un resumen de la naturaleza y el alcance de la investigación llevada a cabo por el distrito, si no están incluidos en la decisión
4. una copia de la investigación archivo incluyendo, sin limitarse a, todas las notas, entrevistas y documentos presentaron por las partes y recogidos por el investigador
5. un informe de las medidas adoptadas para resolver la demanda
6. una copia de los procedimientos de quejas uniformes del distrito
7. otra información relevante solicitada por CDE

(9/16 5/17) 3/18

Adoptado: (12/10/15, 0711/16, 10/10/16, 11/09/17) 11 de junio de 2018

Uniform Complaint Procedure Complaint Reporting Form

I. Contact Information:

Name: _____

Address: _____

City: _____ Zip: _____

Home Phone: _____ Work or Cell Phone: _____

II. Complainant

You are filing this complaint on behalf of: _____

 yourself your child or a (student) another student a group

III. School Information

School Name: _____

Principal's Name: _____

Address: _____ City: _____

IV. Basis of Complaint:

In accordance with the District's Uniform Complaint Procedures (5 CCR 4620) each school district shall follow uniform complaint procedures when addressing the following complaints:

- Any complaint alleging district violation of applicable state or federal law or regulations governing:
- Adult Education
 - After School Education and Safety
 - Agricultural Vocational Education
 - Bilingual Education
 - California Peer Assistance and Review Programs for Teachers
 - Career Technical and Technical Education and Career Technical and Technical Training
 - Career Technical Education
 - Child Nutrition
 - Compensatory Education
 - Consolidated Categorical Aid
 - Course Periods without Educational Content
 - Economic Impact Aid
 - Education of Pupils in Foster Care and Pupils who are Homeless
 - Every Student Succeeds Act / No Child Left Behind
 - Local Control Accountability Plans (including Charter Schools as described in *EC* §§ 47606.5 and 47607.3);
 - Migrant Education
 - Physical Education Instructional Minutes
 - Pupil Fees
 - Reasonable Accommodations to a Lactating Pupil
 - Regional Occupational Centers and Programs
 - School Safety Plans
 - Special Education
 - Tobacco-Use Prevention Education
- Any complaint alleging the occurrence of unlawful discrimination, harassment, intimidation or bullying against any protected group as identified in Education Code section 200 and 220 and Government Code section 11135, including any actual or perceived characteristics as set forth in Penal Code section 422.55 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 program or activity conducted by the LEA, which is funded directly by, or that receives or benefits from any state financial assistance.

Uniform Complaint Procedure Complaint Reporting Form

Association with any of these categories:

- | | |
|---|---|
| <input type="checkbox"/> Race | <input type="checkbox"/> Physical or Mental Disability |
| <input type="checkbox"/> Ethnicity | <input type="checkbox"/> Sex |
| <input type="checkbox"/> Color | <input type="checkbox"/> Sexual orientation |
| <input type="checkbox"/> Ancestry | <input type="checkbox"/> Gender |
| <input type="checkbox"/> Nationality | <input type="checkbox"/> Gender Identity or Gender Expression |
| <input type="checkbox"/> National origin | <input type="checkbox"/> Genetic Information |
| <input type="checkbox"/> Age | <input type="checkbox"/> Sexual Harassment |
| <input type="checkbox"/> Religion | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Marital or Parental Status | |

- Any complaint alleging district violation of the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities. (5 CCR 4610)
- Any complaint alleging that the district has not complied with legal requirements related to the implementation of the Local Control Funding Formula (LCFF) and Local Control Accountability Plans (LCAP).
- Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy

V. Details of Complaint

Please answer the following questions to the best of your ability. Attach additional sheets of paper if you need more space.

- Please **describe** the type of incident(s) you experienced that led to this complaint, including the events or actions, in as much detail as possible:
- List the **individuals** involved in the incident(s) complaint of:
- List any **witnesses** to the incident(s):
- Describe the **location where** the incident(s) occurred:
- Please list **all the date(s) and times** when the incident(s) occurred or when the alleged acts first came to your attention:

What steps, if any, have you taken to resolve this issue before filing a complaint?

Signature of person filing complaint

Date

Received by: _____ Date Filed: _____

Title: _____

Please provide a duplicate copy to the complainant.

Procedimiento uniforme de denuncia - denuncia informando de forma

I. información de contacto:

Nombre: _____

Dirección: _____

Ciudad: postal: _____

Teléfono: trabajo o celular: _____

II. el querellante

Está presentando esta queja en nombre de: _____

- usted mismo
- su hijo o (estudiante)
- otro estudiante
- un grupo

III. la escuela información

Nombre de escuela: _____

Nombre del Director: _____

Dirección: ciudad: _____

IV. base de la queja:

- Los UCP deberán usarse también al tratar quejas en cuanto al incumplimiento de leyes federales o estatales en:
 - o Educación para adultos (Adult Education)
 - o Educación y seguridad extracurricular (After School Education and Safety)
 - o Educación vocacional agrícola (Agricultural Vocational Education)
 - o Educación bilingüe (Bilingual Education)
 - o Programas de asistencia y evaluación entre pares de California para maestros (California Peer Assistance and Review Programs for Teachers)
 - o Educación y capacitación para carrera técnica o vocacional y educación y capacitación técnica o vocacional (Career Technical and Technical Education and Career Technical and Technical Training)
 - o Educación para carrera técnica o vocacional (Career Technical Education)
 - o Nutrición infantil (Child Nutrition)
 - o Educación compensatoria (Compensatory Education)
 - o Programas consolidados para la ayuda por categorías (Consolidated Categorical Aid)
 - o Cursos sin contenido educativo (Courses without Educational Content)
 - o Ayuda para compensar efectos económicos (Economic Impact Aid)
 - o Educación de alumnos bajo cuidado adoptivo temporal y alumnos sin hogar (Education of Pupils in Foster Care and Pupils who are Homeless)
 - o Ley Que Todo Estudiante Tenga Éxito/Ley Que Ningún Niño Se quede Atrás (Every Student Succeeds Act/No Child Left Behind)
 - o Planes de control local y rendición de cuentas (Local Control Accountability Plans)
 - o Educación para inmigrantes (Migrant Education)
 - o Minutos de enseñanza de educación física (Physical Education Instructional Minutes)
 - o Cuotas de estudiantes (Pupil Fees)
 - o Adaptaciones razonables para alumnas lactantes (Reasonable Accommodations to a Lactating Pupil)
 - o Centros y programas ocupacionales regionales (Regional Occupational Centers and Programs)
 - o Planes de seguridad escolar (School Safety Plans)
 - o Educación especial (Special Education)
 - o Educación para la prevención del uso del tabaco (Tobacco-Use Prevention Education)

Procedimiento uniforme de denuncia - denuncia informando de forma

- Las quejas por discriminación ilícita, acoso, intimidación u hostigamiento en contra de cualquier grupo protegido como se identifica en el artículo 200 y 220 del Código de Educación y el artículo 11135 del Código de Gobierno, incluyendo características reales o percibidas como se establece en el artículo 422.55 del Código Penal o en cuanto a estas características reales o percibidas o por la asociación de la persona con una persona o un grupo con una o más de estas características, ya sean reales o percibidas, en cualquier programa o actividad dirigida por la LEA que reciba asistencia financiera del estado o se beneficie de ésta.

Asociación con ninguna de estas categorías

- | | |
|--|---|
| <input type="checkbox"/> Raza | <input type="checkbox"/> Discapacidad mental o física |
| <input type="checkbox"/> Origen étnico | <input type="checkbox"/> Sexo (título IX) |
| <input type="checkbox"/> Color | <input type="checkbox"/> Género * |
| <input type="checkbox"/> Ascendencia | <input type="checkbox"/> Orientación sexual |
| <input type="checkbox"/> Origen nacional | <input type="checkbox"/> Acoso sexual |
| <input type="checkbox"/> Edad | <input type="checkbox"/> Otros |
| <input type="checkbox"/> Religión | |

- Cualquier queja alegando que el distrito ha violado la prohibición de exigir a los estudiantes a pagar cuotas, depósitos, u otros cargos para la participación en las actividades educativas. (5 CCR 4610)
- Cualquier queja alegando que el distrito no ha cumplido con los requisitos legales relacionados con la aplicación de la fórmula de financiación de control local (LCFF) y los Planes de rendición de cuentas de control local (LCAP). (Código de Educación 52075)
- Cualquier queja alegando represalia contra un participante denunciante u otro en el proceso de queja o cualquier persona que ha actuado para descubrir o reportar una violación sujeta a esta póliza.

V. los detalles de la queja

Por favor conteste las siguientes preguntas a lo mejor de su capacidad. Adjuntar hojas adicionales si usted necesita más espacio.

Por favor **describa** el tipo de incidente que experimentó que condujeron a esta denuncia, incluyendo las acciones, con el mayor detalle posible:

Lista de los **individuos** involucrados en el incidente de queja:

Lista de **testigos** que el incidente (s):

Describir el **lugar donde** se produjo el incidente:

Por favor enumere **todas las fechas y tiempos** cuando ocurrió el incidente o cuando los hechos alegados por primera vez a su atención:

¿Qué pasos , si alguno, han adoptado para resolver este problema antes de presentar una queja?

Firma de la persona presentar queja

fecha

Por: fecha de presentación: _____

Título: _____

Por favor proporcione una copia duplicada al demandante.

**Administrative Regulation
Community Relations
Williams Uniform Complaint Procedures**

AR 1312.4(a)

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 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.
- 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.

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.
- c. A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

Teacher vacancy means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of the semester for an entire semester. (Education Code 35186; 5 CCR 4600)

Beginning of the year or semester means the 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)

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)

Filing of Complaint

A complaint alleging any condition(s) specified in "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)

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 Governing Board at a regularly scheduled meeting. (Education Code 35186; 5 CCR 4686)

For any complaint concerning a facilities condition that poses an emergency or urgent threat to the health or safety of 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)

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

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)

Williams Uniform Complaint Procedures (continued)

AR 1312.4(c)

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

234.1 Prohibition of discrimination, harassment, intimidation, and bullying

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 procedures

35292.5 Restrooms, maintenance and cleanliness

48985 Notice to parents in language other than English

60119 Hearing on sufficiency of instructional materials

CODE OF REGULATIONS, TITLE 5

4600-4670 Uniform complaint procedures

4680-4687 Williams uniform complaint procedures

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>

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

(11/07 11/10) 8/14

Adopted by the Board of Trustees: 2/16/04, 12/12/07, 08/08/11, 11/10/14

Tipos de Quejas

El distrito deberá usar los siguientes procedimientos para investigar y resolver quejas cuando un demandante alegue que cualquiera de las siguientes ha ocurrido: (Código Educativo 35186; 5 CCR 4682)

1. Libros de texto y materiales de instrucción

- a. Un alumno, incluyendo un aprendiz de inglés, no tiene libros de texto o materiales de instrucción que vayan con las normas o libros de texto adoptados por el estado o distrito u otros materiales de instrucción requeridos por el uso de la clase.
- b. Un alumno no tiene acceso a libros de texto o materiales de instrucción para usar en casa después de escuela. Esto no requiere dos juegos de libros de texto o materiales de instrucción para cada estudiante.
- c. Libros de texto o materiales de instrucción están en una condición pobre o inutilizable, tiene falta de páginas o es ilegibles debido a daños.
- d. Un alumno que provea con una fotocopia de solo una porción de las hojas del libro de texto o materiales de instrucción para anunciar que hay una escasez de libros de texto o materiales de instrucción.

2. Vacante de maestros o asignado incorrectamente

- a. Un semestre comienza y una vacante de maestro existe.
- b. Un maestro quien no posee credenciales o entrenamiento para enseñar aprendices de inglés es asignado a enseñar una clase con más de 20 porcinito de estudiantes aprendiendo inglés.
- c. Un maestro se asigna a enseñar una clase para que el profesor carece de competencia de la materia.

Vacante significa una posición a la cual un solo empleado certificado no ha sido designado desde el principio del año por el año entero o si la posición es por un semestre en curso, una posición a la cual un empleado certificado no ha sido designado al principio del semestre por un semestre entero. (Código Educativo 35186; 5CCR 4682)

Principio del año semestre significa el primer día de clases necesariamente para servir a todos los estudiantes inscritos están establecidos con un empleado certificado asignado para la duración de la clase, pero no mas tarde de 20 días laborales después del primer DIA que los estudiantes atienden las clases del ese semestre. (5 CCR 4600)

Inicio del semestre o año significa las primeras clases de días necesarias para servir a todos los alumnos matriculados son establecidos con un solo empleado designado de transportistas asignado para la duración de la clase, pero no después de 20 días hábiles después de los primeros alumnos día asistir a clases para este semestre.

Asignado incorrectamente significa el asignado del empleado certificado en una posición de enseñanza o servicio por la cual el empleado no posee un certificado o credencial legal o el asignado de un empleado certificado en una posición o servicio de enseñanza que el empleado no este autorizado o un estatuto de poseer. (Código Educativo 35186; 5 CCR 4600)

3. Facilidades

- a. Una condición de emergencia o urgencia que posee un peligro para la salud o seguridad de los alumnos o personal.

Peligro de emergencia o urgencia significa estructuras o sistemas que son una condición que posee un peligro a la salud y seguridad de los estudiantes o el personal mientras estén en la escuela, incluyendo pero no limitándose a goteras de gas; calefacción no funcionando, ventilación, roseados de fuego, o sistemas de aire acondicionado; fallas en el sistema eléctrico; parada mayor de alcantarilla, mayor infestación de peste o bichos; ventanas quebradas o exteriores de puertas o portones que no pueden cerrar y que pongan en riesgo la seguridad; la disminución de materiales peligrosos previamente indescubribles que posean un peligro para los estudiantes o el personal; o daños de estructura creando un peligro o condición inevitable. (Código de Educación 17592.72)

- b. Un baño de la escuela no se ha limpiado, se ha mantenido, o no se ha mantenido abierto de acuerdo con el Código Educativo 35292.5 .

El baño limpio o mantenido de la escuela significa que un baño de la escuela se ha limpiado o que se ha mantenido regularmente, es completamente operacional, o se ha almacenado siempre con el papel de tocador, el jabón, y los secadores de papel del toalla o funcionales de la mano. (Código Educación de 35292.5)

El baño abierto significa la escuela ha mantenido todos los baños abiertos durante horas de la escuela cuando los estudiantes no están en clases y ha guardado un suficiente número de los baños abiertos durante las horas de la escuela en que los estudiantes están en clases. Esto no se aplica cuando el cierre temporal de el baño es necesario para la seguridad de los alumnos o para hacer reparaciones. (Código Educación 35292.5)

Archivando una Queja

La queja legando cualquier condición(s) especificadas arriba deberá archivarse con el director o persona designada en la escuela en la que ocurrió dicha demanda. El director o persona designada deberá pasar una queja acerca de dichos problemas mas allá de su autoridad al Superintendente o persona designada en un tiempo apropiado, pero que no exceda 10 días laborales. (Código Educativo 35186; 5 CCR 4680)

El director o persona designada deberá hacer todos los esfuerzos razonables para investigar cualquier problema que esté al alcance de su autoridad. El/ella deberá remediar una queja válida en un tiempo razonable que no exceda más de 30 días de trabajo de la fecha en la que la queja fue recibida. (Código Educativo 35186)

Las quejas pueden ser archivadas anónimamente. Si el demandante ha indicado en la forma de la queja que a el/ella le gustaría una respuesta a la queja, el director o persona designada deberá reportar la resolución de la queja a el/ella en un periodo de 45 días laborales de la archivación inicial de la queja. Si la respuesta es pedida, la respuesta deberá ser mandada por correo a la dirección del demandante como es indicado en la forma de la queja. Al mismo tiempo, e director o persona designada deberá reportar la misma información al Superintendente o persona designada. (Código Educativo 35186;5 CCR 4680)

Cuando Código de Educación 48985 es aplicable (15 por ciento o más de los estudiantes alistarón en una escuela particular hablan una sola lengua primaria con excepción de inglés) y el complainant ha solicitado una respuesta, la respuesta será escrita en la lengua inglesa y en primaria en la cual la queja fue archivada. (Código de Educación 35186)

Si el demandante no está satisfecho con la resolución de la demanda, el/ella tiene el derecho a describir la demanda a la Mesa Directiva en una junta regular. (Código Educativo 35186; 5 CCR 4686)

Para cualquier queja que tenga que ver con condiciones de aparatos que posean un peligro de emergencia o urgencia para la salud o seguridad de los estudiantes o el personal como se describe en el artículo #3 de arriba, un demandante quien no este satisfecho con la resolución dada por el director o Superintendente o persona designada puede archivar una apelación al Superintendente de Instrucción Pública (SPI) con 15 días de haber recibido la respuesta del distrito. El demandante debe cumplir con requerimientos de apelación especificados en 5 CCR 4632. (Código Educativo 35186; 5 CCR 4687)

Todas las demandas y respuestas por escrito deben ser registros públicos. (Código Educativo 35186; 5 CCR 4686)

Reportes

El Superintendente o persona designada deberá reportar un sumario de datos de la naturaleza y resolución de todas las quejas a la Mesa Directiva y al Superintendente de las escuelas del Condado cada trimestre. El reporte deberá incluir el número de demandas por áreas de casos generales con unos números de quejas resueltas y números de quejas sin resolver estos sumarios deberán ser públicamente reportados cada trimestre en una junta regular de la Mesa Directiva. (Código Educativo 35186; 5 CCR 4686)

Formas y Notas

El Superintendente o designado velarán por que un formulario de reclamación de Williams está disponible en cada escuela. Sin embargo, querellantes no necesitan utilizar formulario de reclamación del distrito a fin de presentar una queja. (Educación código 35186; CCR 5 4680)

El Superintendente o persona designada debe asegurarle al distrito que las formas de quejas del distrito contienen un espacio para por si el demandante quiere una respuesta a su queja y especifica la locación para registrar una queja. Un demandante puede agregar tanto texto como quiera para explicar la queja como el/ella lo desee. (Código Educativo 35186)

El Superintendente o persona designada debe asegurar de que la noticia es puesta en cada clase en cada escuela los componentes especificados en el Código Educativo 35186. (Código Educativo 36186)

Legal Reference:

EDUCATION CODE

234.1 Prohibition of discrimination, harassment, intimidation, and bullying

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 procedures

35292.5 Restrooms, maintenance and cleanliness

48985 Notice to parents in language other than English

60119 Hearing on sufficiency of instructional materials

CODE OF REGULATIONS, TITLE 5

4600-4670 Uniform complaint procedures

4680-4687 Williams uniform complaint procedures

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>

State Allocation Board, Office of Public School

Construction: <http://www.opsc.dgs.ca.gov>

(11/07 11/10) 8/14

Adopted by the Board of Trustees: 2//06, 12/12/07, 08/08/11, 11/10/14

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

Parents/Guardians, Pupils, and Teachers:

Education Code 35186 requires that the following notice be posted in each classroom:

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. Good repair means that the facility is maintained in a manner that assures that it is clean, safe and functional as determined by the Office of Public School Construction.
3. There should be no teacher vacancies or misassignments as defined in Education Code 35186(h)(2) and (3). There should be a teacher assigned to each class and not a series of substitutes or other temporary teachers. The teacher should have the proper credential to teach the class, including the certification required to teach English learners, if present.

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

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

To file a complaint regarding any of the above matters, complaint forms can be obtained at the principal's office or at the district office. 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>. However, the complainant need not use a complaint form.

Adopted by the Board of Trustees: 2//06, 07/07, 12/12/07, 11/10/14

**NOTIFICACIÓN PARA PADRES DE FAMILIA/TUTORES LEGALES, ALUMNOS, Y MAESTROS:
DERECHO DE PRESENTAR QUEJAS**

Padres de familia/tutores legales, alumnos y maestros:

Código de Educación 35186 requiere que la siguiente nota sea puesta en cada salón:

1. Debe de haber suficientes libros de texto y materiales de instrucción. Habiendo suficientes libros de texto y materiales de instrucción, cada alumno, incluyendo alumnos aprendiendo Inglés, deben tener un libro de texto o materiales de instrucción, tiene que tener un libro de texto o material de instrucción, o los dos, para usar en la clase y para llevar a casa.
2. Las facilidades de la escuela deben estar limpias, seguras y mantenerlas en buena reparación. Buena reparación significa que la facilidad este mantenida en una manera que asegure que está limpia, segura y funcionando como se determina por la Oficina Pública de Construcción de Escuelas.
3. No debe de haber puestos vacantes de maestros o asignamientos erróneos como se especifica en el Código Educativo 35186(h)(2) y (3)

Asignamientos significa el puesto de un empleado certificado en una posición de enseñar o de servicio para el cuál el empleado no tiene un certificado reconocido legal o credencial o el puesto de un empleado certificado en una posición de enseñar o de servicio que el empleado no está autorizado de aportar por el estado.

Vacante de Maestro significa una posición la cuál ningún solo empleado certificado a sido asignado desde el principio del año por el año completo, si la posición es para un curso de un semestre, una posición a la cual ningún solo empleado certificado a sido asignado desde el principio del semestre por el semestre entero.

Para archivar una queja que tenga que ver con los caso mencionados arriba, las formas de la demanda pueden ser obtenidas en la oficina del director o en la oficina del distrito. También se puede imprimir una copia del formulario del Departamento de Educación del Estado de California del sitio de la Web que se indica a continuación: <http://www.cde.ca.gov/re/cp/uc>. Sin embargo, el complainant no necesitan utilizar una forma de la queja.

Adopted by the Board of Trustees: 2//06, 07/07, 12/12/07, 11/10/14

Exhibit
Community Relations
Williams Uniform Complaint Procedures

E(2) 1312.4(a)

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, or teacher vacancy or misassignment. The complaint and response are public documents as provided by law. Complaints may be filed anonymously. However, if you wish to receive a response to your complaint, you must provide the contact information below.

Response requested? _____ Yes _____ No

Contact Information: (If response is requested)

Name: _____

Address: _____

Phone Number: Day _____ Evening _____

E-mail address, if any: _____

Location of the problem that is the subject of this complaint

School: _____

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 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.

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 lacking 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 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 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; or 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, and 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 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.

Please file this complaint with the person specified at the following location:

- Calipatria High School, 601 W. Main Street, Calipatria, CA 92233 - Principal
- Young Middle School, 220 S. International, Calipatria, CA 92233 - Principal
- Fremont Primary, 401 W. Main Street, Calipatria, CA 92233 - Principal
- Grace Smith Elementary, 9. E. 4th Street, Niland, CA 92251 - Principal

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)

Adopted by the Board of Trustees: 2//06, 07/07, 12/12/07, 08/08/11, 11/10/14

Exhibición
Relaciones de la Comunidad
Procedimientos Uniformes De Quejas Williams

E(2) 1312.4(a)

FORMA DE QUEJA: PROCEDIMIENTOS UNIFORMES DE QUEJAS WILLIAMS

Código de educación 35186 crea un procedimiento para la presentación de denuncias de irregularidades relacionadas con materiales didácticos, condiciones de las instalaciones que no son mantenidos de una manera limpia y segura o en buen estado de conservación, o vacantes de maestro o misassignment. La denuncia y la respuesta son documentos públicos conforme a lo dispuesto por la ley. Las quejas pueden presentarse anónimamente. Sin embargo, si desea recibir una respuesta a su queja, debe proporcionar la información de contacto.

Respuesta requerida? Si No

Información de contacto: (Si se solicita respuesta)

Nombre: _____

Dirección: _____

Número de Teléfono: Día: _____ Tarde: _____

Correo electrónico, si tiene: _____

Localidad del problema sujeto a la demanda

Escuela: _____

Título del curso/ nivel del grado y nombre del maestro: _____

Número del salón/ nombre del salón/localidad de la facilidad: _____

La fecha en la que el problema fue observado: _____

Solamente los siguientes casos pueden ser sujetos al proceso de la demanda. Si usted desea quejarse acerca de casos no especificados debajo, por favor use el procedimiento adecuado de quejas del distrito

Caso(s) específicos de la queja: (Por favor marque todos los que aplican: una demanda puede contener mas de una alegación.)

1. Libros de texto y materiales de instrucción: (Código Educativo 35186; 5 CCR 4681)

- Un alumno, incluyendo un estudiante aprendiendo Inglés, no tiene libros de texto o materiales de instrucción que vayan con las normas del distrito o libros de texto materiales de instrucción que sean adoptados por el estado o distrito o otros libros de texto o materiales de instrucción que sean requeridos para usar en la clase.
- Un alumno que no tiene acceso a los materiales de instrucción para usar en casa o después de escuela. Esto no requiere dos juegos de libros de texto o materiales de instrucción para cada estudiante.
- Libros de texto o materiales de instrucción en estado deteriorable o en condiciones que no se puedan usar, que le falten páginas o que no se puedan leer debido al los daños del libro.
- Un alumno que provea con una fotocopia de solo una porción de las hojas del libro de texto o materiales de instrucción para anunciar que hay una escasez de libros de texto o materiales de instrucción.

2. Vacante de maestros o asignado incorrectamente : (Código Educativo 35186; 5 CCR 4681)

- Un semestre comienza y una vacante de maestro existe. Vacante de maestro es una posición a la cual ni un solo empleado certificado ha sido asignado desde el principio del año escolar para el año entero, si la posición es de un curso semestral, una posición a la que ningún empleado certificado ha sido asignado desde el principio del semestre para el semestre entero.
- Un maestro que no tenga credenciales o entrenamiento para enseñar alumnos aprendiendo Inglés y es asignado a enseñar una clase con más de 20% de alumnos aprendiendo Inglés en la clase.
- Un maestro se asigna a enseñar una clase para que el profesor carece de competencia de la materia.

3. Condiciones de Facilidades:

- Existe una condición que plantea una amenaza de emergencia o de urgencia para la salud o la seguridad de los alumnos o personal incluyendo gas fugas; calefacción no funcionando, ventilación, rociadores de fuego o sistemas de aire acondicionado; falla de energía eléctrica; paro de alcantarillado principales; principales plagas o infestación de parásitos; ventanas rotas o puertas exteriores o puertas que no bloqueará y que suponen un riesgo de seguridad; reducción de materiales peligrosos previamente desconocido plantean una amenaza inmediata para los alumnos o personal; o daños estructurales, creando una condición peligrosa o inhabitables y cualquier otra condición proceda por el distrito.
- No se realiza el mantenimiento adecuado de los baños en la escuela, o no se limpian con la frecuencia debida, no están en perfecto funcionamiento o no se ha colocado papel higiénico, jabón o toallas de papel o secadores de mano funcionales.
- La escuela no mantiene todos los baños abiertos durante horas de la escolar cuando los alumnos no están en clase, y no mantiene abierta la suficiente cantidad de baños durante las horas de la escuela en que los alumnos están en clase. Esto no se aplica cuando el cierre temporal del baño es necesario para la seguridad de los alumnos o para hacer reparaciones.

Por favor describa el asunto de su queja con detalles. Puede agregar páginas adicionales e incluya tanto texto como sea necesario para describir la situación completamente. Para quejas que tengan que ver con las condiciones de las facilidades, por favor describa la condición de emergencia o urgencia del aparato/facilidad y como esa condición representa un peligro para la salud o seguridad de los estudiantes o del personal.

Por favor archive esta demanda con la persona especificada debajo en la siguiente localidad:

- Calipatria High School, 601 W. Main Street, Calipatria, CA 92233 - Principal
- Young Middle School, 220 S. International, Calipatria, CA 92233 - Principal
- Fremont Primary, 401 W. Main Street, Calipatria, CA 92233 - Principal
- Grace Smith Elementary, 9. E. 4th Street, Niland, CA 92251 -Principal

Por favor provea la firma debajo. Si usted desea quedar en el anonimato, la firma no es requerida. De cualquier modo, todas las quejas, aún las anónimas, deben tener la fecha.

(firma)

(fecha)

Adopted by the Board of Trustees: 2//06, 07/07, 12/12/07, 08/08/11, 11/10/2014

**Board Policy
Community Relations
Solicitation of Funds From and By Students**

BP 1321

The Governing Board 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.

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.

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:

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>
(9/87 9/90) 7/03

Adopted by the Board of Trustees: 2/15/06

**Administrative Regulation
Community Relations
Solicitation of Funds From and By Students**

AR 1321

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.

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.

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-6 shall not be involved in any door-to-door sales or solicitations.

Adopted by the Board of Trustees: 2/15/06

**Board Policy
Community Relations
Advertising and Promotion**

BP 1325(a)

The Governing Board establishes this policy to ensure effective and consistent standards for advertisements and promotions by nonschool groups in school-sponsored publications, on district and school web sites and social media, and on school facilities and grounds. Student speech shall be regulated in accordance with BP/AR 5145.2 - Freedom of Speech/Expression.

Limited Public Forum

The Board desires to promote positive relationships between district schools and the community in order to enhance community partnerships, support, and involvement in the schools. The Superintendent or designee may, consistent with the criteria established in this policy, approve:

1. Distribution of noncommercial materials that publicize services, special events, public meetings, or other gatherings of interest to students or parents/guardians
2. Distribution of promotional materials of a commercial nature to students or parents/guardians
3. Paid advertisements on school property, including, but not limited to, advertisements on school buildings, athletic fields, scoreboards, and billboards
4. Paid advertisements in school-sponsored publications, yearbooks, announcements, and other school communications, including web sites and social media
5. Products and materials donated by commercial enterprises for educational use, including those that bear the name and/or logo of the donor, as long as they do not unduly promote the donor or any commercial activity or product

Prior to the distribution, posting, or publishing of any nonschool group's promotional materials or advertisement, the Superintendent, principal, or designee shall review the materials or advertisement based on the criteria listed below. He/she may not disapprove materials or advertisement in an arbitrary or capricious manner or in a way that discriminates against a particular viewpoint on a subject that is otherwise allowed by Board policy.

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

As necessary, the Superintendent, principal, or designee shall require a disclaimer on any nonschool group's promotional materials to be distributed, posted, or published, stating that the distribution, posting, or publishing of the materials does not imply district endorsement of the group's activities, products, or services. District- and school-sponsored publications shall include a disclaimer stating that the district or school does not endorse any advertised products or services.

Criteria for Approval

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

1. Are lewd, obscene, libelous, or slanderous
2. Incite students to commit unlawful acts, violate school rules, or disrupt the orderly operation of the schools
3. Promote any particular political interest, candidate, party, or ballot measure, unless the candidates or advocates from all sides are provided the opportunity to present their views to the students during school hours or during events scheduled pursuant to the Civic Center Act
4. Contain prayer or proselytizing language
5. Position the district on any side of a controversial issue

Advertising and Promotion (continued)

BP 1325(b)

- 6. Discriminate against, attack, or denigrate any group on account of any unlawful consideration
- 7. 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
- 8. Promote during the school day any food or beverage that does not comply with state nutritional standards pursuant to Education Code 49430-49434, including a corporate incentive program that offers free or discounted foods or beverages that do not meet nutritional standards as rewards for students who reach certain academic goals. This prohibition does not include advertising on clothing with brand images worn on school grounds, advertising contained in product packaging, or advertising of infrequent school fundraising events involving food or beverages that do not meet the nutritional standards. (Education Code 49431.9)
- 9. Solicit funds or services for an organization, with the exception of solicitations authorized in Board policy
- 10. Distribute unsolicited merchandise for which an ensuing payment is requested

The Superintendent or designee may also consider the educational value of the materials or advertisements, the age or maturity of the 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/guardians.

Schools may establish additional criteria pertaining to the content of advertisements in school publications and yearbooks, as deemed appropriate by the Superintendent or designee in accordance with law and Board policy.

Legal Reference:

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

38130-38139 Civic Center Act

49430-49434 The Pupil Nutrition, Health, and Achievement Act of 2001, especially:

49431.9 Advertisement of non-nutritious foods

BUSINESS AND PROFESSIONS CODE

25664 Advertisements encouraging minors to drink

CALIFORNIA CONSTITUTION

Article 1, Section 2 Free speech rights

U.S. CONSTITUTION

Amendment 1, Freedom of speech and expression

UNITED STATES CODE, TITLE 42

1751-1769j School Lunch Program

1773 School Breakfast Program

COURT CASES

Hills v. Scottsdale Unified School District, (2003) 329 F.3d 1044

DiLoreto v. Downey Unified School District, (1999) 196 F.3d 958

Yeo v. Town of Lexington, (1997) 131 F.3d 241

Hemry v. School Board of Colorado Springs, (D.Col. 1991) 760 F.Supp. 856

Bright v. Los Angeles Unified School District, (1976) 18 Cal. 3d 450

Lehman v. Shaker Heights, (1974) 418 U.S. 298 (11/01 4/13) 12/17

Adopted by the Board of Trustees

Date: (2/15/06, 09/10/13) April 9, 2018

**Board Policy
Community Relations
Use of School Facilities**

BP 1330(a)

The Governing Board believes that school facilities and grounds are a vital community resource which should be used to foster community involvement and development. Therefore, the Board authorizes the use of school facilities by district residents and community groups for purposes specified in the Civic Center Act, to the extent that such use does not interfere with school activities or other school-related uses.

The Superintendent or designee shall give priority to school-related activities in the use of school facilities and grounds. Other uses authorized under the Civic Center Act shall be on a first-come, first-served basis.

For the effective management and control of school facilities and grounds, the Superintendent or designee shall maintain procedures and regulations that: (Education Code 38133)

1. Aid, encourage, and assist groups desiring to use school facilities for approved activities
2. Preserve order in school facilities and on school grounds and protect school facilities, designating a person to supervise this task, if necessary
3. Ensure that the use of school facilities or grounds is not inconsistent with their use for school purposes and does not interfere with the regular conduct of school work

Subject to prior approval by the Board, the Superintendent or designee may grant the use of school facilities or grounds on those days on which district schools are closed. (Education Code 37220)

There shall be no advertising on school facilities and grounds except as allowed by district policy specified in BP 1325 - Advertising and Promotion.

As necessary to ensure efficient use of school facilities, the Superintendent or designee may, with the Board's approval, enter into an agreement for the joint use of any school facilities or grounds. The Board shall approve any such agreement only if it determines that it is in the best interest of the district and the community. (See BP 1330.1 - Joint Use Agreements)

Fees

The Board shall adopt a comprehensive schedule of fees to be charged for community use of school facilities and grounds, including, but not limited to, the multipurpose room(s), playing or athletic field(s), track and field venue(s), tennis court(s), and outdoor basketball court(s). The schedule of fees shall be prepared in accordance with 5 CCR 14037-14041. (5 CCR 14041)

The Board authorizes the use of school facilities or grounds without charge to school-related organizations whose activities are directly related to or for the benefit of district schools. All other groups requesting the use of school facilities under the Civic Center Act shall be charged an amount not exceeding direct costs determined in accordance with 5 CCR 14037-14041.

Additionally, when any use of school facilities or grounds is for religious services, the district shall charge an amount at least equal to the district's direct costs. (Education Code 38134)

Groups shall be charged fair rental value when using school facilities or grounds for entertainment or meetings where admission is charged or contributions solicited and net receipts are not to be expended for charitable purposes or for the welfare of the district's students. (Education Code 38134)

Use of School Facilities (continued)

BP 1330(b)

Calculating Direct Costs

Direct costs to be charged for community use of each, or each type of, school facility or grounds shall be calculated in accordance with 5 CCR 14038 and may reflect the community's proportionate share of the following costs: (Education Code 38134; 5 CCR 14038-14041)

1. Capital direct costs calculated in accordance with 5 CCR 14039, including the estimated costs of maintenance, repair, restoration, and refurbishment of non-classroom space school facilities or grounds
2. Operational direct costs calculated in accordance with 5 CCR 14040, including estimated costs of supplies, utilities, janitorial services, other services performed by district employees and/or contracted workers, and salaries and benefits paid to district employees directly associated with the administration of the Civic Center Act to operate and maintain school facilities and grounds

Direct cost fees shall not be discounted to any group or organization except when the discount is specifically authorized in the adopted fee schedule. (5 CCR 14041)

Expending Funds Collected as Capital Direct Costs

Any funds collected as capital direct costs shall be deposited into a special fund to be used only for capital maintenance, repair, restoration, and refurbishment of school facilities and grounds. (5 CCR 14042)

Use of School Facility as Polling Place

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. However, 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. 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)

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 persons with disabilities. (Elections Code 12283)

The Superintendent or designee shall establish procedures to ensure student safety and minimize disruptions whenever school is in session while the facilities are being used as a polling place.

Legal Reference: (Next page)

Use of School Facilities (continued)

BP 1330(c)

Legal Reference:

EDUCATION CODE

10900-10914.5 Community recreation programs

32282 School safety plan

37220 School holidays

38130-38138 Civic Center Act, use of school property for public purposes

BUSINESS AND PROFESSIONS CODE

25608 Alcoholic beverage on school premises

ELECTIONS CODE

12283 Polling places: schools

GOVERNMENT CODE

54950-54963 The Ralph M. Brown Act

MILITARY AND VETERANS CODE

1800 Definitions

CODE OF REGULATIONS, TITLE 5

14037-14042 Proportionate direct costs for use of school facilities and grounds

UNITED STATES CODE, TITLE 20

7905 Equal access to public school facilities

COURT DECISIONS

Good News Club v. Milford Central School, (2001) 533 U.S. 98

Lamb's Chapel v. Center Moriches Union Free School District, (1993) 508 U.S. 384

Cole v. Richardson, (1972) 405 U.S. 676

Connell v. Higgenbotham, (1971) 403 U.S. 207

ACLU v. Board of Education of Los Angeles, (1961) 55 Cal .2d 167

Ellis v. Board of Education, (1945) 27 Cal.2d 322

ATTORNEY GENERAL OPINIONS

82 Ops.Cal.Atty.Gen. 90 (1999)

79 Ops.Cal.Atty.Gen. 248 (1996)

WEB SITES

California Department of Education: <http://www.cde.ca.gov>

(4/13 8/14) 7/18

Adopted by the Board of Trustees

Date: (08/11/08, 07/13/12, 09/10/13, 11/10/14) September 10, 2018

**Administrative Regulation
Community Relations
Use of School Facilities**

AR 1330(a)

Application for Use of Facilities

Any person applying for the use of any school facilities or grounds on behalf of any society, group, or organization shall present written authorization from the group or organization to make the application.

Persons or organizations applying for the use of school facilities or grounds shall submit a facilities use statement indicating that they uphold the state and federal constitutions and do not intend to use school premises or facilities to commit unlawful acts.

Civic Center Use

Subject to district policies and regulations, school facilities and grounds shall be available to citizens and community groups as a civic center for the following purposes: (Education Code 32282, 38131)

1. Public, literary, scientific, recreational, educational, or public agency meetings
2. The discussion of matters of general or public interest
3. The conduct of religious services for temporary periods, on a one-time or renewable basis, by any church or religious organization
4. Child care programs to provide supervision and activities for children of preschool and elementary school age
5. The administration of examinations for the selection of personnel or the instruction of precinct board members by public agencies
6. Supervised recreational activities, including, but not limited to, sports league activities that are arranged for and supervised by entities, including religious organizations or churches, and in which youth may participate regardless of religious belief or denomination
7. A community youth center
8. Mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare
9. A ceremony, patriotic celebration, or related educational assembly conducted by a veterans' organization

A veterans' organization means the American Legion, Veterans of Foreign Wars, Disabled American Veterans, United Spanish War Veterans, Grand Army of the Republic, or other duly recognized organization of honorably discharged soldiers, sailors, or marines of the United States, or any of their territories. (Military and Veterans Code 1800)

10. Other purposes deemed appropriate by the Governing Board

Restrictions

School facilities or grounds shall not be used for any of the following activities:

1. Any use by an individual or group for the commission of any crime or any act prohibited by law
2. Any use which is inconsistent with the use of school facilities for school purposes or which interferes with the regular conduct of school or school work
3. Any use which involves the possession, consumption, or sale of alcohol, drugs or any restricted substances, including tobacco

The district may exclude certain school facilities from nonschool use for safety or security reasons.

Use of School Facilities (continued)

AR 1330(b)

Damage and Liability

Groups, organizations, or persons using school facilities or grounds shall be liable for any property damage caused by the activity. The district may charge the amount necessary to repair the damages and may deny the group further use of school facilities or grounds. (Education Code 38134)

Any group or organization using school facilities or grounds shall be liable for any injuries resulting from its negligence during the use of district facilities or grounds. The group shall bear the cost of insuring against this risk and defending itself against claims arising from this risk. (Education Code 38134)

Groups or organizations shall provide the district with evidence of insurance against claims arising out of the group's own negligence when using school facilities. (Education Code 38134)

As permitted, the Superintendent or designee may require a hold harmless agreement and indemnification when warranted by the type of activity or the specific facilities being used.

(cf. 3515.21 - Unmanned Aircraft Systems (Drones))

(4/13 4/15) 7/18

Adopted by the Board of Trustees

Date: (08/11/08, 07/13/12, 09/10/13) September 10, 2018

**Exhibit
Community Relations
Use of School Facilities**

E(1) 1330(a)

APPLICATION AND AGREEMENT FOR USE OF SCHOOL FACILITIES AND EQUIPMENT
(Must be typed or printed)

Facilities and/or Equipment: _____
(Note: A separate request must be filed for each facility request)

Date(s): _____ Day(s) of Week: _____

Time(s) of Event: _____ Time building to be opened: _____ Time building to be secured: _____
Purpose and nature of use:

Special arrangements:

Kitchen Privileges? Yes or No Expected Attendance: _____ Open to public? Yes or No
USAGE FEE: \$33.00 per hr (4 hr minimum) Cash, Check or money order payable to Calipatria Unified School District
INSURANCE: _____ (Name of organization, hereinafter called User) shall, at all times during the term of this agreement, at its own cost and expense, procure and continue and maintain in full force comprehensive general liability insurance in a minimum amount of \$500,000. Said insurance shall indemnify both User and Calipatria Unified School District. A certificate of insurance shall be provided to the School District on or before the use of the facilities or equipment. It is further agreed that User's insurance shall be considered primary insurance for the payment and indemnification of any costs and/or damages. School District's comprehensive general liability insurance shall be considered excess coverage which shall become obligated only upon the exhaustion of the primary coverage.
INDEMNIFICATION: _____ (Name of organization), with respect to its use and occupancy of the described premises, facilities and/or equipment, agrees, at the School District's option, to defend Calipatria Unified School District, its employees, agents, officers, its Board, and individual members thereof from and against any, all and every demand, claim, assertion of liability, or action arising or alleged to have arisen out of any claimed dangerous condition of School District property or any act or omission of Calipatria Unified School District and/or User's employees, agents, board and individual members thereof. User agrees to assume legal liability for, indemnify and hold free and harmless Calipatria Unified School District, its employees, agents, board and individual members hereof from any and all losses, damages, liability, costs, or expenses (including but not limited to attorneys' fees, reasonable investigative and discovery costs, and court costs), and all other sums which Calipatria Unified School District, its employees, agents, board and individual members thereof may reasonably pay or become obligated to pay on account of any, all and every demand, claim or assertion of liability or action arising out of a claimed dangerous condition of School District property or any act or omission of Calipatria Unified School District and/or User, its employees, agents, board and individual members thereof.
PROPERTY CONDITION: Calipatria Unified School District makes no warranties or representations as to the fitness of the facilities or equipment to be used in connection with the event above named. Calipatria Unified School District does not warranty or represent that the facilities and/or equipment are reasonably safe for the use intended above, that there is adequate security for the use of the facilities and/or equipment.
SEVERABILITY: The unenforceability, invalidity, or illegality of any provision of this agreement shall not render the other provisions unenforceable, invalid or illegal.
STATEMENT OF INFORMATION: The Statement of Information accompanying this agreement must be signed and dated.

Representative's Signature _____ Date _____
Organization _____ Telephone _____
Address _____

Calipatria Unified School District, 501 West Main Street, Calipatria, CA 92233

District Office Approval: Signature _____ Date _____
School Site Approval: Signature _____ Date _____
Cafeteria Approval: Signature _____ Date _____
Maintenance Approval: Signature _____ Date _____

STATEMENT OF INFORMATION

The undersigned, as duly authorized representative for _____, states that, to the best of his/her knowledge, the school property for use of which application is hereby made will not be used for the commission of any crime or any act which is prohibited by law.

The undersigned further declares that , _____, the organization on whose behalf he/she is applying for the use of school property, upholds and defends the Constitutions of the United States and the State of California.

Organization (if applicable) _____

Signed: _____
Name Title

Date: _____

Groups or organizations shall provide the district with evidence of insurance against claims arising out of the group's own negligence. Groups or organizations shall also be required to include the district as an additional insured on their liability policies for claims arising out of the negligence of the group.

HOLD HARMLESS STATEMENT

In consideration for the use of school district facilities and grounds, the undersigned applicant, on behalf of the organization, group, or society, does hereby agree to indemnify and hold harmless agents and employees from any and all liabilities, claims, obligations, judgements, suits, costs, damages, expenses, attorneys' fees, incurred or paid, arising out of, or on account of, any property damage or destruction, personal injury or death, or any other damages of whatsoever nature or kind, arising from or on account of the undersigned's usage of school district facilities and grounds to the full extent provided for by law.

Applicant: _____, who hereby certifies that he/she is the duly qualified and authorized officer of:

(Organization, group or society)

Signed: _____
Name Title

Date: _____

**Exhibit
Community Relations
Use of School Facilities**

E(2) 1330(a)

**USE OF SWIMMING POOL – REQUEST FORM
(ALL POOL REQUESTS PROCESSED THROUGH DISTRICT OFFICE)**

Name of Organization: _____ Proceeds will be used for: _____
Day(s) of Week: _____ Number of Swimmers: _____
Date(s) _____ Locker Room Chaperone Boys: _____
Times From - To _____ Locker Room Chaperone Girls: _____

USAGE FEE: \$ _____ Cash, Check or money order payable to Calipatria Unified School District

INSURANCE: Name of Organization, hereinafter called User shall, at all times during the term of this agreement, at its own cost and expense, procure and continue and maintain in full force comprehensive general liability insurance in a minimum amount of \$500,000. Said insurance shall indemnify both User and Calipatria Unified School District. A certificate of insurance shall be provided to the School District on or before the use of the facility or equipment. It is further agreed that User's insurance shall be considered primary insurance for the payment and indemnification of any costs and/or damages. School District's comprehensive general liability insurance shall be considered Excess Coverage which shall become obligated only upon the exhaustion of the primary coverage.

INDEMNIFICATION: Name of Organization, with respect to its use and occupancy of the described premises, facilities and/or equipment, agrees, at the School District's option, to defend Calipatria Unified School District, its employees, agents, officers, its Board, and individual members thereof from and against any, all and every demand, claim, assertion of liability, or action arising or alleged to have arisen out of any claimed dangerous condition of School District property or any act or omission of Calipatria Unified School District and/or User's employees, agents, board and individual members thereof. User agrees to assume legal liability for, indemnify and hold free and harmless Calipatria Unified School District, its employees, agents, board and individual members hereof from any and all losses, damages, liability, costs, or expenses (including but not limited to attorneys' fees, reasonable investigative and discovery costs, and court costs), and all other sums which Calipatria Unified School District, its employees, agents, board and individual members thereof may reasonably pay or become obligated to pay on account of any, all and every demand, claim or assertion of liability or action arising out of a claimed dangerous condition of School District property or any act or omission of Calipatria Unified School District and/or User, its employees, agents, board and individual members thereof.

PROPERTY CONDITION: Calipatria Unified School District makes no warranties or representations as to the fitness of the facilities or equipment to be used in connection with the event above named. Calipatria Unified School District does not warranty or represent that the facilities and/or equipment are reasonably safe for the use intended above, that there is adequate security for the use of the facilities and/or equipment.

SEVERABILITY: The unenforceability, invalidity, or illegality of any provision of this agreement shall not render the other provisions unenforceable, invalid or illegal.

STATEMENT OF INFORMATION: The Statement of Information accompanying this agreement must be signed and dated.

IMPORTANT RULES: Pool Deck Capacity: 999 persons No more than 110 swimmers in the pools at any time. (Large pool capacity: 80, Small pool capacity: 30). Number of approved lifeguards: one (1) required for 1-20 swimmers, two (2) required for 21-40, three(3) required for groups over 40. If mixed group, both male and female adults are required to supervise the locker rooms. Rules shall be read to swimmers prior to entering the water.

VIOLATION OF RULES WILL EXCLUDE YOUR GROUP FROM FUTURE USE OF THE POOL. Attendance shall be posted on the form provided in the pool office or log book on pool deck. Admittance to the shower rooms is 15 minutes prior to activity providing chaperones are present.

AGREEMENT: It is mutually agreed only the above facilities will be used at the times requested and admission fees, if charged, will be used as stated. The organization also agrees to abide by all policies regarding use of the school facilities (see reverse side).

Organization _____ Telephone _____

Address _____

Representative's Signature _____

Date _____

Calipatria Unified School District, 501 West Main Street, Calipatria, CA 92233

District Office Approval: Signature _____ Date _____

Copy Distribution: Requestor Maintenance

STATEMENT OF INFORMATION

The undersigned, as duly authorized representative for _____, states that, to the best of his/her knowledge, the school property for use of which application is hereby made will not be used for the commission of any crime or any act which is prohibited by law.

The undersigned further declares that, _____, the organization on whose behalf he/she is applying for the use of school property, upholds and defends the Constitutions of the United States and the State of California.

Organization (if applicable) _____

Signed: _____
Name Title

Date _____

Groups or organizations shall provide the district with evidence of insurance against claims arising out of the group's own negligence. Groups or organizations shall also be required to include the district as an additional insured on their liability policies for claims arising out of the negligence of the group.

HOLD HARMLESS STATEMENT

In consideration for the use of school district facilities and grounds, the undersigned applicant, on behalf of the organization, group, or society, does hereby agree to indemnify and hold harmless agents and employees from any and all liabilities, claims, obligations, judgments, suits, costs, damages, expenses, attorneys' fees, incurred or paid, arising out of, or on account of, any property damage or destruction, personal injury or death, or any other damages of whatsoever nature or kind, arising from or on account of the undersigned's usage of school district facilities and grounds to the full extent provided for by law.

Applicant: _____, who hereby certifies that he/she is the duly qualified and authorized officer of:

(Organization, group or society)

Signed: _____
Name Title

Date: _____

SWIMMING POOL RULES AND REGULATIONS

The Superintendent is responsible for governing the use of district swimming pools. All groups other than physical education classes must submit the standard use request form at least **two (2) weeks in advance** of the intended use and must be approved by the District Office.

1. Assigned groups may have spectators unless denied by the Superintendent.
2. Pool Deck Capacity 999; Large pool capacity 80, Small pool capacity 30. No more than 110 swimmers in the pools at any time. Number of approved lifeguards: one (1) required for 1-20 swimmers, two (2) required for 21-40, three(3) required for groups over 40.
3. Lifeguards **MUST** have current CPR/AED, lifeguard training/community first aid, waterfront safety cards. Proof of this must be on file in the District Office **PRIOR** to the approval of requested use.
4. Lifeguards must follow the district pool plan and enforce all rules and regulations.
5. In addition to lifeguards, each group must have appropriate adult supervision. Groups that involve both boys and girls require a male and female supervisor to supervise the locker rooms.
6. Rules shall be read to swimmers prior to entering the water.
7. The supervisor in charge of the pool group will record the number of swimmers on the proper form or log entry after each use.
8. No electrical equipment may be used in the pool area.
9. Personal accessories may not be brought into the pool area.
10. The district cannot be responsible for lost or stolen items.
11. During open swim, any child below grade 4 must be accompanied by an adult.
12. Acceptable swimwear is required for pool use. Clean, covering garments may be worn that do not interfere with their safety in the water. Cut-offs or other materials that can cause filter problems are not allowed.
13. Children who are not toilet trained and less than four years old will be allowed in the pool only if they wear a swimsuit diaper or plastic pants and a swim suit. Cloth or disposable diaper are not acceptable.
14. Animals are not allowed in the building or pool area, with the exception of guide dogs. Guide dogs are allowed on the deck, but not in the water.
15. Persons who appear to be under the influence of alcohol or narcotics will be denied admission.
16. The rules and requests made by lifesaving personnel must always be followed.
17. Emergency procedures must be observed. Swimmers must leave the pool area immediately upon the signal or request of the life guard or pool manager.
18. No one should engage the lifeguard in unnecessary conversation.
19. All persons must shower before entering the pool.
20. All persons must pass a swim test before entering deep water. Weak or non-swimmers must remain in the small pool and in shallow water no deeper than chest level.
21. Safety flotation devices (water wings, vests, etc.) may be used by weak or non-swimmers, but only in the small pool and only after inspection by the pool manager or life guard.
22. Toys and flotation devices (other than safety flotation devices as outlined above) are not allowed.
23. No running is allowed in and around the pool facility.
24. Glass containers are prohibited in pool facility, including locker rooms.
25. Candy, food or beverages are not allowed except in designated areas provided for eating and drinking.
26. No chewing gum, tobacco or alcohol is permitted anywhere in the facility.
27. Foul language will not be tolerated.
28. **DIVING IS STRICTLY LIMITED TO A COMPETITION SETTING IN THE DEEP POOL** and only with the permission of the supervisor. All diving is to be done from the start blocks and it is that person's responsibility to be sure the area under the start block is clear before diving. **NO DIVING FROM THE SIDES.**
29. Each group is responsible for any damages caused by its members.
30. Copies of all pool rules and regulations are posted in the pool area and are given to each lifeguard and group supervisor using the pool.

**Board Policy
Community Relations
Joint Use Agreements**

BP 1330.1(a)

In order to ensure the efficient use of public resources and increase access to needed services, the Governing Board 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.

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.

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
5. Projected capital costs, if any, and operating costs
6. Resources to be allocated by the district and the partner
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
11. Provision for regular inspection and notification of damage, as well as restitution and repair of property
12. Safety and security measures
13. Liability, insurance, and risk management issues
14. Duration of the agreement, process for amending the agreement, and the bases for cancelling or terminating the agreement before the expiration date
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.

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

3/10

Adopted by the Board of Trustees

Date: November 8, 2010

**Board Policy
Community Relations
Access to District Records**

BP 1340

The Governing Board 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.

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

The district may charge for copies of public records or other materials requested by individuals or groups. 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:

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 Student records
49091.10 Parental review of curriculum and instruction

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 student records

COURT DECISIONS

City of San Jose v. Superior Court (2017) 2 Cal.5th 608
Los Angeles County Board of Supervisors v. Superior Court (2016) 2 Cal.5th 282
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)

WEB SITES

California Attorney General's Office: <http://oag.ca.gov>
Institute for Local Government: <http://www.cacities.org>
State Bar of California: <http://www.calbar.ca.gov>
(2/99 11/08) 5/17

Adopted by the Board of Trustees:

Date: (06/26/06) 09/11/2017

**Administrative Regulation
Community Relations
Access to District Records**

AR 1340(a)

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)

Writing means any handwriting, typewriting, printing, photostating, photographing, photocopying, 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. (Government Code 6252)

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)
2. Statistical compilations
3. Reports and memoranda
4. Notices and bulletins
5. Minutes of public meetings (Education Code 35145)
6. Meeting agendas (Government Code 54957.5)
7. Official communications between the district and other government agencies
8. School-based program plans (Education Code 52850)
9. Information and data relevant to the evaluation and modification of district plans
10. Initial proposals of exclusive employee representatives and of the district (Government Code 3547)
11. Records pertaining to claims and litigation against the district which have been adjudicated or settled (Government Code 6254, 6254.25)
12. Statements of economic interests required by the Conflict of Interest Code (Government Code 81008)
13. Documents containing names, salaries, and pension benefits of district employees
14. Employment contracts and settlement agreements (Government Code 53262)
15. Instructional materials including, but not limited to, textbooks (Education Code 49091.10)

Access to public records of the district shall be granted to Governing Board members on the same basis as any other member of the public. When Board members are authorized to access public records in the administration of their duties, the Superintendent or designee shall not discriminate among any of the Board members as to which record, or portion of the record, will be made available, or when it will be made available. (Government Code 6252.5, 6252.7)

When disclosing to a member of the public any record that contains personal information, including, but not limited to, an employee's home address, home telephone number, social security number, personal cell phone number, or birth date, the Superintendent or designee shall ensure that such personal information is redacted from that record. (Government Code 6254.29, 6254.3)

Confidential Public 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 that 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)
2. Records specifically generated in connection with or prepared for use in 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)
3. Personnel records, medical records, or similar materials, the disclosure of which would constitute an unwarranted invasion of personal privacy (Government Code 6254)

The home addresses, home telephone numbers, personal cell phone numbers, or birth date 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
- c. To an employee organization pursuant to regulations and decisions of the Public Employment Relations Board, except that the home address and any telephone number for an employee who performs law enforcement-related functions, or the birth date of any employee, shall not be disclosed

Upon written request of any employee, the district shall not disclose the employee's home address, home telephone number, personal cell phone number, or birth date, and the district shall remove this information from any mailing list of the district except a list used exclusively to contact the employee.

- 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
4. Student records, except directory information and other records to the extent permitted under the law, when disclosure is authorized by law
5. Test questions, scoring keys, and other examination data except as provided by law (Government Code 6254)
6. 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)
7. 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)
8. 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, except when disclosure is to a person acting within the scope of his/her duties in the administration of the library, to a person authorized in writing by the individual to whom the records pertain, or by court order (Government Code 6254, 6267)

Access to District Records (continued)

AR 1340(c)

9. 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)
10. 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)
11. Recall petitions, petitions for special elections to fill Board vacancies, or petitions for the reorganization of the school district (Government Code 6253.5)
12. Minutes of Board meetings held in closed session (Government Code 54957.2)
13. Computer software developed by the district (Government Code 6254.9)
14. Information security records, the disclosure of which would reveal vulnerabilities to, or otherwise increase potential for an attack on, the district's information technology system (Government Code 6254.19)
15. 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)
16. Any other records listed as exempt from public disclosure in the California Public Records Act or other statutes
17. Any other 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 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.

In addition to maintaining public records for public inspection during district office hours, the district may comply with public records requests by posting any public record on the district's web site and, in response to a public records request, directing the member of the public to the location on the web site where the record can be found. However, if the member of the public is unable to access or reproduce the record from the web site, the district shall promptly provide an exact copy of the public record upon payment of duplication fees, if applicable, unless it is impracticable to provide an exact copy. (Government Code 6253)

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. 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

Access to District Records (continued)

AR 1340(e)

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

(11/08 11/11) 12/16

Adopted by the Board of Trustees:

Date: (06/29/09, 05/14/12) March 13, 2017

Board Policy
Community Relations
Relations between Other Governmental Agencies and the Schools

BP 1400(a)

The Governing Board believes that district efforts to provide a high-quality education for students in the community can be enhanced by collaboration with other government and public agencies that are responsible for the health, safety, and well-being of children and youth. The district shall initiate and maintain good working relationships with representatives of local agencies to maximize student and family access to support services that will help students achieve to their highest potential.

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. To further such collaborations, the Board may establish or participate in formal structures for governance teams to regularly meet and discuss issues of mutual concern.

The Superintendent and appropriate staff shall cooperate with government and public agencies 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.

In order to identify priorities for 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, substance abuse, violence, homelessness, placement in foster care, or lack of access to child care. The needs assessment should also 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. 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 as long as the parent/guardian consents and the information is shared in accordance with laws pertaining to confidentiality and privacy.

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.

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.

Legal Reference: (Next page)

Relations between Other Governmental Agencies and the Schools (Continued)

BP 1400(b)

Legal Reference:

EDUCATION CODE

8800-8807 Healthy Start support services for children
10900-10914.5 Cooperative community recreation programs
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:

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

California Department of Education, Learning Support: <http://www.cde.ca.gov/lr>
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>
(11/03 11/07) 7/18

Adopted by the Board of Trustees

Date: (08/11/08) September 10, 2018

**Board Policy
Community Relations
Waivers**

BP 1431(a)

The Governing Board 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.

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)

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.

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: (Next page)

Waivers

BP 1431(b)

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
51870-51874 Educational technology
52080-52090 Class size reduction grade 9
52122.6-52122.8 Class size reduction,
impacted school sites
52160-52178 Bilingual-Bicultural Education Act
of 1976
52180-52186 Bilingual teacher waiver
52200-52212 Gifted and Talented Pupils
Program
52340-52346 Career Guidance Centers
52522 Plans for adult education

52850-52863 School-Based Program
Coordination
54000-54028 Disadvantaged Youth Program
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
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>
(10/98 7/05) 8/13

Adopted by the Board of Trustees:

Date: (2/15/06), 12/09/13

**Board Policy
Community Relations
Relations Between Private Industry And The Schools**

BP 1700(a)

The Governing Board 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.

The Board and the Superintendent or designee shall 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.

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
2. Donating funds, products, instructional materials, or services that serve an educational purpose
3. Purchasing advertisements in school-sponsored publications or on school property in accordance with law and Board policy
4. Serving on advisory committees in order to provide business expertise or perspectives
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
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.

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.

Legal Reference : (Next page)

Relations Between Private Industry and the Schools (continued)

BP 1700(b)

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>

(10/85 9/91) 3/08

Revised Adopted by the Board of Trustees

Date: June 29, 2009