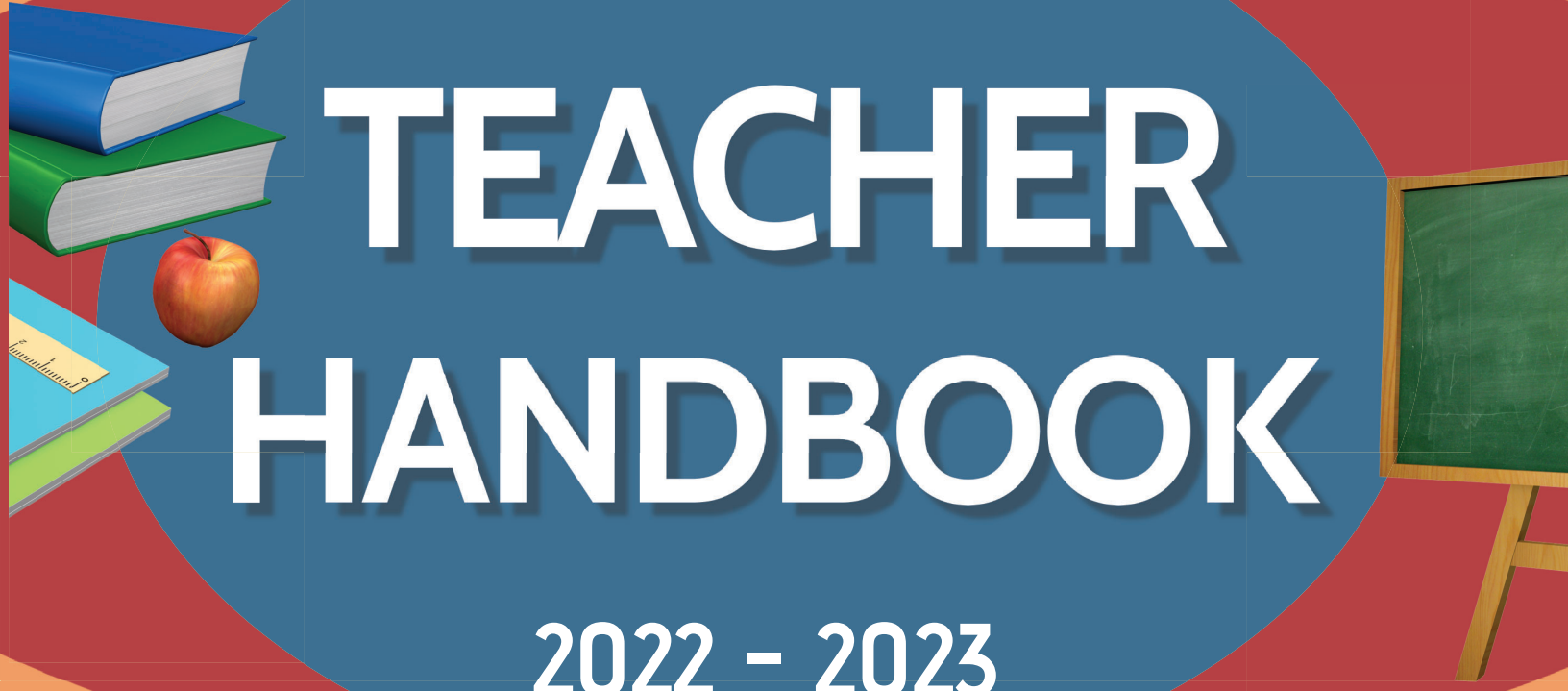




Azusa Unified School District



# TEACHER HANDBOOK

2022 - 2023





# Azusa

## Unified School District

### Board of Education

Adrian Greer, PRESIDENT  
Sabrina Bow, Ed.D., VICE PRESIDENT  
Xilonin Cruz-Gonzalez, CLERK  
Gabriela Arellanes, MEMBER  
Yolanda Rodriguez-Peña, MEMBER  
Arturo Ortega, SUPERINTENDENT

August 2022

### Welcome to the 2022-2023 School Year

AUSD Staff,

As Superintendent, I am proud to have a dedicated staff at all levels of Azusa Unified School District. Day in and day out, everyone strives to provide our students with the best possible curriculum, technology, and learning environment.

Among our core values are collaboration, accountability, and being student-centered. Great accomplishments require great teams. Our AUSD team begins with the Board of Education and encompasses all of our employees, students, families, and partners. Each makes a vital contribution to our success. We appreciate the Board's vision, our students' endeavors, and the support and contribution of families and partners. We value our employees and their associations, the Azusa Educators Association, the Azusa Federation of Adult Educators, the Azusa Management Association, and the California School Employees Association. We appreciate the personal and professional support they provide to our employees in our District.

We are accountable to our students, their families, and ourselves as a District. Our community has entrusted us with the responsibility of providing a safe and equitable learning environment for all students. We hold ourselves and each other to a high standard every day so that when our students graduate, they are equipped with the knowledge and skills for college and career readiness to fulfill their purpose and positively impact society.

Our students are at the forefront of every decision we make. Our students are intelligent and curious and know what they need to succeed. We meet their needs by bringing their voices into the conversations about facilities, technology, curriculum, and more.

Your partnership in these values is essential for our mutual goal in academic quality and student success. As we work to support our students, I am here to support you in any way possible. I am always available to listen to comments, suggestions, and ideas. Do not hesitate to reach out. Thank you for being a part of the AUSD Team.

Sincerely,

Arturo Ortega

## SCHOOL ATTENDANCE CALENDAR 2022-2023

School Month	First Week					Second Week					Third Week					Fourth Week					Days of Service	Days Taught	Legal Holiday	Local Holiday	# of Days per Semester										
1) Aug 15 -- Sep 9	v	z	~	y	y						Sept					*										82 days Taught									
2) Sep 12 -- Oct 7						v					Δ						Oct																		
3) Oct 10 -- Nov 4																Nov					^Δ														
4) Nov 7 -- Dec 2						*					v •					∅	x	x	*	x	Dec														
5) Dec 5 -- Dec 30						11					14	15	16	17	18	21	22	m Δ	x	*	∅	∅	∅	x											
6) Jan 2 -- Jan 27	*	∅	∅	∅	∅	v •	~				*						23	24	25	26	27										98 days Taught				
7) Jan 30 -- Feb 24	Feb										*	^Δ					*																		
8) Feb 27 -- Mar 24	Mar																																		
9) Mar 27 -- Apr 21						m Δ	Apr	∅	∅	∅	∅	x																							
10) Apr 24 -- May 19						May																													
11) May 22 -- Jun 16						*	Jun				wy ^Δ																								
	22	23	24	25	26	29	30	31	1	2	5	6	7	8	9	12	13	14	15	16	13	13	1	6											
																					187	180	9	6											

Winter Vacation - 12/23/2022 - 1/6/2023

\*-Legal Holiday

x-Local Holiday

y-Minimum Day for Elementary and Middle School Students

m-Minimum Day for Students and Teachers

wy-Teacher Check Out Day and Minimum Day for all students

- Professional/Conference Day
- November 16, 2022 (TK-6)
- January 9, 2023 (7-12)
- Staff Development Day
- August 15, 2022 (TK-12)
- September 19, 2022 (TK-12)
- November 16, 2022 (7-12 only)
- January 9, 2023 (TK-6 only)

z- Teacher Preparation Day  
(TK-12)

New Teacher Orientation - Aug. 11 &amp; 12, 2022

First Day Back for Returning Teachers - Aug. 15, 2022

First Day of School for Students - Aug. 18, 2022

z-Teacher Preparation Day

~ - Professional Learning Community (PLC) Day

Ø - Schools Closed

Δ - End of Triad high/middle school grading period

^ - End of Trimester elementary school grading period



## SCHOOL ATTENDANCE CALENDAR 2023-2024

School Month	First Week					Second Week					Third Week					Fourth Week					Days of Days		Legal	Local	# of Days		
	Mon	Tues	Wed	Thur	Fri	Mon	Tues	Wed	Thur	Fri	Mon	Tues	Wed	Thur	Fri	Mon	Tues	Wed	Thur	Fri	Service	Taught	Holiday	Holiday	per Semester		
1) Aug 14 -- Sep 8	v	z	~	y	y						Sept					*										82 days Taught	
2) Sep 11 -- Oct 6						v	Δ									Oct											
3) Oct 9 -- Nov 3	11	12	13	14	15	18	19	20	21	22	25	26	27	28	29	2	3	4	5	6							
4) Nov 6 -- Dec 1	9	10	11	12	13	16	17	28	19	20	23	24	25	26	27	30	31	1	2	3							
5) Dec 4 -- Dec 29	6	7	8	9	*	v •					∅	x	x	*	x	Dec											
6) Jan 1 -- Jan 26	4	5	6	7	8	11	12	13	14	15	m Δ				x	*	∅	∅	∅	x							
7) Jan 29 -- Feb 23	*	∅	∅	∅	∅	v •	~				*					22	23	24	25	26							
8) Feb 26 -- Mar 22	29	30	31	1	2	5	6	7	8	9	*	^Δ				*	20	21	22	23							
9) Mar 25 -- Apr 19	26	27	28	29	1	4	5	6	7	8	11	12	13	14	15	18	19	20	21	22							
10) Apr 22 -- May 17	m Δ					Apr ∅	∅	∅	∅	∅	x						15	16	17	18	19				1		
11) May 20 -- Jun 14						May																					
	22	23	24	25	26	29	30	1	2	3	6	7	8	9	10	13	14	15	16	17							
						*					wy ^Δ																
	20	21	22	23	24	27	28	29	30	31	3	4	5	6	7	10	11	12	13	14	13	13	1	6			
																					187	180	9	6			

Winter Vacation - 12/22/2023 - 1/5/2024

\*-Legal Holiday

x-Local Holiday

y-Minimum Day for Elementary and Middle School Students

m-Minimum Day for Students and Teachers

wy-Teacher Check Out Day and Minimum Day for all students

• - Professional/Conference Day	v - Staff Development Day
• - November 15, 2023 (TK-5)	v - August 14, 2023 (TK-12)
• - January 9, 2024 (6-12)	v - September 18, 2022 (TK-12)
	v - November 15, 2023 (6-12 only)
	v - January 8, 2024 (TK-5 only)
	z - Teacher Preparation Day (TK-12)

New Teacher Orientation - Aug. 10 &amp; 11, 2023

First Day Back for Returning Teachers - Aug. 14, 2023

First Day of School for Students - Aug. 17, 2023

z-Teacher Preparation Day
~ - Professional Learning Community (PLC) Day
∅ - Schools Closed

Δ - End of Triad high/middle school grading period

^ - End of Trimester elementary school grading period

## **HOLIDAYS FOR 12-MONTH CERTIFICATED EMPLOYEES**

Independence Day	July 4
Labor Day	September 5
Veteran's Day	November 11
Admissions Day	November 22, 2022 ( <i>in lieu of Sept. 9</i> )
Thanksgiving	November 23, 24, & 25
Winter Holiday	December 23, & 26
New Year's	December 30 & January 2
Martin Luther King's Day	January 16
Lincoln's Day	February 13
Washington's/Presidents' Day	February 20
Spring Holiday	April 7
Memorial Day	May 29
Juneteenth	June 19

## **OBSERVANCE OF HOLIDAYS**

The third Monday in January or Monday or Friday in the week in which January 15<sup>th</sup> occurs known as "Dr. Martin Luther King, Jr. Day." On the Friday preceding the day the schools are closed, schools shall include exercises commemorating and directing attention to the history of the civil rights movement in the United States and particularly the role therein of Dr. Martin Luther King, Jr.

The Monday or Friday of the week in which February 12<sup>th</sup> occurs, known as "Lincoln Day." On the day that school is in session prior to the day on which schools are closed for that purpose, all public schools and educational institutions throughout the state shall hold exercises in memory of Abraham Lincoln.

The third Monday in February known as "Washington Day." On the Friday preceding, all public schools and educational institutions throughout the state shall hold exercises in memory of George Washington.



## AZUSA UNIFIED SCHOOL DISTRICT

List of Schools (By Grade Level)

**All AUSD elementary schools provide preschool  
with the exception of those marked with an asterisk (\*).**

### Elementary Schools (PK-K) (TK-5) (TK-8)

Henry Dalton Elementary*	500 East Tenth Street, Azusa 91702	Laura Clarke	(626) 815-5245
Alice Ellington School (TK-8)*	5034 North Clydebanks Avenue, Covina 91722	Anna Kwak, Ed.D.	(626) 858-6800
Victor Hodge Elementary*	700 West Eleventh Street, Azusa 91702	Jeanette Flores	(626) 815-4800
Charles H. Lee Elementary*	550 North Cerritos Avenue, Azusa 91702	Diana Rojas	(626) 815-5269
Longfellow School (PK/K)	245 West Tenth Street, Azusa 91702	Jenny Le	(626) 815-4700
Magnolia Elementary	945 East Nearfield Street, Azusa 91702	Marcella Fonseca	(626) 815-5800
Clifford Murray Elementary	505 East Renwick Road, Azusa 91702	Adrian Acosta	(626) 633-8700
Paramount Elementary	409 West Paramount Street, Azusa 91702	Antonio Flores	(626) 815-5104
W.R. Powell Elementary	1035 East Mauna Loa Avenue, Azusa 91702	Jennifer Wiebe	(626) 633-8500
Valleydale Elementary	700 South Lark Ellen Avenue, Azusa 91702	Horacio Trejo	(626) 633-8600

### Middle Schools (6-8)

Center Middle School	5500 North Cerritos Avenue, Azusa 91702	Anthony Contreras, Ed.D.	(626) 815-5184
Foothill Middle School	151 North Fenimore Avenue, Azusa 91702	Carol Fieri	(626) 815-6600
Slauson Middle School	340 West Fifth Street, Azusa 91702	Yvette Walker	(626) 815-7300

### High Schools (9-12)

Azusa High School	240 North Cerritos Avenue, Azusa 91702	Gabriel Fernandez	(626) 815-3400
Gladstone High School	1340 North Enid Avenue, Covina 91722	Sam Perdomo	(626) 815-3600
Sierra High/SOAR	1040 East Gladstone Street, Azusa 91702	Kent Stout	(626) 852-8300

### Other

Adult Education	1040 East Gladstone Street, Azusa 91702	Paul Hernandez	(626) 852-8400
SpEd Resource Ctr. (SERC)	1400 Ranger Drive, Covina 91723	Betty Benitez, M.A., M.S.	(626) 858-2200
Adult Transition Program	945 East Nearfield Street, Azusa 91702	Stephanie De La Torre	(626) 815-5825

### DISTRICT ADMINISTRATION OFFICE

546 South Citrus Avenue

Azusa, CA 91702

(626) 967-6211

[www.azusa.org](http://www.azusa.org)



# Azusa Unified School District

## Map of Schools

### ELEMENTARY SCHOOLS

1. Dalton
2. Ellington (TK-8)
3. Hodge
4. Lee
5. Magnolia
6. Murray
7. Paramount
8. Powell
9. Valleydale

### MIDDLE SCHOOLS

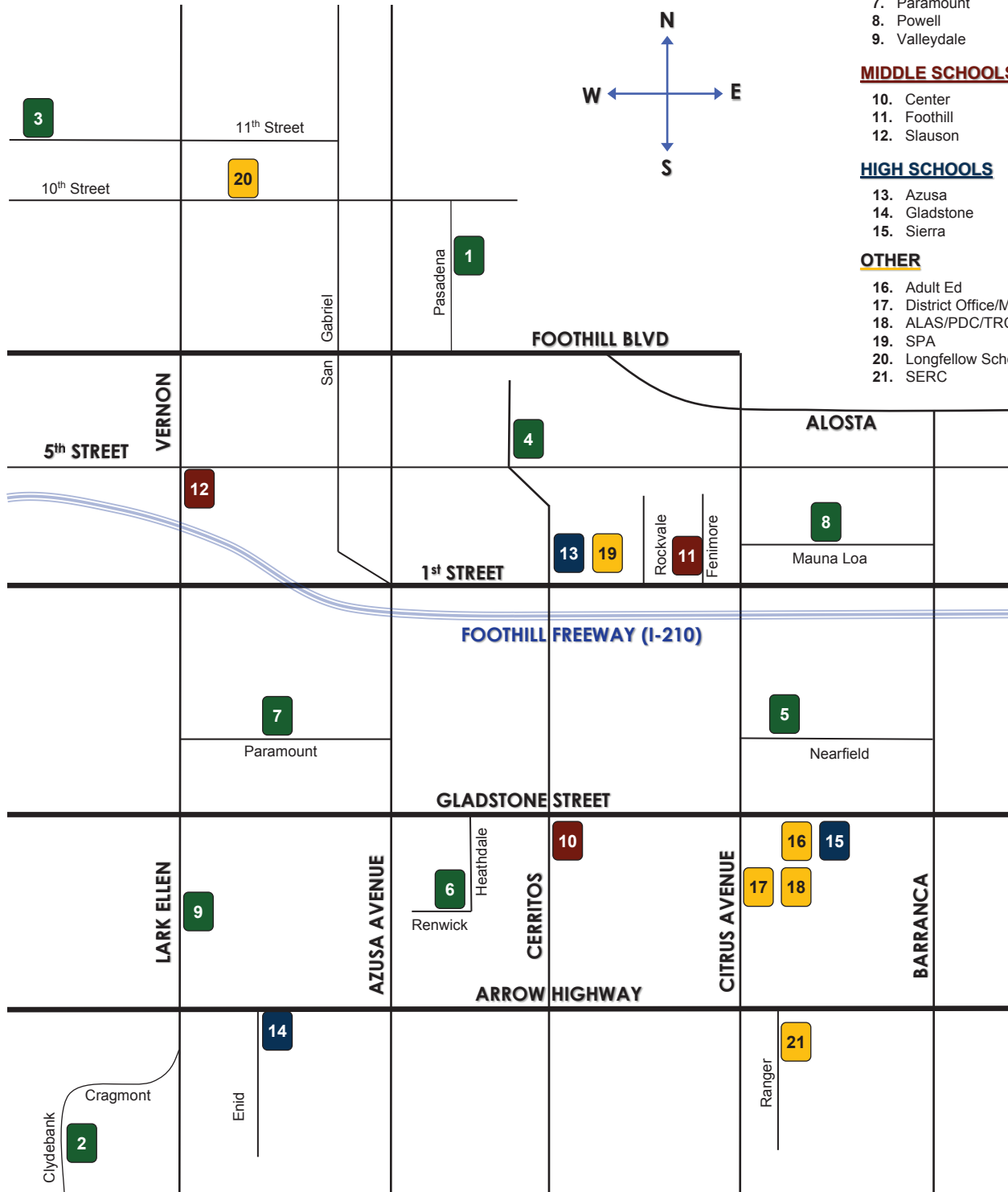
10. Center
11. Foothill
12. Slauson

### HIGH SCHOOLS

13. Azusa
14. Gladstone
15. Sierra

### OTHER

16. Adult Ed
17. District Office/MOT
18. ALAS/PDC/TRC
19. SPA
20. Longfellow School
21. SERC



## **AZUSA EDUCATORS' ASSOCIATION**

Affiliated with the California Teachers' Association  
and the National Education Association

*Meg Savella, President*

168 N. Vermont Ave  
Glendora, CA 91740  
(626) 335-7961

*Meetings:	Executive Board	1st Thursday of Each Month - 3:30 p.m.
	Council Representative	3rd Thursday of Each Month - 3:30 p.m.
		*scheduled meetings subject to change

## **AZUSA FEDERATION OF ADULT EDUCATORS**

*Kim Romero, President*  
(626) 967-5100

E-Mail: [Azusafae@aol.com](mailto:Azusafae@aol.com)

Meetings at Alternative Education Center  
1040 E. Gladstone Street  
Azusa, CA 91702



## **HOLIDAYS FOR CLASSIFIED AND 12-MONTH CERTIFICATED EMPLOYEES**

Independence Day	July 4
Labor Day	September 5
Veteran's Day	November 11
Admissions Day	November 22 ( <i>in lieu of Sept. 9</i> )
Thanksgiving	November 23, 24, 25
Winter Holiday	December 23, 26
New Year's	December 30 & January 2
Martin Luther King's Day	January 16
Lincoln's Day	February 13
Washington's/Presidents' Day	February 20
Spring Holiday	April 7
Memorial Day	May 27
Juneteenth	June 19

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The third Monday in February known as "Washington Day." On the Friday preceding, all public schools and educational institutions throughout the state shall hold exercises in memory of George Washington.

I

## **EDUCATIONAL SERVICES**

## Curriculum and Instruction

The Azusa Unified School District's vision is that: "Each student will be a problem-solver, critical thinker, an effective communicator, and a positive contributor to the community." California State Standards present the framework of curriculum and instruction in each of the four core subject areas: English Language Arts/English Language Development, Math, Social Studies, and Science. Student progress is measured using multiple types of formative and summative assessments to ensure that students meet state and district standards.

TK-12 state frameworks and 9-12 courses of study for the various subject areas provide guidelines and emphasis to be considered in planning for continuous and comprehensive student learning. AUSD courses of study identify course goals, teacher objectives, and student learning expectations for course content. Textbooks and other instructional materials for each course may also be identified in the courses of study. The approved course description for use by high schools is the template recommended by the College Board.

It is expected that teachers will demonstrate effective lesson planning using district approved curriculum, state standards and framework-aligned curriculum maps, as well as effective, research-supported teaching strategies.

Effective instructional planning and practice include the following to ensure that all students consistently experience rigorous, standards-aligned instruction in a vibrant and engaging learning environment:

- Research-based and supported instructional strategies
- An emphasis on higher-order thinking skills and connections to real-world application; lesson planning that uses the Cognitive Rigor Matrix
- An emphasis on SIOP and/or GLAD instructional strategies in support of English learners
- Formative assessment to make informed decisions about teaching and learning in order to consistently improve student learning outcomes
- Instructional strategies that ensure students consistently carry the cognitive load
- Timely student feedback to provide students with opportunities to show mastery
- Differentiated classroom practices to meet needs of special education students, English learners, and GATE
- Regular opportunities in all content areas for all students to engage in the components of literacy: speaking, listening, reading, and writing
- The use of academic language is explicitly taught in all content areas in support of English learners
- Learning and language objectives
- Relevant essential questions
- Engaging instructional activities
- Intentional planning for questions that students will be asked
- Planned formative assessment and regular checks for student understanding
- Use of district-adopted curricular materials

- Arrangement of desired learning experiences, as to scope and sequence, in such a way that student will be effectively achieved

All courses of study are reviewed by the district's PK-12 Academic Articulation and Advisory committees to ensure a district-wide coordinated effort, legal compliance, and equity and access for all students. Azusa follows the California Department of Education's timeline for evaluating, adopting and implementing instructional materials.

### **LEGAL COURSE OF STUDY REQUIREMENTS**

Teachers should be familiar with California Education Codes, as well as AUSD Board Policy requirements and prohibitions pertaining to instruction including but not limited to:

- Required core content courses of instruction include: Language Arts/English Language Development, Mathematics, Social Studies, Science, and Physical Education.
- Instruction of pupils as to the effects of the use of alcohol, tobacco, narcotics, and poisonous drugs shall be given.
- Instruction shall not negatively reflect upon any citizen of the United States as to race, color, creed, gender, disability, or sexual orientation.
- No partisan, sectarian, or denominational doctrines shall be taught, nor shall such publications be used for instruction.
- Propaganda for membership in any organization not under the control of the schools is not permitted.
- All pupils are expected to participate in the physical education program unless the principal exempts them.

### **HIGH SCHOOL GRADUATION REQUIREMENTS**

To obtain a diploma of graduation from high school, students shall complete at least 220 required and elective semester units of instruction during grades 9-12.

1. Four courses in English (Education Code 51225.3)
2. Three courses in mathematics, including Integrated Math I/Algebra I (Education Code 51225.3)
3. Two courses in science, including one course in biological and one course in physical sciences (Education Code 51225.3)
4. Three (3) years in social studies, including one course in United States history and geography; one course in world history, culture, and geography; a one-semester course in American government and civics; and a one-semester course in economics (Education Code 51225.3)

5. Beginning with the class of 2022, one course in visual or performing arts (Education Code 51225.3)
6. Beginning with the class of 2022, one course in a language other than English
7. Two courses in physical education, unless the student has been otherwise exempted pursuant to other sections of the Education Code (Education Code 51225.3). Beginning with the class of 2022, alternative courses that support an approved course of physical education study including marching band, JROTC, cheer, drill, and dance may be eligible to satisfy up to one (1) year of the district's physical education requirement. (Education Code 51220(d), Education Code 5122).
8. Beginning with the class of 2022, one course in Advanced Placement (AP), Career Technical Education (CTE), approved Dual Enrollment college course, or International Baccalaureate (IB) course. To be counted toward meeting graduation requirements, a CTE course shall be aligned to the CTE model curriculum standards and framework adopted by the State Board of Education.

Because the prescribed course of study may not accommodate the needs of some students, the Board shall provide alternative means for the completion of prescribed courses in accordance with law.

(cf. 6146.11 - Alternative Credits Toward Graduation)

(cf. 6146.2 - Certificate of Proficiency/High School Equivalency)

### **PATRIOTIC EXERCISES**

The Pledge of Allegiance to the Flag of the United States of America shall be given at the beginning of the first regularly scheduled class each day school is in session in all elementary schools in the district. Discussion appropriate to the grade level to promote understanding of the Pledge shall be included from time to time.

Appropriate patriotic exercises, including the Pledge of Allegiance, shall be conducted daily at each high school in the district. Attention shall be given to instruction concerning the meaning of the Flag of the United States and the purposes, ideals, and freedoms for which it stands.

The Pledge of Allegiance is a minimal daily requirement. In addition, many opportunities shall be created to allow students to participate in exercises and activities designed to strengthen their understanding and appreciation of American ideals and institutions.



	Kdgn		1-3		4-5	
Subject	State	AUSD	State	AUSD	State	AUSD
Integrated Language Arts	300	720	750	785	600	975
Mathematics	150	300	300	300	300	300
Physical Education	100	100	100	100	100	100
	<b>550</b>	<b>1120</b>	<b>1150</b>	<b>1185</b>	<b>1000</b>	<b>1375</b>
For ELL Students:						
ELD	150	150	225	225	225	225
<b>*Total Weekly Minutes</b>	<b>700</b>	<b>1270</b>	<b>1375</b>	<b>1410</b>	<b>1225</b>	<b>1600</b>

## SCHEDULED MEETINGS

Staff Development Day  
August 15,2022 (PK-12)  
September 19,2022 (PK-12)  
November 16, 2022 (7-12 only)  
January 9, 2023 (TK-6 only)

## **ALAS CENTER**

The ALAS center is located at the District Office, 546 S. Citrus Avenue, Azusa, CA 91702. Spanish language materials are available for teacher check out. These materials include videos, instructional aids, books, and cultural artifacts. Materials available are listed in the ALAS center guide available online and may be obtained by a telephone call to the Center or by personal pick-up.

## **THE GATE PROGRAM**

Azusa Unified School District serves Gifted and Talented Education (GATE) PK-12 students in 18 schools. Each school site has a site GATE Coordinator who ensures that GATE students are identified and receiving differentiated core curriculum enriched with other learning opportunities. The Director of College and Career Pathways assists the sites in providing the best opportunities for GATE students.

Azusa Unified School District uses the following indicators in identifying gifted and talented students:

### **Intellectual Ability**

"A pupil demonstrates extraordinary or potential for extraordinary intellectual development."  
(Title 5, 3822)

### **High Achievement**

"A pupil consistently produces advanced ideas and products and/or attains exceptionally high scores on achievement tests." (Title 5, 3822)

During the first half of grade 3, all students are screened using the Naglieri Non-Verbal Test (NNAT3). Standardized test results such as SBAC are reviewed at the end of each school year. NNAT scores in the Superior range or > 120 along with advanced results on standardized assessments will qualify a student for the GATE Program.

Parent and/or staff referrals may be considered and are subject to review by the site Student Support Team (SST). The GATE Coordinator will review students identified in another district. If a student is identified prior to grade 3, services will be provided by the classroom teacher with the support of the GATE Coordinator.

School site action plans consider the site resources, number of identified students, and the recognized needs of the students. Differentiated strategies and activities reflect the unique talents and expertise of each site's students and staff. Students are provided differentiated instruction throughout the school day. The action plans include one or more of the following:

### **Clustering (Grades 3-8)**

Students are clustered together in regular classrooms and provided appropriately differentiated curriculum through depth and complexity. The site GATE Coordinator may provide the main instruction or will be the resource for other teachers.

### **Enrichment (Grades 3-12)**

GATE students have opportunities beyond the core curriculum or explore a topic not usually offered. This may occur before, during, or after school as a club. There are several district-wide events provided for the students each year.

#### Advanced and Honors (Grades 9-12)

Students may take courses, which incorporate accelerated pacing, depth, complexity, and novelty. Successful completion of honors courses is appropriate preparation for further advancement.

#### Advanced Placement, International Baccalaureate, or Dual Enrollment (Grades 11-12)

Students may take college level courses to be eligible to receive both high school and college credit.

In addition to classroom enrichment and instruction, GATE students may participate in STEM Summer School, College courses, Test preparation, Field trips and college visits, and workshops.

### **LIBRARY SERVICE**

Library service is furnished to the district by means of a library in each school. A library technician, library clerk, or library aide will be available for help in selecting and checking out of books for teachers and students. A schedule of library use will be arranged by each school to allow opportunities for students to make use of the library for browsing, reference, and enhancing classroom instruction.

The City of Azusa maintains an excellent public library facility. Teachers in the district may borrow a maximum of ten books for classroom use for a period of two weeks, renewable for an additional two weeks upon request.

The Los Angeles County Office of education offers a professional e-library for educators: <http://els.lacoe.edu/>

### **GUIDELINES ON CONTROVERSIAL ISSUES, STUDENT ORGANIZATIONS, COPYRIGHT AND SUPPLEMENTARY MATERIALS**

The appropriate Board Policy/Administrative Regulations (BP/AR) are on the following pages. It would be a good idea to read them carefully and highlight the important issues raised in each one. We will not attempt to distill these BP/AR's but instead will point out a few representative situations.

- Current events can bring up issues that are not standards-based or which are not supported by the district approved curriculum. The district does not discourage the discussion of current events, but be aware that parents may contact you with concerns regarding what was discussed in the classroom that day. Guest speakers must have prior approval from the site principal. Further, guest speakers are not credentialed teachers

and may say things that can be controversial or combative. Be aware that the BP/AR may come into play and teachers should be aware of what is in them.

- Refer to BP/AR for copyright infringement guidelines, as this can be an important and highly litigated area.

**Regulation 6145: Extracurricular And Cocurricular Activities**

**Status:** ADOPTED

**Original Adopted Date:** 06/02/2009 | **Last Revised Date:** 06/26/2012 | **Last Reviewed Date:** 06/26/2012

**Definitions**

Extracurricular activities are those programs that have all of the following characteristics: (Education Code 35160.5)

1. Extracurricular activities are not part of the regular school curriculum, are not graded, do not offer credit, do not take place during classroom time, and have all of the following characteristics:
  - a. The program is supervised or financed by the school district.
  - b. Students participating in the program represent the school district.
  - c. Students exercise some degree of freedom in the selection, planning or control of the program.
  - d. The program includes both preparation for performance and performance before an audience or spectators.
2. Cocurricular activities are programs that may be associated with the curriculum in a regular classroom.

An activity is not an extracurricular or cocurricular activity if either of the following conditions applies: (Education Code 35160.5)

1. It is a teacher-graded or required program or activity for a course which satisfies the entrance requirements for admission to the California State University or the University of California.
2. It is a program that has as its primary goal the improvement of academic or educational achievement of students.

**Eligibility Requirements**

The grade point average (GPA) used to determine eligibility for extracurricular and cocurricular activities shall be based on grades of the last previous grading period during which the student attended class at least a majority of the time. If a student was not in attendance for all, or a majority of, the grading period due to absences excused by the school for reasons such as serious illness or injury, approved travel, or work, the GPA used to determine eligibility shall be the grading period immediately prior to the excluded grading period(s). (Education Code 35160.5)

When a student becomes ineligible to participate in extracurricular or cocurricular activities in the upcoming grading period, or when he/she is subject to probation, the principal or designee shall provide written notice to the student and his/her parent/guardian.

**Supervision**

All extracurricular activities conducted under the name or auspices of a district school or any class or organization of the school, regardless of where the activities are held, shall be under the direct supervision of certificated employees. (5 CCR 5531)

Any noncertificated person working with students in a district-sponsored extracurricular student activity program shall possess an Activity Supervisor Clearance Certificate from the Commission on Teacher Credentialing or shall have cleared a Department of Justice and Federal Bureau of Investigation criminal background check prior to beginning his/her duties, in accordance with BP 4127/4227/4327 - Temporary Athletic Team Coaches. (Education Code 49024)

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

**State References**

5 CCR 350

**Description**

Fees not permitted



5 CCR 4900-4965	Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance
5 CCR 5531	Supervision of extracurricular activities of pupils
CA Constitution Article 9, Section 5	Common school system - <a href="https://simbli.eboardsolutions.com/SU/5LDHgacpLGqiftuxZapslshQg==">https://simbli.eboardsolutions.com/SU/5LDHgacpLGqiftuxZapslshQg==</a>
Ed. Code 35145	Public meetings
Ed. Code 35160.5	Intradistrict open enrollment
Ed. Code 35179	Interscholastic athletics; associations or consortia
Ed. Code 35181	Governing board authority to set policy on responsibilities of students
Ed. Code 48850	Academic achievement of students in foster care and homeless children
Ed. Code 48930-48938	Student organizations
Ed. Code 49010-49013	Student fees
Ed. Code 49024	Activity Supervisor Clearance Certificate
Ed. Code 49700-49703	Education of children of military families

### Federal References

42 USC 2000h-2-2000h-6

### Description

Title IX of the Civil Rights Act of 1964

### Management Resources References

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Website	California Association of Directors of Activities - <a href="https://simbli.eboardsolutions.com/SU/uSHY99hpxslshRWydcInB4gpA==">https://simbli.eboardsolutions.com/SU/uSHY99hpxslshRWydcInB4gpA==</a>
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3260	Fees And Charges - <a href="https://simbli.eboardsolutions.com/SU/y0gzCJ6sSplus9byKOL49dVplusQ==">https://simbli.eboardsolutions.com/SU/y0gzCJ6sSplus9byKOL49dVplusQ==</a>
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3513.4	Drug And Alcohol Free Schools - <a href="https://simbli.eboardsolutions.com/SU/EglalA3lnXkKgpustshjxrQ9g==">https://simbli.eboardsolutions.com/SU/EglalA3lnXkKgpustshjxrQ9g==</a>
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3554	Other Food Sales - <a href="https://simbli.eboardsolutions.com/SU/p8lLr1YDKXtrPTrUqSB46A==">https://simbli.eboardsolutions.com/SU/p8lLr1YDKXtrPTrUqSB46A==</a>
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5131	Conduct - <a href="https://simbli.eboardsolutions.com/SU/gCHmgEvELPHGSbXveh7njA==">https://simbli.eboardsolutions.com/SU/gCHmgEvELPHGSbXveh7njA==</a>
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5141.22	Infectious Diseases - <a href="https://simbli.eboardsolutions.com/SU/fofkG2y9KkyVyTef5VpjPQ==">https://simbli.eboardsolutions.com/SU/fofkG2y9KkyVyTef5VpjPQ==</a>
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6020	Parent Involvement - <a href="https://simbli.eboardsolutions.com/SU/MWXILQ494aeY3920IWPxlg==">https://simbli.eboardsolutions.com/SU/MWXILQ494aeY3920IWPxlg==</a>
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**Regulation 6145: Extracurricular And Cocurricular Activities**

**Status:** ADOPTED

**Original Adopted Date:** 06/02/2009 | **Last Revised Date:** 06/26/2012 | **Last Reviewed Date:** 06/26/2012

**Definitions**

Extracurricular activities are those programs that have all of the following characteristics: (Education Code 35160.5)

1. Extracurricular activities are not part of the regular school curriculum, are not graded, do not offer credit, do not take place during classroom time, and have all of the following characteristics:
  - a. The program is supervised or financed by the school district.
  - b. Students participating in the program represent the school district.
  - c. Students exercise some degree of freedom in the selection, planning or control of the program.
  - d. The program includes both preparation for performance and performance before an audience or spectators.
2. Cocurricular activities are programs that may be associated with the curriculum in a regular classroom.

An activity is not an extracurricular or cocurricular activity if either of the following conditions applies: (Education Code 35160.5)

1. It is a teacher-graded or required program or activity for a course which satisfies the entrance requirements for admission to the California State University or the University of California.
2. It is a program that has as its primary goal the improvement of academic or educational achievement of students.

**Eligibility Requirements**

The grade point average (GPA) used to determine eligibility for extracurricular and cocurricular activities shall be based on grades of the last previous grading period during which the student attended class at least a majority of the time. If a student was not in attendance for all, or a majority of, the grading period due to absences excused by the school for reasons such as serious illness or injury, approved travel, or work, the GPA used to determine eligibility shall be the grading period immediately prior to the excluded grading period(s). (Education Code 35160.5)

When a student becomes ineligible to participate in extracurricular or cocurricular activities in the upcoming grading period, or when he/she is subject to probation, the principal or designee shall provide written notice to the student and his/her parent/guardian.

**Supervision**

All extracurricular activities conducted under the name or auspices of a district school or any class or organization of the school, regardless of where the activities are held, shall be under the direct supervision of certificated employees. (5 CCR 5531)

Any noncertificated person working with students in a district-sponsored extracurricular student activity program shall possess an Activity Supervisor Clearance Certificate from the Commission on Teacher Credentialing or shall have cleared a Department of Justice and Federal Bureau of Investigation criminal background check prior to beginning his/her duties, in accordance with BP 4127/4227/4327 - Temporary Athletic Team Coaches. (Education Code 49024)

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

**State References**

5 CCR 350

**Description**

Fees not permitted



5 CCR 4900-4965	Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance
5 CCR 5531	Supervision of extracurricular activities of pupils
CA Constitution Article 9, Section 5	Common school system - <a href="https://simbli.eboardsolutions.com/SU/5LDHgacpLGqiftuxZapslshQg==">https://simbli.eboardsolutions.com/SU/5LDHgacpLGqiftuxZapslshQg==</a>
Ed. Code 35145	Public meetings
Ed. Code 35160.5	Intradistrict open enrollment
Ed. Code 35179	Interscholastic athletics; associations or consortia
Ed. Code 35181	Governing board authority to set policy on responsibilities of students
Ed. Code 48850	Academic achievement of students in foster care and homeless children
Ed. Code 48930-48938	Student organizations
Ed. Code 49010-49013	Student fees
Ed. Code 49024	Activity Supervisor Clearance Certificate
Ed. Code 49700-49703	Education of children of military families

### Federal References

42 USC 2000h-2-2000h-6

### Description

Title IX of the Civil Rights Act of 1964

### Management Resources References

California Department of Education Publication

California Task Force Report to the Legislature

Commission on Teacher Credentialing Publication

Court Decision

Website

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Website

Website

### Description

Pupil Fees, Deposits, and Other Charges, Fiscal Management Advisory 12-02, April 24, 2013

Compact on Educational Opportunity for Military Children: Preliminary Final Report, March 2009

10-11 Information on Assembly Bill 346 Concerning the Activity Supervisor Clearance Certificate (ASCC), July 20, 2010

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California Association of Directors of Activities -  
<https://simbli.eboardsolutions.com/SU/uSHY99hpxslshRWydcInB4gpA==>

California Interscholastic Federation -  
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Commission on Teacher Credentialing -  
<https://simbli.eboardsolutions.com/SU/cxWNIqRUlsaq7efc7aH4Q==>

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### Cross References

0410

1230

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Nondiscrimination In District Programs And Activities -  
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School-Connected Organizations -  
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Volunteer Assistance -  
<https://simbli.eboardsolutions.com/SU/s1kDPms91ZslshXvtuUxCKMdw==>

Volunteer Assistance -  
<https://simbli.eboardsolutions.com/SU/KR2sg4KWAHgxai0qdzjyQA==>

1260	Educational Foundation - <a href="https://simbli.eboardsolutions.com/SU/BI7pnNYOIV6kplusPeihCFnCG==">https://simbli.eboardsolutions.com/SU/BI7pnNYOIV6kplusPeihCFnCG==</a>
1312.3	Uniform Complaint Procedures - <a href="https://simbli.eboardsolutions.com/SU/CfApluscpXRIZplusOj2ImuhfqBA==">https://simbli.eboardsolutions.com/SU/CfApluscpXRIZplusOj2ImuhfqBA==</a>
1312.3	Uniform Complaint Procedures - <a href="https://simbli.eboardsolutions.com/SU/NaAoUplustLOgdMDg4YyrqkSQ==">https://simbli.eboardsolutions.com/SU/NaAoUplustLOgdMDg4YyrqkSQ==</a>
1312.3-E PDF(1)	Uniform Complaint Procedures - <a href="https://simbli.eboardsolutions.com/SU/CGtJ1bS0fJ2qqnQzzY5qbQ==">https://simbli.eboardsolutions.com/SU/CGtJ1bS0fJ2qqnQzzY5qbQ==</a>
1312.3-E PDF(2)	Uniform Complaint Procedures - <a href="https://simbli.eboardsolutions.com/SU/hYsgaF9LHjeplus4tINfVHZyg==">https://simbli.eboardsolutions.com/SU/hYsgaF9LHjeplus4tINfVHZyg==</a>
1330	Use Of School Facilities - <a href="https://simbli.eboardsolutions.com/SU/bweubRumzjCMFEsRwfPRVQ==">https://simbli.eboardsolutions.com/SU/bweubRumzjCMFEsRwfPRVQ==</a>
1330	Use Of School Facilities - <a href="https://simbli.eboardsolutions.com/SU/OsPXtQrBZmNcjUi2mwN3Q==">https://simbli.eboardsolutions.com/SU/OsPXtQrBZmNcjUi2mwN3Q==</a>
1330-E PDF(1)	Use Of School Facilities - <a href="https://simbli.eboardsolutions.com/SU/mJDGwwleQuuHMmknzSltrQ==">https://simbli.eboardsolutions.com/SU/mJDGwwleQuuHMmknzSltrQ==</a>
3260	Fees And Charges - <a href="https://simbli.eboardsolutions.com/SU/y0gzCJ6sSplus9byKOL49dVplusQ==">https://simbli.eboardsolutions.com/SU/y0gzCJ6sSplus9byKOL49dVplusQ==</a>
3260	Fees And Charges - <a href="https://simbli.eboardsolutions.com/SU/Mr7mOJYGplusRzB7O3OQI7wEQ==">https://simbli.eboardsolutions.com/SU/Mr7mOJYGplusRzB7O3OQI7wEQ==</a>
3452	Student Activity Funds - <a href="https://simbli.eboardsolutions.com/SU/9SBtlfFygkkHplusjAgcmQciw==">https://simbli.eboardsolutions.com/SU/9SBtlfFygkkHplusjAgcmQciw==</a>
3513.4	Drug And Alcohol Free Schools - <a href="https://simbli.eboardsolutions.com/SU/EglalA3lnXkKgpustshjxrQ9g==">https://simbli.eboardsolutions.com/SU/EglalA3lnXkKgpustshjxrQ9g==</a>
3514	Environmental Safety - <a href="https://simbli.eboardsolutions.com/SU/YguT6aXfo2478uReaoY2AA==">https://simbli.eboardsolutions.com/SU/YguT6aXfo2478uReaoY2AA==</a>
3514	Environmental Safety - <a href="https://simbli.eboardsolutions.com/SU/oePNAp4p3v5y322yAcgfwg==">https://simbli.eboardsolutions.com/SU/oePNAp4p3v5y322yAcgfwg==</a>
3554	Other Food Sales - <a href="https://simbli.eboardsolutions.com/SU/p8lLr1YDKXtrPTrUqSB46A==">https://simbli.eboardsolutions.com/SU/p8lLr1YDKXtrPTrUqSB46A==</a>
3554	Other Food Sales - <a href="https://simbli.eboardsolutions.com/SU/w3DRSfBdOgy2i04klD9jjA==">https://simbli.eboardsolutions.com/SU/w3DRSfBdOgy2i04klD9jjA==</a>
4112.5	Criminal Record Check - <a href="https://simbli.eboardsolutions.com/SU/k3JxZLYs4Qu9bUOSH7p5dg==">https://simbli.eboardsolutions.com/SU/k3JxZLYs4Qu9bUOSH7p5dg==</a>
4212.5	Criminal Record Check - <a href="https://simbli.eboardsolutions.com/SU/AeBTETgslshWKpwwQnauieUqQ==">https://simbli.eboardsolutions.com/SU/AeBTETgslshWKpwwQnauieUqQ==</a>
5113	Absences And Excuses - <a href="https://simbli.eboardsolutions.com/SU/5WjNpF3QWadlewTbgJwn2Q==">https://simbli.eboardsolutions.com/SU/5WjNpF3QWadlewTbgJwn2Q==</a>
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5121	Grades/Evaluation Of Student Achievement - <a href="https://simbli.eboardsolutions.com/SU/l8ZApRxuuSLaabWYN4ZDPQ==">https://simbli.eboardsolutions.com/SU/l8ZApRxuuSLaabWYN4ZDPQ==</a>
5121	Grades/Evaluation Of Student Achievement - <a href="https://simbli.eboardsolutions.com/SU/ySiYslshsln92XnBZDao5eimQ==">https://simbli.eboardsolutions.com/SU/ySiYslshsln92XnBZDao5eimQ==</a>
5131	Conduct - <a href="https://simbli.eboardsolutions.com/SU/gCHmgEvELPHGSbXveh7njA==">https://simbli.eboardsolutions.com/SU/gCHmgEvELPHGSbXveh7njA==</a>
5131.1	Bus Conduct - <a href="https://simbli.eboardsolutions.com/SU/plus9AfCMLa6PRmXjw9fKtd1A==">https://simbli.eboardsolutions.com/SU/plus9AfCMLa6PRmXjw9fKtd1A==</a>
5131.1	Bus Conduct - <a href="https://simbli.eboardsolutions.com/SU/UKn7CTwurbrGeijcpluscQLplusQ==">https://simbli.eboardsolutions.com/SU/UKn7CTwurbrGeijcpluscQLplusQ==</a>

5141.22	Infectious Diseases - <a href="https://simbli.eboardsolutions.com/SU/fofkG2y9KkyVyTef5VpjPQ==">https://simbli.eboardsolutions.com/SU/fofkG2y9KkyVyTef5VpjPQ==</a>
5141.22	Infectious Diseases - <a href="https://simbli.eboardsolutions.com/SU/SSzp7t1kSjfizyfJoaeq7A==">https://simbli.eboardsolutions.com/SU/SSzp7t1kSjfizyfJoaeq7A==</a>
5144	Discipline - <a href="https://simbli.eboardsolutions.com/SU/VKfDusQz4wO4ztggq0xR0Q==">https://simbli.eboardsolutions.com/SU/VKfDusQz4wO4ztggq0xR0Q==</a>
5144	Discipline - <a href="https://simbli.eboardsolutions.com/SU/h8js9swo8roKNec7W9PBIQ==">https://simbli.eboardsolutions.com/SU/h8js9swo8roKNec7W9PBIQ==</a>
5144.1	Suspension And Expulsion/Due Process - <a href="https://simbli.eboardsolutions.com/SU/2KWISVzOJQsLVudCPe2bpg==">https://simbli.eboardsolutions.com/SU/2KWISVzOJQsLVudCPe2bpg==</a>
5144.1	Suspension And Expulsion/Due Process - <a href="https://simbli.eboardsolutions.com/SU/1wRsP0evdfTslshv6FLdTXneA==">https://simbli.eboardsolutions.com/SU/1wRsP0evdfTslshv6FLdTXneA==</a>
5144.2	Suspension And Expulsion/Due Process (Students With Disabilities) - <a href="https://simbli.eboardsolutions.com/SU/lslhWEps64d5tGtqQbrl8gaQ==">https://simbli.eboardsolutions.com/SU/lslhWEps64d5tGtqQbrl8gaQ==</a>
5145.3	Nondiscrimination/Harassment - <a href="https://simbli.eboardsolutions.com/SU/Xtm3uqHMol1KAP4CIBOS3g==">https://simbli.eboardsolutions.com/SU/Xtm3uqHMol1KAP4CIBOS3g==</a>
5145.3	Nondiscrimination/Harassment - <a href="https://simbli.eboardsolutions.com/SU/Rx7eYWCQJQxyhVGfnTMOBQ==">https://simbli.eboardsolutions.com/SU/Rx7eYWCQJQxyhVGfnTMOBQ==</a>
5145.7	Sexual Harassment - <a href="https://simbli.eboardsolutions.com/SU/Etnsl0vfjVFwtsfy7FGqYA==">https://simbli.eboardsolutions.com/SU/Etnsl0vfjVFwtsfy7FGqYA==</a>
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5145.71	Title IX Sexual Harassment Complaint Procedures - <a href="https://simbli.eboardsolutions.com/SU/O9zo4plgytGao63PqBwRqQ==">https://simbli.eboardsolutions.com/SU/O9zo4plgytGao63PqBwRqQ==</a>
6020	Parent Involvement - <a href="https://simbli.eboardsolutions.com/SU/MWXILQ494aeY3920IWPxlg==">https://simbli.eboardsolutions.com/SU/MWXILQ494aeY3920IWPxlg==</a>
6020	Parent Involvement - <a href="https://simbli.eboardsolutions.com/SU/YMCslshYRfeMGnJYFXn2LFUFQ==">https://simbli.eboardsolutions.com/SU/YMCslshYRfeMGnJYFXn2LFUFQ==</a>
6142.3	Civic Education - <a href="https://simbli.eboardsolutions.com/SU/KSOU8NZcpluskLMKFJ1FgJfWA==">https://simbli.eboardsolutions.com/SU/KSOU8NZcpluskLMKFJ1FgJfWA==</a>
6142.7	Physical Education And Activity - <a href="https://simbli.eboardsolutions.com/SU/wLhC38lfitHbiftplusu8Slqg==">https://simbli.eboardsolutions.com/SU/wLhC38lfitHbiftplusu8Slqg==</a>
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6143	Courses Of Study - <a href="https://simbli.eboardsolutions.com/SU/2rm43307PLCL6tPtEi0B1g==">https://simbli.eboardsolutions.com/SU/2rm43307PLCL6tPtEi0B1g==</a>
6143	Courses Of Study - <a href="https://simbli.eboardsolutions.com/SU/QSMplusSNCxGfu1or4plus3KUx6A==">https://simbli.eboardsolutions.com/SU/QSMplusSNCxGfu1or4plus3KUx6A==</a>
6145.2	Athletic Competition - <a href="https://simbli.eboardsolutions.com/SU/mjzVr4hwth0plusJplusU0vFgStw==">https://simbli.eboardsolutions.com/SU/mjzVr4hwth0plusJplusU0vFgStw==</a>
6145.2	Athletic Competition - <a href="https://simbli.eboardsolutions.com/SU/li7fyXj9QEE0CqwFCiOzbQ==">https://simbli.eboardsolutions.com/SU/li7fyXj9QEE0CqwFCiOzbQ==</a>
6145.5	Student Organizations And Equal Access - <a href="https://simbli.eboardsolutions.com/SU/GADbzbG3jCsLshHZg5slshjCRtzw==">https://simbli.eboardsolutions.com/SU/GADbzbG3jCsLshHZg5slshjCRtzw==</a>
6145.5	Student Organizations And Equal Access - <a href="https://simbli.eboardsolutions.com/SU/Ch4VH6ktnX8KzDIDi61ieA==">https://simbli.eboardsolutions.com/SU/Ch4VH6ktnX8KzDIDi61ieA==</a>
6145.6	International Exchange - <a href="https://simbli.eboardsolutions.com/SU/IUCopV0dbplusBHBslshi1Slcovw==">https://simbli.eboardsolutions.com/SU/IUCopV0dbplusBHBslshi1Slcovw==</a>
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6146.1	High School Graduation Requirements - <a href="https://simbli.eboardsolutions.com/SU/vp95bp6sYHG0eop0gLqhSA==">https://simbli.eboardsolutions.com/SU/vp95bp6sYHG0eop0gLqhSA==</a>
6146.1	High School Graduation Requirements - <a href="https://simbli.eboardsolutions.com/SU/fG91NrUN0SRom05BZPJ0HA==">https://simbli.eboardsolutions.com/SU/fG91NrUN0SRom05BZPJ0HA==</a>
6153	School-Sponsored Trips - <a href="https://simbli.eboardsolutions.com/SU/slshS7ov5CQAyeHkdawLt926g==">https://simbli.eboardsolutions.com/SU/slshS7ov5CQAyeHkdawLt926g==</a>
6153	School-Sponsored Trips - <a href="https://simbli.eboardsolutions.com/SU/28erFYy07ToHyAA1IfEOA==">https://simbli.eboardsolutions.com/SU/28erFYy07ToHyAA1IfEOA==</a>
6164.6	Identification And Education Under Section 504 - <a href="https://simbli.eboardsolutions.com/SU/gbFxC7ISvpjPqUUGCplusA3gg==">https://simbli.eboardsolutions.com/SU/gbFxC7ISvpjPqUUGCplusA3gg==</a>
6164.6	Identification And Education Under Section 504 - <a href="https://simbli.eboardsolutions.com/SU/iulaSTmMoGzrsDKTvJ9UWg==">https://simbli.eboardsolutions.com/SU/iulaSTmMoGzrsDKTvJ9UWg==</a>
6173	Education For Homeless Children - <a href="https://simbli.eboardsolutions.com/SU/txeOyoBAokde03EL8jzLslshQ==">https://simbli.eboardsolutions.com/SU/txeOyoBAokde03EL8jzLslshQ==</a>
6173	Education For Homeless Children - <a href="https://simbli.eboardsolutions.com/SU/RuKkaP9U0ZIZTrvBvW6Wjw==">https://simbli.eboardsolutions.com/SU/RuKkaP9U0ZIZTrvBvW6Wjw==</a>
6173.1	Education For Foster Youth - <a href="https://simbli.eboardsolutions.com/SU/j10m5VbLmj8pqMRz0d6dkQ==">https://simbli.eboardsolutions.com/SU/j10m5VbLmj8pqMRz0d6dkQ==</a>
6173.1	Education For Foster Youth - <a href="https://simbli.eboardsolutions.com/SU/suCMRgbiqOO4rvJsmX2tqw==">https://simbli.eboardsolutions.com/SU/suCMRgbiqOO4rvJsmX2tqw==</a>
6173.2	Education Of Children Of Military Families - <a href="https://simbli.eboardsolutions.com/SU/NurplusRF8plus3CpJP0wG1JplusPMA==">https://simbli.eboardsolutions.com/SU/NurplusRF8plus3CpJP0wG1JplusPMA==</a>
6178	Career Technical Education - <a href="https://simbli.eboardsolutions.com/SU/X7b5JEzoRKslshww2JugXgaPw==">https://simbli.eboardsolutions.com/SU/X7b5JEzoRKslshww2JugXgaPw==</a>
6178	Career Technical Education - <a href="https://simbli.eboardsolutions.com/SU/IKS6G1GbwN6vkN4aZ4filw==">https://simbli.eboardsolutions.com/SU/IKS6G1GbwN6vkN4aZ4filw==</a>
9150	Student Board Members - <a href="https://simbli.eboardsolutions.com/SU/LrYqdsish0yxq9mFPVJe4VosQ==">https://simbli.eboardsolutions.com/SU/LrYqdsish0yxq9mFPVJe4VosQ==</a>
9310	Board Policies - <a href="https://simbli.eboardsolutions.com/SU/w1Hju6YkZplusilAx4r6plQpg==">https://simbli.eboardsolutions.com/SU/w1Hju6YkZplusilAx4r6plQpg==</a>

**Regulation 6162.6: Use Of Copyrighted Materials**

**Status:** ADOPTED

**Original Adopted Date:** 06/02/2009 | **Last Revised Date:** 09/18/2018 | **Last Reviewed Date:** 09/18/2018

Prior to reproducing, distributing, displaying, posting, performing, or otherwise using a copyrighted material for an instructional purpose or in the course of other district business, district staff shall determine whether it is necessary to request permission of the copyright holder. Unless the staff member is reasonably certain that the material is in the public domain or the intended use meets the criteria for an exception specified in 17 USC 107-122 and this administrative regulation, he/she shall either obtain permission from the copyright holder or avoid use of the material. In addition, permission of the copyright holder shall be requested whenever district staff intend to publicly disseminate a copyrighted work, such as by posting on the district or school web site or using another method of communications accessible to the public.

Any reproduction or other use of a copyrighted work shall include the copyright notice.

District staff shall not reproduce and distribute copyrighted works of any type in any of the following circumstances:

1. When the copyrighted work is a "consumable" work such as a workbook, standardized test, answer sheet, or similar material
2. To substitute for the purchase of the work
3. To create, replace, or substitute for anthologies or collective works

**Request for Permission to Use Copyrighted Material**

As necessary, district staff desiring to use a copyrighted material shall identify and contact the copyright holder to request permission to use the material. The request shall include the following information:

1. Title, author(s), editor(s) or publisher, producer(s) or distributor
2. Edition, copyright, and/or production year
3. Exact amount of material to be used, such as the number of lines, pages, or chapters or percentage of the work
4. Nature of the use, such as the course in which it will be used
5. The grade level of the students, the number of students, and the frequency of use
6. How the material will be reproduced and distributed
7. If the copyright holder requires a fee to grant permission, district staff shall seek approval from the Superintendent or designee prior to incurring the cost.

**Criteria for Fair Use**

In considering whether a copyrighted work may be used without the copyright holder's permission on the grounds that the intended use is "fair use" pursuant to 17 USC 107, including reproduction in copies, phonorecords, or any other reproductive form for purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship, or research, district staff shall consider all of the following factors: (17 USC 107)

1. The purpose and character of the use, including whether the use is of a commercial nature or for nonprofit educational purposes
2. The nature of the copyrighted work
3. The amount and substantiality of the portion used in relation to the copyrighted work as a whole
4. The effect of the use upon the potential market for or value of the copyrighted work

Any determination of fair use shall weigh together all the factors specified in items #1-4 above in addition to any applicable guidelines presented in this administrative regulation for specific types of copyrighted works.

## **Guidelines for Copying Text**

Staff may reproduce text from a copyrighted work from a printed resource, the Internet, or other source, without permission from the copyright holder, under the following conditions:

1. A single copy of a chapter of a book, article from a periodical or newspaper, short story, short essay, short poem, chart, graph, diagram, drawing, cartoon, or picture may be made by or for a teacher for his/her scholarly research or use in teaching or preparation to teach a class.
2. Multiple copies, not to exceed one copy per student in a course, may be made by or for a teacher for classroom use or discussion, provided that:
  - a. The amount to be copied does not exceed:
    - i. 250 words for a complete poem or excerpt from a poem
    - ii. 2,500 words for a complete article, story, or essay
    - iii. 1,000 words or 10 percent of the whole (with a minimum of 500 words), whichever is less, for an excerpt from a larger prose work
    - iv. One illustration (e.g., chart, graph, diagram, cartoon, or picture) per book or periodical issue
  - b. The copying is for only one course in the school.
  - c. With the exception of newspapers and other news periodicals, not more than one work is copied from the same author per term, not more than three works are copied from the same collective work or periodical volume per term, and there are no more than nine instances of multiple copying per course per term.
  - d. A delay to request permission from the copyright holder would preclude the most effective instructional use of the material.

## **Guidelines for Reproducing Sheet and Recorded Music**

District staff may reproduce sheet music and recorded music without permission from the copyright holder under the following conditions:

1. Emergency copies may be made when purchased copies needed for an imminent performance are not available, provided that replacement copies shall be purchased in due course.
2. Single or multiple copies of excerpts of works may be made for academic purposes other than performances, provided that the excerpt does not constitute an entire performable unit (e.g., a section, movement, or aria), no more than 10 percent of the total work is used, and the number of copies made does not exceed one per student.
3. Printed copies that have been purchased may be edited or simplified provided that the character of the work is not distorted and lyrics are not added or altered.
4. A single copy of a recorded performance by students may be made for evaluation or rehearsal purposes.
5. A single copy of recordings of copyrighted music owned by the district or individual teacher may be made for the purpose of constructing exercises or examinations.

## **Guidelines for Performing or Displaying Copyrighted Works**

In the course of face-to-face instruction in a classroom or similar place devoted to instruction, teachers or students may recite, render, play, dance, act, or show a copyrighted work either directly or by means of any device or process or, in the case of a motion picture or other audiovisual work, show its images in any sequence or to make the sounds accompanying it audible, provided that: (17 USC 101, 110)

1. The performance or display is given by means of a lawfully obtained copy of the work.

2. The performance or display is made by, at the direction of, or under the actual supervision of a teacher as an integral part of a class session.
3. The performance or display is directly related and of material assistance to the teaching content of the transmission.
4. The transmission is limited to students enrolled in the course or to Governing Board members or employees as part of their official duties or employment.
5. If the work is to be digitally transmitted, the district has applied technological protections that reasonably prevent retention of the work in accessible form for longer than the class session and the unauthorized further dissemination of the work.

Any use of a motion picture or other audiovisual work outside the curriculum, such as for entertainment, a school or class reward, or a fundraiser, shall require permission from the copyright holder or a special viewing license.

### **Guidelines for Recording Broadcast Programming**

Teachers may make recordings of television programs for use in a classroom for educational purposes under the following conditions:

1. Only programs provided to the public free of charge may be recorded and shown. Any use of programming from paid television services shall require permission of the copyright holder.
2. The recording may be shown only during the first 10 consecutive school days after it is made. It may be used once by an individual teacher in the course of relevant teaching activities and may be repeated once only when instructional reinforcement is necessary.
3. A limited number of copies may be reproduced from each recording to meet the legitimate needs of the teacher. Each copy shall be subject to all the provisions governing the original recording.
4. The recording may be retained for 45 calendar days after it is made and then shall be erased or destroyed. However, after the first 10 consecutive school days, the recording may only be used for purposes of determining whether or not to include the broadcast program in the teaching curriculum. If the teacher decides to keep the program for use in the curriculum, he/she shall request permission from the copyright owner.
5. Off-air recordings need not be used in their entirety, but the content of recorded programs may not be altered.

### **Guidelines for Copying Computer Programs or Software**

District staff shall observe all licensing agreements between vendors and the district, including monitoring the number of users permitted by an agreement. Unless the applicable licensing agreement authorizes multiple users of a single computer program or software, the district shall not make multiple copies.

Copies of district-owned software may be made under either of the following conditions: (17 USC 117)

1. The copy is needed as an essential step in using the computer program with a particular machine.
2. The copy is used for archival or "backup" purposes only. This copy may be held only as a file copy and must be destroyed in the event that continued possession of the program ceases to be rightful, unless the copyright owner authorizes its sale, lease, or transfer as part of the sale, lease, or transfer of the original program.

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

#### **State References**

Ed. Code 35182

#### **Description**

Marketing or licensing noneducational mainframe electronic data-processing software

#### **Federal References**

#### **Description**

17 USC 101-122	Subject matter and scope of copyright
17 USC 102	Definitions
17 USC 106	Copyright protection
17 USC 107	Fair use of copyrighted works
17 USC 110	Limitations on exclusive rights: Exemption of certain performances and displays
17 USC 504	Penalties for copyright infringement

## Management Resources References

Court Decision	Cambridge University Press et al. v. Becker et al. (N.D. Ga. 2012) 863 F.Supp.2d 1190
Court Decision	Campbell v. Acuff-Rose Music, Inc., (1994) 510 U.S. 569
Court Decision	Marcus v. Rowley, (9th Cir., 1982) 695 F.2d 1171
National School Boards Association Publication	Copyright Law: Do Schools Need a License to Show a Movie?, School Law Review, July 2010
U.S. Copyright Office Publication	Circular 21: Reproduction of Copyrighted Works by Educators and Librarians, rev. 2009
U.S. Copyright Office Publication	Circular 22: How to Investigate the Copyright Status of a Work, rev. 2013
U.S. Copyright Office Publication	Circular 23: The Copyright Card Catalog and the Online Files of the Copyright Office, rev. 2012
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**Policy 6144: Controversial Issues**

**Status:** ADOPTED

**Original Adopted Date:** 06/02/2009 | **Last Revised Date:** 06/13/2017 | **Last Reviewed Date:** 06/13/2017

The Governing Board recognizes that the district's educational program may sometimes include instruction related to controversial issues that may arouse strong reactions based on personal values and beliefs, political philosophy, culture, religion, or other influences. Instruction concerning such topics shall be relevant to the adopted course of study and curricular goals and should be designed to develop students' critical thinking skills, ability to discriminate between fact and opinion, respect for others, and understanding and tolerance of diverse points of view.

The Board expects administrators and teachers to exercise caution and professional judgement when deciding whether or not a particular issue is suitable for study. They shall consult with the Superintendent or designee as necessary to determine the appropriateness of the subject matter, guest speakers, and/or related instructional materials or resources.

When providing instruction related to a controversial issue, the following guidelines shall apply:

1. The topic shall be suitable to the age and maturity of the students.
2. Instruction shall be presented in a balanced manner, addressing all sides of the issue without bias or prejudice and without promoting any particular point of view.
3. In the classroom, teachers act on behalf of the district and are expected to follow the adopted curriculum. In leading or guiding class discussions about issues that may be controversial, a teacher may not advocate his/her personal opinion or viewpoint. When necessary, the Superintendent or designee may instruct teachers to refrain from sharing personal views in the classroom on controversial topics.
4. Students shall be assured of their right to form and express an opinion without jeopardizing their grades or being subject to discrimination, retaliation, or discipline, provided the viewpoint does not constitute harassment, threats, intimidation, or bullying or is otherwise unlawful.
5. Students shall be informed of conduct expected during such instruction and the importance of being courteous and respectful of the opinions of others.
6. Adequate factual information shall be provided to help students objectively analyze and evaluate the issue and draw their own conclusions.
7. The instruction shall not reflect adversely upon persons because of their race, ethnicity, national origin, sex, sexual orientation, gender identity or expression, disability, religion, or any other basis prohibited by law.
8. The subject matter of the instruction shall not otherwise be prohibited by state or federal law.

When a guest speaker is invited to make a presentation related to a controversial issue, the Superintendent or designee shall notify him/her of this policy and the expectations and goals regarding the instruction. If the guest speaker is presenting only one point of view on an issue, the teacher shall be responsible for ensuring that students also receive information on opposing viewpoints.

When required by law, such as in regards to comprehensive sexual health and HIV prevention education, parents/guardians shall be notified prior to instruction that they may request in writing that their child be excused from the instruction. Students whose parents/guardians decline such instruction may be offered an alternative activity of similar educational value.

A student or parent/guardian with concerns regarding instruction about controversial issues may communicate directly with the teacher or principal and/or use appropriate district complaint procedures.

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

**State References**

**Description**

Ed. Code 220	Prohibition of discrimination
Ed. Code 48950	Speech and other communication
Ed. Code 51240	Excuse from instruction due to religious beliefs
Ed. Code 51500	Prohibited instruction or activity
Ed. Code 51510	Prohibited study or supplemental materials
Ed. Code 51511	Religious matters properly included in courses of study
Ed. Code 51513	Personal beliefs
Ed. Code 51530	Advocacy or teaching of communism
Ed. Code 51930-51939	California Healthy Youth Act
Ed. Code 60040	Selection of instructional materials
Ed. Code 60044	Prohibited instructional materials
Ed. Code 60045	Criteria for instructional materials

### Management Resources References

Court Decision	Garcetti v. Ceballos, (2006) 547 U.S. 410
Court Decision	Mayer v. Monroe County Community School Corporation, (2007) 474 F.3d 477 (7th Cir.)
Court Decision	Johnson v. Poway Unified School District, (2011) 658 F.3d 954

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6161.1-E PDF(1)	Selection And Evaluation Of Instructional Materials - <a href="https://simbli.eboardsolutions.com/SU/b9DR42M1EdCAnrzwKB7O8g==">https://simbli.eboardsolutions.com/SU/b9DR42M1EdCAnrzwKB7O8g==</a>
6161.11	Supplementary Instructional Materials - <a href="https://simbli.eboardsolutions.com/SU/kWJW4zRME1hY1pHypTRx0g==">https://simbli.eboardsolutions.com/SU/kWJW4zRME1hY1pHypTRx0g==</a>
6163.1	Library Media Centers - <a href="https://simbli.eboardsolutions.com/SU/lwXB8c8GOCzKnQd9nEugsg==">https://simbli.eboardsolutions.com/SU/lwXB8c8GOCzKnQd9nEugsg==</a>

**Policy 6162.6: Use Of Copyrighted Materials**

**Status:** ADOPTED

**Original Adopted Date:** 06/02/2009 | **Last Revised Date:** 09/18/2018 | **Last Reviewed Date:** 09/18/2018

The Governing Board recognizes that district staff and students may use a variety of copyrighted materials in the educational program and other district operations. When such materials have not been purchased by the district for the intended use, the Board expects staff and students to respect the protections afforded by federal law to the copyright owners of those materials and respect any limitations by the copyright holder to the license of such materials.

Any literary, musical, dramatic, choreographic, pictorial, graphic, sculptural, audiovisual or motion picture, sound, architectural, or other original work shall be assumed to be a copyrighted work, regardless of whether the work appears in print, audio, video, electronic, or other fixed and tangible form.

Before reproducing a copyrighted material for instructional or other district purposes, a staff member shall determine if the material is in the public domain or if the intended use of the material meets the criteria for fair use or another exception pursuant to 17 USC 107-122. If the material is not in the public domain or no recognized exception applies, the staff member shall seek permission of the copyright holder before using the material.

The Superintendent or designee shall inform staff that inclusion of an attribution citing the author and source of a copyrighted material does not absolve the staff member from the responsibility to either obtain permission or satisfy criteria for fair use or another exception.

If a staff member is uncertain as to whether the intended use of the material meets the criteria for fair use or another exception, he/she shall take the safest course and seek permission from the copyright holder to use the material or, if it is impracticable to obtain permission, shall contact the Superintendent or designee for clarification and assistance.

Students shall not copy or distribute copyrighted works to others. Staff members shall take reasonable precautions to prevent copying or the use of unauthorized copies on school equipment.

The Superintendent or designee shall ensure that staff and students receive information and training about copyright laws and the penalties for violating such laws.

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

**State References**

Ed. Code 35182

**Description**

Marketing or licensing noneducational mainframe electronic data-processing software

**Federal References**

17 USC 101-122

**Description**

Subject matter and scope of copyright

17 USC 102

Definitions

17 USC 106

Copyright protection

17 USC 107

Fair use of copyrighted works

17 USC 110

Limitations on exclusive rights: Exemption of certain performances and displays

17 USC 504

Penalties for copyright infringement

**Management Resources References**

**Description**

Court Decision

Cambridge University Press et al. v. Becker et al. (N.D. Ga. 2012) 863 F.Supp.2d 1190

Court Decision

Campbell v. Acuff-Rose Music, Inc., (1994) 510 U.S. 569

Court Decision

Marcus v. Rowley, (9th Cir., 1982) 695 F.2d 1171

National School Boards Association Publication	Copyright Law: Do Schools Need a License to Show a Movie?, School Law Review, July 2010
U.S. Copyright Office Publication	Circular 21: Reproduction of Copyrighted Works by Educators and Librarians, rev. 2009
U.S. Copyright Office Publication	Circular 22: How to Investigate the Copyright Status of a Work, rev. 2013
U.S. Copyright Office Publication	Circular 23: The Copyright Card Catalog and the Online Files of the Copyright Office, rev. 2012
Website	University of California, Copyright Education - <a href="https://simbli.eboardsolutions.com/SU/luK7qJQ6pjl4KkslshEslshV0vw==">https://simbli.eboardsolutions.com/SU/luK7qJQ6pjl4KkslshEslshV0vw==</a>
Website	U.S. Copyright Office - <a href="https://simbli.eboardsolutions.com/SU/V2vUUv9W7IGIA6JUMaKWNw==">https://simbli.eboardsolutions.com/SU/V2vUUv9W7IGIA6JUMaKWNw==</a>
Website	Copyright Society of the USA - <a href="https://simbli.eboardsolutions.com/SU/5L9YIIXDs7i5sbaduubCVQ==">https://simbli.eboardsolutions.com/SU/5L9YIIXDs7i5sbaduubCVQ==</a>
Website	National School Boards Association - <a href="https://simbli.eboardsolutions.com/SU/PGLybcP29yufJSot5FEGJg==">https://simbli.eboardsolutions.com/SU/PGLybcP29yufJSot5FEGJg==</a>

## Cross References

## Description

0440	District Technology Plan - <a href="https://simbli.eboardsolutions.com/SU/ufpqEymurplusbMcY8BDBnRZQ==">https://simbli.eboardsolutions.com/SU/ufpqEymurplusbMcY8BDBnRZQ==</a>
0440	District Technology Plan - <a href="https://simbli.eboardsolutions.com/SU/hioD0waOOJiByYNFpisbsQ==">https://simbli.eboardsolutions.com/SU/hioD0waOOJiByYNFpisbsQ==</a>
1113	District And School Web Sites - <a href="https://simbli.eboardsolutions.com/SU/BzLslshM03JGp7plus8dzh1Fzc4Q==">https://simbli.eboardsolutions.com/SU/BzLslshM03JGp7plus8dzh1Fzc4Q==</a>
1113	District And School Web Sites - <a href="https://simbli.eboardsolutions.com/SU/LkplusM8wFuCJc9T99n32Hnw==">https://simbli.eboardsolutions.com/SU/LkplusM8wFuCJc9T99n32Hnw==</a>
1113-E PDF(1)	District And School Web Sites - <a href="https://simbli.eboardsolutions.com/SU/fCje9zCXa1OFcXTUBQYRhw==">https://simbli.eboardsolutions.com/SU/fCje9zCXa1OFcXTUBQYRhw==</a>
1114	District-Sponsored Social Media - <a href="https://simbli.eboardsolutions.com/SU/JfCojzMhplusqvfyCOp9Cgiw==">https://simbli.eboardsolutions.com/SU/JfCojzMhplusqvfyCOp9Cgiw==</a>
1114	District-Sponsored Social Media - <a href="https://simbli.eboardsolutions.com/SU/LnhNVipgsss47FWyv0docA==">https://simbli.eboardsolutions.com/SU/LnhNVipgsss47FWyv0docA==</a>
3300	Expenditures And Purchases - <a href="https://simbli.eboardsolutions.com/SU/yYy1CH64rE6t4GfplusXglZzA==">https://simbli.eboardsolutions.com/SU/yYy1CH64rE6t4GfplusXglZzA==</a>
3312	Contracts - <a href="https://simbli.eboardsolutions.com/SU/RtEPentWF4fC8KdSsZuiQQ==">https://simbli.eboardsolutions.com/SU/RtEPentWF4fC8KdSsZuiQQ==</a>
3530	Risk Management/Insurance - <a href="https://simbli.eboardsolutions.com/SU/AwD0gWC1fp3vplus35CcotDig==">https://simbli.eboardsolutions.com/SU/AwD0gWC1fp3vplus35CcotDig==</a>
3530	Risk Management/Insurance - <a href="https://simbli.eboardsolutions.com/SU/usslshWhTtZbMepJAoA7BVd6g==">https://simbli.eboardsolutions.com/SU/usslshWhTtZbMepJAoA7BVd6g==</a>
4040	Employee Use Of Technology - <a href="https://simbli.eboardsolutions.com/SU/pCyVFWhxjPMeQ9hSFguPfw==">https://simbli.eboardsolutions.com/SU/pCyVFWhxjPMeQ9hSFguPfw==</a>
4040-E PDF(1)	Employee Use Of Technology - <a href="https://simbli.eboardsolutions.com/SU/SHiUEWDyslshNbm0aZ0gplusTpfw==">https://simbli.eboardsolutions.com/SU/SHiUEWDyslshNbm0aZ0gplusTpfw==</a>
4119.21	Professional Standards - <a href="https://simbli.eboardsolutions.com/SU/UTGFaZorslshLeTKDloySlofQ==">https://simbli.eboardsolutions.com/SU/UTGFaZorslshLeTKDloySlofQ==</a>
4119.21-E PDF(1)	Professional Standards - <a href="https://simbli.eboardsolutions.com/SU/mGplusvfwZSZeWEomplumBplusTJTg==">https://simbli.eboardsolutions.com/SU/mGplusvfwZSZeWEomplumBplusTJTg==</a>
4131	Staff Development - <a href="https://simbli.eboardsolutions.com/SU/qM93MntQ08IXE19SqYgzA==">https://simbli.eboardsolutions.com/SU/qM93MntQ08IXE19SqYgzA==</a>
4131	Staff Development - <a href="https://simbli.eboardsolutions.com/SU/xnIUHul4wamrtLwplus2OFxcA==">https://simbli.eboardsolutions.com/SU/xnIUHul4wamrtLwplus2OFxcA==</a>



4219.21	Professional Standards - <a href="https://simbli.eboardsolutions.com/SU/cRQObj7EJcTiplushojXxDrvw==">https://simbli.eboardsolutions.com/SU/cRQObj7EJcTiplushojXxDrvw==</a>
4219.21-E PDF(1)	Professional Standards - Code Of Ethics Classified Employees - <a href="https://simbli.eboardsolutions.com/SU/Yn4FDSgBUNSbsWE3lvpkIQ==">https://simbli.eboardsolutions.com/SU/Yn4FDSgBUNSbsWE3lvpkIQ==</a>
4319.21	Professional Standards - <a href="https://simbli.eboardsolutions.com/SU/aVzvR2gnF6PxyE8OYijAPA==">https://simbli.eboardsolutions.com/SU/aVzvR2gnF6PxyE8OYijAPA==</a>
4319.21-E PDF(1)	Professional Standards - <a href="https://simbli.eboardsolutions.com/SU/sVVtgfkApxmtRMQLsMRyQ==">https://simbli.eboardsolutions.com/SU/sVVtgfkApxmtRMQLsMRyQ==</a>
4331	Staff Development - <a href="https://simbli.eboardsolutions.com/SU/mi31ZJfJZ6P6XlztQhGr3Q==">https://simbli.eboardsolutions.com/SU/mi31ZJfJZ6P6XlztQhGr3Q==</a>
4331	Staff Development - <a href="https://simbli.eboardsolutions.com/SU/hqxZRIEbEWMHD9ZdRfApig==">https://simbli.eboardsolutions.com/SU/hqxZRIEbEWMHD9ZdRfApig==</a>
5131.9	Academic Honesty - <a href="https://simbli.eboardsolutions.com/SU/2ll6bVdYlnJJdk4cv0x3A==">https://simbli.eboardsolutions.com/SU/2ll6bVdYlnJJdk4cv0x3A==</a>
6141	Curriculum Development And Evaluation - <a href="https://simbli.eboardsolutions.com/SU/61Y9cvRslshKoW6mmj04arBBA==">https://simbli.eboardsolutions.com/SU/61Y9cvRslshKoW6mmj04arBBA==</a>
6141	Curriculum Development And Evaluation - <a href="https://simbli.eboardsolutions.com/SU/b3H6sslshVg4w5Fn8pgCBjCIA==">https://simbli.eboardsolutions.com/SU/b3H6sslshVg4w5Fn8pgCBjCIA==</a>
6142.6	Visual And Performing Arts Education - <a href="https://simbli.eboardsolutions.com/SU/N738O7slshud1ol7mrvlplusSOfw==">https://simbli.eboardsolutions.com/SU/N738O7slshud1ol7mrvlplusSOfw==</a>
6142.94	History-Social Science Instruction - <a href="https://simbli.eboardsolutions.com/SU/kOgxel28LBIK6rQB9O3AdA==">https://simbli.eboardsolutions.com/SU/kOgxel28LBIK6rQB9O3AdA==</a>
6161.1	Selection And Evaluation Of Instructional Materials - <a href="https://simbli.eboardsolutions.com/SU/GmQp0w7DhRvK1m3vP0cXFw==">https://simbli.eboardsolutions.com/SU/GmQp0w7DhRvK1m3vP0cXFw==</a>
6161.1	Selection And Evaluation Of Instructional Materials - <a href="https://simbli.eboardsolutions.com/SU/36O7I0MprlTMVXSH2aUCslshA==">https://simbli.eboardsolutions.com/SU/36O7I0MprlTMVXSH2aUCslshA==</a>
6161.1-E PDF(1)	Selection And Evaluation Of Instructional Materials - <a href="https://simbli.eboardsolutions.com/SU/b9DR42M1EdCAnrzwKB7O8g==">https://simbli.eboardsolutions.com/SU/b9DR42M1EdCAnrzwKB7O8g==</a>
6161.11	Supplementary Instructional Materials - <a href="https://simbli.eboardsolutions.com/SU/kWJW4zRME1hY1pHypTRx0g==">https://simbli.eboardsolutions.com/SU/kWJW4zRME1hY1pHypTRx0g==</a>
6163.1	Library Media Centers - <a href="https://simbli.eboardsolutions.com/SU/lwXB8c8GOCzKnQd9nEugsg==">https://simbli.eboardsolutions.com/SU/lwXB8c8GOCzKnQd9nEugsg==</a>
6163.4	Student Use Of Technology - <a href="https://simbli.eboardsolutions.com/SU/xwmncaskhLLu0j71v8uU3g==">https://simbli.eboardsolutions.com/SU/xwmncaskhLLu0j71v8uU3g==</a>
6163.4-E PDF(1)	Student Use Of Technology - <a href="https://simbli.eboardsolutions.com/SU/6rv0ZAJZh6iRtwPPy2v3Bw==">https://simbli.eboardsolutions.com/SU/6rv0ZAJZh6iRtwPPy2v3Bw==</a>

**Policy 6145.5: Student Organizations And Equal Access**

**Status:** ADOPTED

**Original Adopted Date:** 06/02/2009 | **Last Revised Date:** 02/18/2014 | **Last Reviewed Date:** 02/18/2014

The Governing Board believes that student groups or clubs reinforce the instructional program, give students experience in civics and government, and provide social and recreational activities. Student groups also serve to honor outstanding student achievement and enhance school spirit and students' sense of belonging. Prior to meeting on school grounds, all student groups shall be authorized by the principal or designee in accordance with Board policy and administrative regulation.

The Board encourages students to pursue interests and clubs which may not directly relate to the district's curriculum and, to that end, has created a limited open forum.

All student-initiated groups shall be given equal access to meet on school premises during noninstructional time without regard to their religious, political, philosophical, or other speech content. The Board shall ensure that: (20 USC 4071, 4072)

1. The meeting shall be voluntary and student-initiated.
2. There shall be no sponsorship of the meeting by the school or staff. The term sponsorship means that school staff are promoting, leading, or participating in a meeting. The assignment of a teacher, administrator, or other school employee to a meeting for custodial purposes shall not constitute sponsorship of the meeting.
3. Employees of the school shall be present at religious meetings only in a nonparticipatory capacity.
4. The meeting shall not materially and substantially interfere with the orderly conduct of educational activities within the school.
5. Nonschool persons shall not direct, conduct, control, or regularly attend activities of student groups.

All student clubs or groups shall have equal access to the school media to announce meetings, including the public address system, the school newspaper, bulletin boards, and school web site. However, the principal or designee may issue a disclaimer that such activities are not school-sponsored.

All noncurriculum-related student groups shall be given equal access to meeting space, school equipment, and supplies.

No school shall deny equal access or a fair opportunity to meet, or otherwise discriminate against, any group officially affiliated with the Boy Scouts of America, or with any other youth group listed as a patriotic society in Title 36 of the United States Code, for reasons based on the membership or leadership criteria or oath of allegiance to God and country. (20 USC 7905)

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

**State References**

**Description**

5 CCR 2	Definitions
5 CCR 5531	Supervision of extracurricular activities of pupils
Ed. Code 200-262.4	Prohibition of discrimination on the basis of sex
Ed. Code 37220-37223	Holidays
Ed. Code 38130-38138	Civic Center Act
Ed. Code 48645.5	Former juvenile court school students, enrollment
Ed. Code 48900	Grounds for suspension or expulsion
Ed. Code 48907	Exercise of free expression; time, place and manner rules and regulations
Ed. Code 48930-48938	Student organizations
Ed. Code 48950	Speech and other communication

Ed. Code 49020-49023  
 Ed. Code 52  
 Ed. Code 53  
 Pen. Code 627-627.10

Athletic programs; legislative intent, equal opportunity  
 Designation of secondary schools  
 Designation of high schools  
 Access to school premises

### Federal References

20 USC 4071-4074  
 20 USC 7904  
 20 USC 7905  
 36 USC 20101-240112

### Description

Equal Access Act  
 School prayer  
 Boy Scouts equal access  
 Patriotic organizations

### Management Resources References

Court Decision  
 Court Decision  
 Court Decision  
 Court Decision  
 Court Decision  
 Court Decision  
 Court Decision

### Description

Board of Education of Westside Community School District v. Mergens By and Through Mergens (1989, 8th Cir.) 867 F.2d 1076  
 Cenicerros v. Board of Trustees of the San Diego Unified School District, (1997) 106 F.3d 878  
 Culbertson et al. v. Oakridge School District, (2002) 258 F.3d 1061  
 Good News Club et al. v. Milford Central School, (2001) 121 S.Ct. 2093  
 Hartzell v. Connell, (1984) 35 Cal. 3d 899  
 Perumal et al v. Saddleback Valley Unified School District, (1988) 198 Cal. App. 3d 64  
 Prince v. Jacoby, (2001) 303 F.3d 1074  
 Student Coalition for Peace v. Lower Merion School District Board of Directors, (1985) 776 F.2d. 431

Website  
 Website  
 Website  
 Website

California Attorney General's Office -  
<https://simbli.eboardsolutions.com/SU/5qNslsh5DoKuytasYcv9khGiA==>  
 California Interscholastic Federation -  
<https://simbli.eboardsolutions.com/SU/QthhhDMKplusJ3akAI8GRP72g==>  
 Council on Standards for International Educational Travel -  
<https://simbli.eboardsolutions.com/SU/rzO1S7myM9rVEnNluoBhXQ==>  
 U.S. Department of Education -  
<https://simbli.eboardsolutions.com/SU/XcSsJimoslsh3XhJKy4tplus7wplusA==>

### Cross References

1114  
 1114  
 1321  
 1321  
 1325  
 1330  
 1330

### Description

District-Sponsored Social Media -  
<https://simbli.eboardsolutions.com/SU/JfCojzMhplusqvfyCOp9Cgiw==>  
 District-Sponsored Social Media -  
<https://simbli.eboardsolutions.com/SU/LnhNVipgsss47FWyv0docA==>  
 Solicitation Of Funds From And By Students -  
<https://simbli.eboardsolutions.com/SU/pLtslsh1AppLeuHFfyTiGZxVA==>  
 Solicitation Of Funds From And By Students -  
<https://simbli.eboardsolutions.com/SU/4P4axwHdaDEhpr8Z3eZR1w==>  
 Advertising And Promotion -  
<https://simbli.eboardsolutions.com/SU/1slshXspRaQThslshjxtigzLaZYg==>  
 Use Of School Facilities -  
<https://simbli.eboardsolutions.com/SU/bweubRumzjCMEFsRwfPRVQ==>  
 Use Of School Facilities -  
<https://simbli.eboardsolutions.com/SU/OsPXtQrBZmNcjhUi2mwN3Q==>

1330-E PDF(1)	Use Of School Facilities - <a href="https://simbli.eboardsolutions.com/SU/mJDGwwleQuuHMmnzSltrQ==">https://simbli.eboardsolutions.com/SU/mJDGwwleQuuHMmnzSltrQ==</a>
3452	Student Activity Funds - <a href="https://simbli.eboardsolutions.com/SU/9SBtlfFygkkHplusjAgcmQciw==">https://simbli.eboardsolutions.com/SU/9SBtlfFygkkHplusjAgcmQciw==</a>
3515.2	Disruptions - <a href="https://simbli.eboardsolutions.com/SU/3zz1tI0X4ZIN7VAPLICn2w==">https://simbli.eboardsolutions.com/SU/3zz1tI0X4ZIN7VAPLICn2w==</a>
3515.2	Disruptions - <a href="https://simbli.eboardsolutions.com/SU/AuZ7CmtLr9yBgGvfKslshy3fw==">https://simbli.eboardsolutions.com/SU/AuZ7CmtLr9yBgGvfKslshy3fw==</a>
5131	Conduct - <a href="https://simbli.eboardsolutions.com/SU/gCHmgEvELPHGSbXveh7njA==">https://simbli.eboardsolutions.com/SU/gCHmgEvELPHGSbXveh7njA==</a>
5144.1	Suspension And Expulsion/Due Process - <a href="https://simbli.eboardsolutions.com/SU/2KWISVzOJQsLVudCPe2bpg==">https://simbli.eboardsolutions.com/SU/2KWISVzOJQsLVudCPe2bpg==</a>
5144.1	Suspension And Expulsion/Due Process - <a href="https://simbli.eboardsolutions.com/SU/1wRsP0evdfTslshv6FLdTXneA==">https://simbli.eboardsolutions.com/SU/1wRsP0evdfTslshv6FLdTXneA==</a>
5145.2	Freedom Of Speech/Expression - <a href="https://simbli.eboardsolutions.com/SU/TblzARxCrHVqa29KnvrWDQ==">https://simbli.eboardsolutions.com/SU/TblzARxCrHVqa29KnvrWDQ==</a>
5145.2	Freedom Of Speech/Expression - <a href="https://simbli.eboardsolutions.com/SU/iJGaplusl7X1xBZXgx7slIDCQ==">https://simbli.eboardsolutions.com/SU/iJGaplusl7X1xBZXgx7slIDCQ==</a>
6141.2	Recognition Of Religious Beliefs And Customs - <a href="https://simbli.eboardsolutions.com/SU/6Ka3KmShWQdQ6rYIPplusSZkw==">https://simbli.eboardsolutions.com/SU/6Ka3KmShWQdQ6rYIPplusSZkw==</a>
6141.2	Recognition Of Religious Beliefs And Customs - <a href="https://simbli.eboardsolutions.com/SU/l9RLuOQd28HuyTtKPpqv3w==">https://simbli.eboardsolutions.com/SU/l9RLuOQd28HuyTtKPpqv3w==</a>
6142.3	Civic Education - <a href="https://simbli.eboardsolutions.com/SU/KSOU8NZcpluskLMKFJ1FgJfWA==">https://simbli.eboardsolutions.com/SU/KSOU8NZcpluskLMKFJ1FgJfWA==</a>
6142.4	Service Learning/Community Service Classes - <a href="https://simbli.eboardsolutions.com/SU/g2vQkw4IAFwZ8KKrUXZjXQ==">https://simbli.eboardsolutions.com/SU/g2vQkw4IAFwZ8KKrUXZjXQ==</a>
6142.7	Physical Education And Activity - <a href="https://simbli.eboardsolutions.com/SU/wLhC38lfitHbiftplusu8Slqg==">https://simbli.eboardsolutions.com/SU/wLhC38lfitHbiftplusu8Slqg==</a>
6142.7	Physical Education And Activity - <a href="https://simbli.eboardsolutions.com/SU/st47PplusnstvXplus2ge0izZVwA==">https://simbli.eboardsolutions.com/SU/st47PplusnstvXplus2ge0izZVwA==</a>
6144	Controversial Issues - <a href="https://simbli.eboardsolutions.com/SU/uJslsh5tSQtG3KAslshiBtacuigA==">https://simbli.eboardsolutions.com/SU/uJslsh5tSQtG3KAslshiBtacuigA==</a>
6145	Extracurricular And Cocurricular Activities - <a href="https://simbli.eboardsolutions.com/SU/kcnplusEMDbUq3oAi14H67CXg==">https://simbli.eboardsolutions.com/SU/kcnplusEMDbUq3oAi14H67CXg==</a>
6145	Extracurricular And Cocurricular Activities - <a href="https://simbli.eboardsolutions.com/SU/HodC5SBhYgTQ4CslshjPbo8xQ==">https://simbli.eboardsolutions.com/SU/HodC5SBhYgTQ4CslshjPbo8xQ==</a>
6164.6	Identification And Education Under Section 504 - <a href="https://simbli.eboardsolutions.com/SU/gbFxC7ISvpjPqUUGCplusA3gg==">https://simbli.eboardsolutions.com/SU/gbFxC7ISvpjPqUUGCplusA3gg==</a>
6164.6	Identification And Education Under Section 504 - <a href="https://simbli.eboardsolutions.com/SU/iulaSTmMoGzrsDKTvJ9UWg==">https://simbli.eboardsolutions.com/SU/iulaSTmMoGzrsDKTvJ9UWg==</a>
6178	Career Technical Education - <a href="https://simbli.eboardsolutions.com/SU/X7b5JEzRKslshww2JugXgaPw==">https://simbli.eboardsolutions.com/SU/X7b5JEzRKslshww2JugXgaPw==</a>
6178	Career Technical Education - <a href="https://simbli.eboardsolutions.com/SU/IKS6G1GbwN6vkN4aZ4filw==">https://simbli.eboardsolutions.com/SU/IKS6G1GbwN6vkN4aZ4filw==</a>

**Policy 6161.11: Supplementary Instructional Materials**

**Status:** ADOPTED

**Original Adopted Date:** 06/02/2009 | **Last Revised Date:** 08/08/2018 | **Last Reviewed Date:** 08/08/2018

The Governing Board encourages the use of supplementary instructional materials to enrich the curriculum and enhance student learning. Such materials shall be aligned with district goals, curriculum objectives, and academic standards and shall supplement and not supplant the use of Board-adopted basic instructional materials that serve as the primary learning resources.

Supplementary instructional materials include, but are not limited to, instructional materials that are designed to serve one or more of the following purposes: (Education Code 60010)

1. To provide more complete coverage of one or more subjects included in a given course
2. To meet the various learning ability levels of students in a given age group or grade level
3. To meet the diverse educational needs of students with a language disability in a given age group or grade level
4. To meet the diverse educational needs of students reflective of a condition of cultural pluralism
5. To use current, relevant technology that further engages interactive learning in the classroom and beyond

Supplementary instructional materials may be selected by the Superintendent or designee, school administrators, or teachers, as applicable, and obtained through donations to the district and/or available funding sources designated for these purposes.

As appropriate, supplementary instructional materials shall meet the criteria developed for the selection and evaluation of basic instructional materials as described in AR 6161.1 - Selection and Evaluation of Instructional Materials. Supplementary instructional materials shall be directly related to the course of study in which they are being used and shall be appropriate for the age and maturity level of the students.

The use or reproduction of supplementary instructional materials shall be in accordance with federal copyright law.

**Supplementary Materials Aligned with Common Core Standards**

To prepare district students to achieve the Common Core Standards in English language arts and mathematics and the English language development standards, as applicable, the Board may select supplementary instructional materials from the lists of materials determined by the State Board of Education (SBE) to be aligned with those standards. (Education Code 60605.86-60605.88)

The Board may approve supplementary instructional materials that are not on the lists approved by the SBE but which are aligned with the Common Core Standards provided that the materials comply with the evaluation criteria established by the SBE and Education Code 60050, 60060-60062, and 60226. The Board shall select content review experts who possess the qualifications specified in law to review and recommend such supplementary materials. The majority of the content review experts shall be teachers who are credentialed and/or authorized in the subject area they are reviewing and the remainder shall include appropriate persons from postsecondary educational institutions, school and district curriculum administrators, and other persons who are knowledgeable in the subject area. (Education Code 60605.86-60605.88)

**Appropriateness of Materials**

Whenever a district employee proposes to use a supplementary resource which is not included in the approved learning resources of the district, he/she shall preview the material to determine whether, in his/her professional judgment, it is appropriate for the grade level taught and is consistent with district criteria for the selection of supplementary instructional materials.

The employee shall confer with the Superintendent or designee as necessary to determine the compliance of the material with district criteria. The primary considerations should be the educational value, appropriateness, and relevance of the materials as well as the ages and maturity of the students.

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

### State References

Ed. Code 18111	Exclusion of books by governing board
Ed. Code 233.5	Teaching of principles
Ed. Code 51510	Prohibited study or supplemental materials
Ed. Code 51511	Religious matters properly included in courses of study
Ed. Code 51933	Sex education materials
Ed. Code 60010	Instructional materials, definition
Ed. Code 60050	Social content review of instructional materials
Ed. Code 60060-60062	Requirements of publishers
Ed. Code 60200.7	Suspension of state instructional materials adoptions
Ed. Code 60226	Requirements for publishers and manufacturers
Ed. Code 60400	Adoption of high school instructional materials
Ed. Code 60605.8	Common Core standards
Ed. Code 60605.86-60605.88	Supplemental instructional materials aligned with Common Core State Standards
Ed. Code 60811.3	English language development standards

### Management Resources References

California Department of Education Publication	Standards for Evaluating Instructional Materials for Social Content, 2000
Court Decision	Fowler v. Board of Education of Lincoln County, (1978) 819 F.2d 657
Court Decision	McCarthy v. Fletcher, (1989) 207 Cal. App. 3d 130
Website	California Department of Education - <a href="https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==">https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==</a>
Website	CSBA - <a href="https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==">https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==</a>

### Cross References

0000	Vision - <a href="https://simbli.eboardsolutions.com/SU/eQxl6o2soPd39Bnny4WPoA==">https://simbli.eboardsolutions.com/SU/eQxl6o2soPd39Bnny4WPoA==</a>
0200	Goals For The School District - <a href="https://simbli.eboardsolutions.com/SU/S05O5v6npwslsh2SIXKYX8ZbA==">https://simbli.eboardsolutions.com/SU/S05O5v6npwslsh2SIXKYX8ZbA==</a>
1260	Educational Foundation - <a href="https://simbli.eboardsolutions.com/SU/BI7pnNYOIV6kplusPeihCFnCG==">https://simbli.eboardsolutions.com/SU/BI7pnNYOIV6kplusPeihCFnCG==</a>
1312.2	Complaints Concerning Instructional Materials - <a href="https://simbli.eboardsolutions.com/SU/fcYZUJMpV94bnD6gyGkJpw==">https://simbli.eboardsolutions.com/SU/fcYZUJMpV94bnD6gyGkJpw==</a>
1312.2	Complaints Concerning Instructional Materials - <a href="https://simbli.eboardsolutions.com/SU/a2ihWI4WdVbn5kGQ0I4NAQ==">https://simbli.eboardsolutions.com/SU/a2ihWI4WdVbn5kGQ0I4NAQ==</a>
1312.2-E PDF(1)	Complaints Concerning Instructional Materials - <a href="https://simbli.eboardsolutions.com/SU/OqEutdav2Rz0lCZLslshl4Bg==">https://simbli.eboardsolutions.com/SU/OqEutdav2Rz0lCZLslshl4Bg==</a>
1325	Advertising And Promotion - <a href="https://simbli.eboardsolutions.com/SU/1slshXspRaQTslshjxtigzLaZYg==">https://simbli.eboardsolutions.com/SU/1slshXspRaQTslshjxtigzLaZYg==</a>
3270	Sale And Disposal Of Books, Equipment And Supplies - <a href="https://simbli.eboardsolutions.com/SU/0XNogGb3Aq9xGo5Rc3KNhA==">https://simbli.eboardsolutions.com/SU/0XNogGb3Aq9xGo5Rc3KNhA==</a>
3270	Sale And Disposal Of Books, Equipment And Supplies - <a href="https://simbli.eboardsolutions.com/SU/3slshLplusKN5UgMFLtsue2JIJYA==">https://simbli.eboardsolutions.com/SU/3slshLplusKN5UgMFLtsue2JIJYA==</a>

3290	Gifts, Grants And Bequests - <a href="https://simbli.eboardsolutions.com/SU/O4kMPkL3yNpvlhPmF29plusLw==">https://simbli.eboardsolutions.com/SU/O4kMPkL3yNpvlhPmF29plusLw==</a>
3311	Bids - <a href="https://simbli.eboardsolutions.com/SU/4rOhSyLofrigJRhzpluslNOMg==">https://simbli.eboardsolutions.com/SU/4rOhSyLofrigJRhzpluslNOMg==</a>
3311	Bids - <a href="https://simbli.eboardsolutions.com/SU/9Yfp9XgBK9CvZxdp5LHYFg==">https://simbli.eboardsolutions.com/SU/9Yfp9XgBK9CvZxdp5LHYFg==</a>
6000	Concepts And Roles - <a href="https://simbli.eboardsolutions.com/SU/VcnDCn9pslshzoAvdQnkvWBslshw==">https://simbli.eboardsolutions.com/SU/VcnDCn9pslshzoAvdQnkvWBslshw==</a>
6011	Academic Standards - <a href="https://simbli.eboardsolutions.com/SU/JGwlj5Qt4sslshSu4aJhZ5XAQ==">https://simbli.eboardsolutions.com/SU/JGwlj5Qt4sslshSu4aJhZ5XAQ==</a>
6141	Curriculum Development And Evaluation - <a href="https://simbli.eboardsolutions.com/SU/61Y9cvRslshKoW6mmj04arBBA==">https://simbli.eboardsolutions.com/SU/61Y9cvRslshKoW6mmj04arBBA==</a>
6141	Curriculum Development And Evaluation - <a href="https://simbli.eboardsolutions.com/SU/b3H6sslshVg4w5Fn8pgCBjCIA==">https://simbli.eboardsolutions.com/SU/b3H6sslshVg4w5Fn8pgCBjCIA==</a>
6141.2	Recognition Of Religious Beliefs And Customs - <a href="https://simbli.eboardsolutions.com/SU/6Ka3KmShWQdQ6rYlPplusSZkw==">https://simbli.eboardsolutions.com/SU/6Ka3KmShWQdQ6rYlPplusSZkw==</a>
6141.2	Recognition Of Religious Beliefs And Customs - <a href="https://simbli.eboardsolutions.com/SU/l9RLuOQd28HuyTtKPpqv3w==">https://simbli.eboardsolutions.com/SU/l9RLuOQd28HuyTtKPpqv3w==</a>
6142.1	Sexual Health And HIV/AIDS Prevention Instruction - <a href="https://simbli.eboardsolutions.com/SU/LV0CKpKiXb7ajC5fo52P5g==">https://simbli.eboardsolutions.com/SU/LV0CKpKiXb7ajC5fo52P5g==</a>
6142.1	Sexual Health And HIV/AIDS Prevention Instruction - <a href="https://simbli.eboardsolutions.com/SU/HcpwY3M8LuLLXehUiEcpYg==">https://simbli.eboardsolutions.com/SU/HcpwY3M8LuLLXehUiEcpYg==</a>
6142.6	Visual And Performing Arts Education - <a href="https://simbli.eboardsolutions.com/SU/N738O7slshud1ol7mrvlplusSOfw==">https://simbli.eboardsolutions.com/SU/N738O7slshud1ol7mrvlplusSOfw==</a>
6142.91	Reading/Language Arts Instruction - <a href="https://simbli.eboardsolutions.com/SU/02VDBLywuyibp5MoyXyThA==">https://simbli.eboardsolutions.com/SU/02VDBLywuyibp5MoyXyThA==</a>
6142.92	Mathematics Instruction - <a href="https://simbli.eboardsolutions.com/SU/esLsyR41A2MV6HpWvUso8A==">https://simbli.eboardsolutions.com/SU/esLsyR41A2MV6HpWvUso8A==</a>
6142.93	Science Instruction - <a href="https://simbli.eboardsolutions.com/SU/QEYGjOljqbri0UeG8YxrbQ==">https://simbli.eboardsolutions.com/SU/QEYGjOljqbri0UeG8YxrbQ==</a>
6142.94	History-Social Science Instruction - <a href="https://simbli.eboardsolutions.com/SU/kOgxeL28LBIK6rQB9O3AdA==">https://simbli.eboardsolutions.com/SU/kOgxeL28LBIK6rQB9O3AdA==</a>
6144	Controversial Issues - <a href="https://simbli.eboardsolutions.com/SU/uJslsh5tSQtG3KAslshiBtacuigA==">https://simbli.eboardsolutions.com/SU/uJslsh5tSQtG3KAslshiBtacuigA==</a>
6161.1	Selection And Evaluation Of Instructional Materials - <a href="https://simbli.eboardsolutions.com/SU/GmQp0w7DhRvK1m3vP0cXFw==">https://simbli.eboardsolutions.com/SU/GmQp0w7DhRvK1m3vP0cXFw==</a>
6161.1	Selection And Evaluation Of Instructional Materials - <a href="https://simbli.eboardsolutions.com/SU/36O7l0MprlTMVXSH2aUCslshA==">https://simbli.eboardsolutions.com/SU/36O7l0MprlTMVXSH2aUCslshA==</a>
6161.1-E PDF(1)	Selection And Evaluation Of Instructional Materials - <a href="https://simbli.eboardsolutions.com/SU/b9DR42M1EdCANrzwKB7O8g==">https://simbli.eboardsolutions.com/SU/b9DR42M1EdCANrzwKB7O8g==</a>
6162.6	Use Of Copyrighted Materials - <a href="https://simbli.eboardsolutions.com/SU/3taLrSkI4GgyZmdSblW6lw==">https://simbli.eboardsolutions.com/SU/3taLrSkI4GgyZmdSblW6lw==</a>
6162.6	Use Of Copyrighted Materials - <a href="https://simbli.eboardsolutions.com/SU/Ulrd8rtCbBXH4slshn2kgoeAw==">https://simbli.eboardsolutions.com/SU/Ulrd8rtCbBXH4slshn2kgoeAw==</a>
6163.1	Library Media Centers - <a href="https://simbli.eboardsolutions.com/SU/lwXB8c8GOCzKnQd9nEugsg==">https://simbli.eboardsolutions.com/SU/lwXB8c8GOCzKnQd9nEugsg==</a>
6174	Education For English Learners - <a href="https://simbli.eboardsolutions.com/SU/5nF7YfCa4Q3OEUslshHHRoJwA==">https://simbli.eboardsolutions.com/SU/5nF7YfCa4Q3OEUslshHHRoJwA==</a>
6174	Education For English Learners - <a href="https://simbli.eboardsolutions.com/SU/ZGSglyWezK29TTnSLBZifA==">https://simbli.eboardsolutions.com/SU/ZGSglyWezK29TTnSLBZifA==</a>

**Policy 6162.6: Use Of Copyrighted Materials**

**Status:** ADOPTED

**Original Adopted Date:** 06/02/2009 | **Last Revised Date:** 09/18/2018 | **Last Reviewed Date:** 09/18/2018

The Governing Board recognizes that district staff and students may use a variety of copyrighted materials in the educational program and other district operations. When such materials have not been purchased by the district for the intended use, the Board expects staff and students to respect the protections afforded by federal law to the copyright owners of those materials and respect any limitations by the copyright holder to the license of such materials.

Any literary, musical, dramatic, choreographic, pictorial, graphic, sculptural, audiovisual or motion picture, sound, architectural, or other original work shall be assumed to be a copyrighted work, regardless of whether the work appears in print, audio, video, electronic, or other fixed and tangible form.

Before reproducing a copyrighted material for instructional or other district purposes, a staff member shall determine if the material is in the public domain or if the intended use of the material meets the criteria for fair use or another exception pursuant to 17 USC 107-122. If the material is not in the public domain or no recognized exception applies, the staff member shall seek permission of the copyright holder before using the material.

The Superintendent or designee shall inform staff that inclusion of an attribution citing the author and source of a copyrighted material does not absolve the staff member from the responsibility to either obtain permission or satisfy criteria for fair use or another exception.

If a staff member is uncertain as to whether the intended use of the material meets the criteria for fair use or another exception, he/she shall take the safest course and seek permission from the copyright holder to use the material or, if it is impracticable to obtain permission, shall contact the Superintendent or designee for clarification and assistance.

Students shall not copy or distribute copyrighted works to others. Staff members shall take reasonable precautions to prevent copying or the use of unauthorized copies on school equipment.

The Superintendent or designee shall ensure that staff and students receive information and training about copyright laws and the penalties for violating such laws.

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

**State References**

Ed. Code 35182

**Description**

Marketing or licensing noneducational mainframe electronic data-processing software

**Federal References**

17 USC 101-122

**Description**

Subject matter and scope of copyright

17 USC 102

Definitions

17 USC 106

Copyright protection

17 USC 107

Fair use of copyrighted works

17 USC 110

Limitations on exclusive rights: Exemption of certain performances and displays

17 USC 504

Penalties for copyright infringement

**Management Resources References**

**Description**

Court Decision

Cambridge University Press et al. v. Becker et al. (N.D. Ga. 2012) 863 F.Supp.2d 1190

Court Decision

Campbell v. Acuff-Rose Music, Inc., (1994) 510 U.S. 569

Court Decision

Marcus v. Rowley, (9th Cir., 1982) 695 F.2d 1171



National School Boards Association Publication	Copyright Law: Do Schools Need a License to Show a Movie?, School Law Review, July 2010
U.S. Copyright Office Publication	Circular 21: Reproduction of Copyrighted Works by Educators and Librarians, rev. 2009
U.S. Copyright Office Publication	Circular 22: How to Investigate the Copyright Status of a Work, rev. 2013
U.S. Copyright Office Publication	Circular 23: The Copyright Card Catalog and the Online Files of the Copyright Office, rev. 2012
Website	University of California, Copyright Education - <a href="https://simbli.eboardsolutions.com/SU/luK7qJQ6pjl4KkslshEslshV0vw==">https://simbli.eboardsolutions.com/SU/luK7qJQ6pjl4KkslshEslshV0vw==</a>
Website	U.S. Copyright Office - <a href="https://simbli.eboardsolutions.com/SU/V2vUUv9W7IGIA6JUMaKWNw==">https://simbli.eboardsolutions.com/SU/V2vUUv9W7IGIA6JUMaKWNw==</a>
Website	Copyright Society of the USA - <a href="https://simbli.eboardsolutions.com/SU/5L9YIIXDs7i5sbaduubCVQ==">https://simbli.eboardsolutions.com/SU/5L9YIIXDs7i5sbaduubCVQ==</a>
Website	National School Boards Association - <a href="https://simbli.eboardsolutions.com/SU/PGLybcP29yufJSot5FEGJg==">https://simbli.eboardsolutions.com/SU/PGLybcP29yufJSot5FEGJg==</a>

## Cross References

## Description

0440	District Technology Plan - <a href="https://simbli.eboardsolutions.com/SU/ufpqEymurplusbMcY8BDBnRZQ==">https://simbli.eboardsolutions.com/SU/ufpqEymurplusbMcY8BDBnRZQ==</a>
0440	District Technology Plan - <a href="https://simbli.eboardsolutions.com/SU/hioD0waOOJiByYNFpisbsQ==">https://simbli.eboardsolutions.com/SU/hioD0waOOJiByYNFpisbsQ==</a>
1113	District And School Web Sites - <a href="https://simbli.eboardsolutions.com/SU/BzLslshM03JGp7plus8dzh1Fzc4Q==">https://simbli.eboardsolutions.com/SU/BzLslshM03JGp7plus8dzh1Fzc4Q==</a>
1113	District And School Web Sites - <a href="https://simbli.eboardsolutions.com/SU/LkplusM8wFuCJc9T99n32Hnw==">https://simbli.eboardsolutions.com/SU/LkplusM8wFuCJc9T99n32Hnw==</a>
1113-E PDF(1)	District And School Web Sites - <a href="https://simbli.eboardsolutions.com/SU/fCje9zCXa1OFcXTUBQYRhw==">https://simbli.eboardsolutions.com/SU/fCje9zCXa1OFcXTUBQYRhw==</a>
1114	District-Sponsored Social Media - <a href="https://simbli.eboardsolutions.com/SU/JfCojzMhplusqvfyCOp9Cgiw==">https://simbli.eboardsolutions.com/SU/JfCojzMhplusqvfyCOp9Cgiw==</a>
1114	District-Sponsored Social Media - <a href="https://simbli.eboardsolutions.com/SU/LnhNVipgsss47FWyv0docA==">https://simbli.eboardsolutions.com/SU/LnhNVipgsss47FWyv0docA==</a>
3300	Expenditures And Purchases - <a href="https://simbli.eboardsolutions.com/SU/yYy1CH64rE6t4GfplusXglZzA==">https://simbli.eboardsolutions.com/SU/yYy1CH64rE6t4GfplusXglZzA==</a>
3312	Contracts - <a href="https://simbli.eboardsolutions.com/SU/RtEPentWF4fC8KdSsZuiQQ==">https://simbli.eboardsolutions.com/SU/RtEPentWF4fC8KdSsZuiQQ==</a>
3530	Risk Management/Insurance - <a href="https://simbli.eboardsolutions.com/SU/AwD0gWC1fp3vplus35CcotDig==">https://simbli.eboardsolutions.com/SU/AwD0gWC1fp3vplus35CcotDig==</a>
3530	Risk Management/Insurance - <a href="https://simbli.eboardsolutions.com/SU/usslshWhTtZbMepJAoA7BVd6g==">https://simbli.eboardsolutions.com/SU/usslshWhTtZbMepJAoA7BVd6g==</a>
4040	Employee Use Of Technology - <a href="https://simbli.eboardsolutions.com/SU/pCyVFWhxjPMeQ9hSFguPfw==">https://simbli.eboardsolutions.com/SU/pCyVFWhxjPMeQ9hSFguPfw==</a>
4040-E PDF(1)	Employee Use Of Technology - <a href="https://simbli.eboardsolutions.com/SU/SHiUEWDyslshNbm0aZ0gplusTpfw==">https://simbli.eboardsolutions.com/SU/SHiUEWDyslshNbm0aZ0gplusTpfw==</a>
4119.21	Professional Standards - <a href="https://simbli.eboardsolutions.com/SU/UTGFaZorslshLeTKDloySlofQ==">https://simbli.eboardsolutions.com/SU/UTGFaZorslshLeTKDloySlofQ==</a>
4119.21-E PDF(1)	Professional Standards - <a href="https://simbli.eboardsolutions.com/SU/mGplusvfwZSZeWEomplumBplusTJTg==">https://simbli.eboardsolutions.com/SU/mGplusvfwZSZeWEomplumBplusTJTg==</a>
4131	Staff Development - <a href="https://simbli.eboardsolutions.com/SU/qM93MntQ08IXE19SqyYgzA==">https://simbli.eboardsolutions.com/SU/qM93MntQ08IXE19SqyYgzA==</a>
4131	Staff Development - <a href="https://simbli.eboardsolutions.com/SU/xnIUHul4wamrtLwplus2OFxcA==">https://simbli.eboardsolutions.com/SU/xnIUHul4wamrtLwplus2OFxcA==</a>

4219.21	Professional Standards - <a href="https://simbli.eboardsolutions.com/SU/cRQObj7EJcTiplushojXxDrvw==">https://simbli.eboardsolutions.com/SU/cRQObj7EJcTiplushojXxDrvw==</a>
4219.21-E PDF(1)	Professional Standards - Code Of Ethics Classified Employees - <a href="https://simbli.eboardsolutions.com/SU/Yn4FDSgBUNSbsWE3lvpkIQ==">https://simbli.eboardsolutions.com/SU/Yn4FDSgBUNSbsWE3lvpkIQ==</a>
4319.21	Professional Standards - <a href="https://simbli.eboardsolutions.com/SU/aVzvR2gnF6PxyE8OYijAPA==">https://simbli.eboardsolutions.com/SU/aVzvR2gnF6PxyE8OYijAPA==</a>
4319.21-E PDF(1)	Professional Standards - <a href="https://simbli.eboardsolutions.com/SU/sVVtgfkApxmtRMQLsMRyQ==">https://simbli.eboardsolutions.com/SU/sVVtgfkApxmtRMQLsMRyQ==</a>
4331	Staff Development - <a href="https://simbli.eboardsolutions.com/SU/mi31ZJfJZ6P6XlztQhGr3Q==">https://simbli.eboardsolutions.com/SU/mi31ZJfJZ6P6XlztQhGr3Q==</a>
4331	Staff Development - <a href="https://simbli.eboardsolutions.com/SU/hqxZREbEWMHD9ZdRfApig==">https://simbli.eboardsolutions.com/SU/hqxZREbEWMHD9ZdRfApig==</a>
5131.9	Academic Honesty - <a href="https://simbli.eboardsolutions.com/SU/2ll6bVdYlnJJdk4cv0x3A==">https://simbli.eboardsolutions.com/SU/2ll6bVdYlnJJdk4cv0x3A==</a>
6141	Curriculum Development And Evaluation - <a href="https://simbli.eboardsolutions.com/SU/61Y9cvRslshKoW6mmj04arBBA==">https://simbli.eboardsolutions.com/SU/61Y9cvRslshKoW6mmj04arBBA==</a>
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6142.6	Visual And Performing Arts Education - <a href="https://simbli.eboardsolutions.com/SU/N738O7slshud1ol7mrvlplusSOfw==">https://simbli.eboardsolutions.com/SU/N738O7slshud1ol7mrvlplusSOfw==</a>
6142.94	History-Social Science Instruction - <a href="https://simbli.eboardsolutions.com/SU/kOgxeL28LBIK6rQB9O3AdA==">https://simbli.eboardsolutions.com/SU/kOgxeL28LBIK6rQB9O3AdA==</a>
6161.1	Selection And Evaluation Of Instructional Materials - <a href="https://simbli.eboardsolutions.com/SU/GmQp0w7DhRvK1m3vP0cXFw==">https://simbli.eboardsolutions.com/SU/GmQp0w7DhRvK1m3vP0cXFw==</a>
6161.1	Selection And Evaluation Of Instructional Materials - <a href="https://simbli.eboardsolutions.com/SU/36O7I0MprlTMVXSH2aUCslshA==">https://simbli.eboardsolutions.com/SU/36O7I0MprlTMVXSH2aUCslshA==</a>
6161.1-E PDF(1)	Selection And Evaluation Of Instructional Materials - <a href="https://simbli.eboardsolutions.com/SU/b9DR42M1EdCAnrzwKB7O8g==">https://simbli.eboardsolutions.com/SU/b9DR42M1EdCAnrzwKB7O8g==</a>
6161.11	Supplementary Instructional Materials - <a href="https://simbli.eboardsolutions.com/SU/kWJW4zRME1hY1pHypTRx0g==">https://simbli.eboardsolutions.com/SU/kWJW4zRME1hY1pHypTRx0g==</a>
6163.1	Library Media Centers - <a href="https://simbli.eboardsolutions.com/SU/lwXB8c8GOCzKnQd9nEugsg==">https://simbli.eboardsolutions.com/SU/lwXB8c8GOCzKnQd9nEugsg==</a>
6163.4	Student Use Of Technology - <a href="https://simbli.eboardsolutions.com/SU/xwmncaskhLLu0j71v8uU3g==">https://simbli.eboardsolutions.com/SU/xwmncaskhLLu0j71v8uU3g==</a>
6163.4-E PDF(1)	Student Use Of Technology - <a href="https://simbli.eboardsolutions.com/SU/6rv0ZAJZh6iRtwPPy2v3Bw==">https://simbli.eboardsolutions.com/SU/6rv0ZAJZh6iRtwPPy2v3Bw==</a>

II

## HUMAN RESOURCES

## HOW TO PREPARE FOR A SUBSTITUTE

A planned daily program, left by the regular teacher when a substitute is needed, means the difference between a day wasted at school and another day of real progress.

Responsibilities of a regular classroom teacher:

- General lesson plans should be in the lesson plan book for an entire week.
- The teacher should leave a complete, detailed plan for all the subjects to be covered during the day.
- If a substitute should be needed for a long period of time, make arrangements through the principal in advance.
- A teacher should prepare pupils for the possibility that he/she may someday be absent, in order to ensure cooperation with the substitute teacher.
- To aid the substitute, the regular teacher should also have available such information as seating chart, reading groups, bell schedule, duty rosters, etc.
- Emergency lesson plans should be available for unforeseen circumstances and updated as needed.

## PROCEDURES FOR OBTAINING A SUBSTITUTE

All absences must be reported on our absence reporting substitute placement system Frontline.

Absences can be reported either by calling (800) 942-3767 or online at [www.frontlineeducation.com](http://www.frontlineeducation.com)

You will need the following information when reporting your absence:

1. Login password
2. PIN Number (for automated service)
3. Reason for absence. If attending a staff development or school business function an event code (miscellaneous code) is required.
4. Indicate **Yes** or **No** for substitute required.
5. Record or attach special instructions (example: yard duty, field trip, etc.)

The Frontline Absence Management System allows you to arrange for a substitute teacher up to 30 days in advance. Absences for staff development should be put on the Frontline System as early as possible. Teachers inform the Frontline Help Desk at (626) 732-8030 if they want to extend their absence and retain their substitute. You will need to inform your site/substitute of changes.

In order to give ample time to secure a substitute—and give the substitute teacher time enough to get to school, check in, get assignments, etc.—please let your needs be known **AT LEAST TWO HOURS** before class begins (before 6:00 a.m. if possible) except in case of an emergency.

**REMEMBER** – Substitute teachers work on a “first-call, first service” basis for several districts. Therefore, it is very important to call **EARLY**. Principals will be notified of substitutes assigned.

**JOB NUMBER** - If you did not receive a job number from the Frontline System, the absence report is incomplete and no substitute has been scheduled.

**CANCELLATIONS:** Substitutes must be given **24 hours** notice of any cancellations. You can report the cancellation directly to the Frontline System online <http://www.frontlineeducation.com>. The system will

automatically contact the substitute and notify them of the cancellation if needed. Also, you may cancel the absence by calling the Frontline Help Desk at (626) 732-8030.

### **RESPONSIBILITIES OF TEACHERS**

All activities involving district policy, particularly those with public relations implications, should be cleared with the principal. Such activities as parties, field trips, collection of money from students for any purpose, homework, unusual disciplinary measures, and the like, are examples. When in doubt, confer with your principal. If questions arise involving problems with more serious implications for which no written policy can be found, the principal of the school concerned should consult the Superintendent or the Administrator of Human Resources who may, in turn, refer the question to the Board of Education.

#### Credentials

It is the responsibility of each teacher to place on file in the Office of the County Superintendent of Schools a valid California Teaching Credential prior to the first day of employment. All applications for renewal of any credential should be processed online through the Commission on Teacher Credentialing and must be completed before the expiration of the current credential. All applications for the Preliminary credentials are to be processed through the college or university that you are attending. All applications for those that are applying for their clear credential through the Induction Program will be processed through your Induction Program.

The Commission on Teacher Credentialing discontinued the issuance of paper documents. Teacher credentialing documents will be available through an online view and print process approximately 48 hours after the document has been processed and granted. It can take up to 10 days for the document to be renewed. It is the teacher's responsibility to maintain an active credential and have it on file in Human Resources. Please refer to the following link to access the online view and print process: <http://www.ctc.ca.gov>. The Commission recommends you renew up to one year in advance.

#### Special Duties

Special duties and supervision are a part of the everyday responsibilities of teachers. All students must be supervised while they are in school or on school activities. This is important from an educational standpoint as well as a legal standpoint. Decisions in damage suits against school districts and teachers are generally favorable when proven that adequate supervision is provided. Scheduling for these special duties is the responsibility of the principal and all teachers are expected to cooperate and do their part.

#### Mandated Reporter

All AUSD employees are mandated reporters and are expected to report any suspected abuse of a student. No evidence or proof is required prior to making a report. The case will be further investigated by law enforcement and/or child protective services. To file a report call the Child Protective Hotline at (800) 540-4000 and file a verbal report. The agent that takes the report will provide you with information on next steps.

#### Release of Students to Adults

No student is to be released to any adult, regardless of the reason, without permission from the school office.

### Giving Information Concerning Students

No personal information concerning any student enrolled in school shall be given out to any person with the exception of the following:

- A parent or guardian of such pupil
- A person designated by such parent or guardian, in writing
- An officer or employee of a public, private, or parochial school where the pupil attends, has attended, or intends to enroll
- An officer or employee of a state or local law enforcement agency, including a probation officer, parole officer or administrator, or a member of a parole board, seeking information related to their duty

These restrictions are not intended to interfere with:

- Giving of information concerning participation in athletics and other school activities
- Giving information concerning the winning of scholastic or other honors and awards

### Staff Conduct with Students

BP 4119.21 (a)

The Board expects all employees to exercise good judgment and maintain professional standards and boundaries when interacting with students both on and off school property. Inappropriate employee conduct shall include, but not be limited to, engaging in harassing or discriminatory behavior; engaging in inappropriate socialization or fraternization with a student; soliciting, encouraging, or establishing an inappropriate written, verbal, or physical relationship with a student; furnishing tobacco, alcohol, or other illegal or unauthorized substances to a student; or engaging in child abuse.

Teachers should not transport students in their personal vehicles.

### Acceptable Use Agreement

E 4040

Employees are expected to use the District technology safely, responsibly, and primarily for work-related purposes. The employee in whose name District technology is issued is responsible for its proper use at all times. Employees shall not share their assigned online service account information, passwords, or other information used for identification. Since the use of District technology is intended for use in conducting District business, no employee should have any expectation of privacy in any use of District technology.

## **IMPORTANT EMPLOYEE INFORMATION**

### Family Leave

AR 4161.8

The District grants Family Medical Leave Act (FMLA) or California Family Rights Act (CFRA) for any of the following reasons to eligible employees:

- The birth of a child or the placement of a child (adoption or foster care) with the employee
- To care for the employee's eligible family member with a serious health condition
- The employee's own serious health condition that makes the employee unable to perform one or more essential job functions of the position

- Any qualifying exigency arising out of the fact that the employee's spouse, child, parent, or, for CFRA only, a registered domestic partner, is a military member on covered active duty or call to cover active duty
- To care for a covered servicemember with a serious injury or illness if the covered servicemember is the employee's spouse, child, parent, or next of kin

#### Employee Safety

AR 4158

An employee may use reasonable and necessary force when necessary for self-defense, to protect another person or property to quell a disturbance threatening physical injury to others or to obtain possession of a weapon or other dangerous objects on or within the control of a student. Employees shall promptly report to their principal or other immediate supervisor any attack, assault or physical threat made against them by a student.

#### Nondiscrimination in Employment

BP 4030

The Governing Board is determined to provide a safe, positive environment where all District employees are assured full and equal access and opportunities, protection from harassment and intimidation, and freedom from any fear of reprisal or retribution for asserting their employment rights in accordance with law.

#### Sexual Harassment

BP 4119.11/AR 4119.11

The Governing Board prohibits sexual harassment of District employees. The Board also prohibits retaliatory behavior or action against District employees or other persons who complain, testify, or otherwise participate in the complaint process established pursuant to this policy and regulation.

#### Uniform Complaint Procedure

BP 1312.3/AR 1312.3

A Uniform Complaint Procedure (UCP) complaint is a written and signed statement alleging a violation of federal or state laws or regulations, which may include an allegation of unlawful discrimination, harassment, intimidation, or bullying. 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 the 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.

### **ADDITIONAL INFORMATION**

#### AUSD-AEA Collective Bargaining Agreement

The District and Azusa Educators Association (AEA) have a collective bargaining agreement (also known as the "Contract") that address topics related to pay, hours, and working conditions. The contract is available online [AUSD-AEA Contract \(www.azusa.org](http://www.azusa.org) > Departments > Human Resources > Quick Files). Below is a list of topics covered by the contract.

- |                       |                              |
|-----------------------|------------------------------|
| ➤ Salary Schedules    | ➤ Leaves of Absence          |
| ➤ Employee Benefits   | ➤ Transfers and Reassignment |
| ➤ Hours of employment | ➤ Progressive Discipline     |
| ➤ Evaluations         | ➤ Class Size                 |

### Employee Assistance Service for Education (EASE)

This program is paid for by the District and provides employees with a confidential, free, qualified, and reasonable means of dealing with serious personal problems affecting the employee or the employee's immediate family. Brochures describing the program are available in the Human Resources office, or by telephone to the EASE office. The 24-hour phone number is (800) 882-1341.

### Pay Day

Certificated employees are paid on a calendar month basis. Salary warrants are issued by the County of Los Angeles on or before the FIFTH day of each calendar month, in payment for work performed during the previous calendar month. Ordinarily warrants will be released after 2:00 p.m. on the first working day of the month and will be delivered to your site. Automatic deposit may also be arranged.

### Payroll Deductions

Payroll deductions will be made when specifically requested in writing by the employee on the district-approved form or other form as required. Those deductions usually requested are Insurances and Credit Union. Insurance can only be canceled during open enrollment or if there is a qualifying event. If you want to cancel a Credit Union deduction, please contact your Credit Union so they can submit a form to the District.

### Employee Accident Assistance

All employees are protected in case of on-the-job injury by worker's compensation our Third Party Administrator, Sedgwick. In order to assure benefits from this coverage promptly, it is important that injuries while on duty be reported to the immediate supervisor. Complete the DWC-1 claim form within 24 hours after the accident. This form is available at each job site and on our district website under Business Services/Risk Management tab.

### Tax Sheltered Annuities

The Azusa Unified School District Board of Education does make available to all of its regular employees a variety of tax-sheltered annuities. These annuity plans allow an employee to postpone receiving certain portions of taxable income until a later date. The idea being that at a later date the employee could be in a lower income bracket and therefore pay less income tax.

As a result of legislation effective during the 1972-73 school year, all companies who meet the requirements of the insurance code are eligible to sell tax-sheltered annuities to school district employees. The school district does require that each new company selling tax shelters provide a company agreement which contains a hold harmless agreement.

Each company has been instructed to provide a disclosure any time an annuity is sold to an employee. This is a form telling you the minimum value of your investment at the end of one, two, and three years. Employees should insist on a copy of this form when purchasing an annuity.



**Regulation 1312.3: Uniform Complaint Procedures**

**Status:** ADOPTED

**Original Adopted Date:** 06/26/2007 | **Last Revised Date:** 09/18/2018 | **Last Reviewed Date:** 09/18/2018

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 Officer**

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.

Garry Creel  
Director, Child Welfare and Attendance  
546 South Citrus Avenue  
Azusa, California 91702  
(626) 858- 6168  
gcreel@azusa.org

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.
  - 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:
    - i. 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
    - ii. 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

- iii. 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.

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.

## **Mediation**

Within three business days after the compliance officer receives the complaint, he/she may informally discuss with all the parties the possibility of using mediation. Mediation shall be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving an allegation of sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. If the parties agree to mediation, the compliance officer shall make all arrangements for this process.

Before initiating the mediation of a complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the compliance officer shall ensure that all parties agree to make the mediator a party to relevant confidential information. The compliance officer shall also notify all parties of the right to end the informal process at any time.

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

The use of mediation shall not extend the district's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time. If mediation is successful and the complaint is withdrawn, then the district shall take only the actions agreed upon through the mediation. If mediation is unsuccessful, the district shall then continue with subsequent steps specified in this administrative regulation.

## **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)

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
- 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](http://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
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
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

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

### State References

### Description

2 CCR 11023	Harassment and discrimination prevention and correction - <a href="https://simbli.eboardsolutions.com/SU/haAgKnrQhVJbsh34hY5zslsh5Q==">https://simbli.eboardsolutions.com/SU/haAgKnrQhVJbsh34hY5zslsh5Q==</a>
5 CCR 15580-15584	Child nutrition programs complaint procedures
5 CCR 3200-3205	Special education compliance complaints
5 CCR 4600-4670	Uniform complaint procedures
5 CCR 4680-4687	Williams uniform complaint procedures
5 CCR 4690-4694	Complaints regarding health and safety issues in license-exempt preschool programs
5 CCR 4900-4965	Nondiscrimination in elementary and secondary education programs
Ed. Code 200-262.4	Educational equity; prohibition of discrimination on the basis of sex - <a href="https://simbli.eboardsolutions.com/SU/ytTLslshoozWGUAbNL6kKkgxQ==">https://simbli.eboardsolutions.com/SU/ytTLslshoozWGUAbNL6kKkgxQ==</a>
Ed. Code 18100-18203	School libraries



Ed. Code 32221.5	Insurance for athletic team members
Ed. Code 32280-32289	School safety plans
Ed. Code 35186	Complaints concerning deficiencies in instructional materials and facilities
Ed. Code 46015	Accommodations for pregnant and parenting students; parental leave
Ed. Code 48853-48853.5	Foster youth
Ed. Code 48985	Notices in language other than English
Ed. Code 49010-49014	Student fees
Ed. Code 49060-49079	Student records
Ed. Code 49069.5	Records of foster youth
Ed. Code 49490-49590	Child nutrition programs
Ed. Code 49701	Flexibility in enrollment of children of military families
Ed. Code 51210	Areas of study
Ed. Code 51222	Physical education
Ed. Code 51223	Physical education, elementary schools
Ed. Code 51225.1-51225.2	Exemption from local graduation requirements; acceptance of coursework
Ed. Code 51226-51226.1	Career technical education
Ed. Code 51228.1-51228.3	Course periods without educational content
Ed. Code 52059.5	Statewide system of support
Ed. Code 52060-52077	Local control and accountability plan
Ed. Code 52075	Complaint for lack of compliance with local control and accountability plan requirements
Ed. Code 52300-52462	Career technical education
Ed. Code 52500-52616.24	Adult schools
Ed. Code 54400-54425	Compensatory education programs
Ed. Code 54440-54445	Migrant children
Ed. Code 54460-54529	Compensatory education programs
Ed. Code 59000-59300	Special schools and centers
Ed. Code 64000-64001	Consolidated application
Ed. Code 65000-65001	School site councils
Ed. Code 8200-8498	Child care and development programs
Ed. Code 8500-8538	Adult basic education
Gov. Code 11135	Discrimination - <a href="https://simbli.eboardsolutions.com/SU/PcUFWMcCJnzBrKAL0EtQ==">https://simbli.eboardsolutions.com/SU/PcUFWMcCJnzBrKAL0EtQ==</a>
Gov. Code 12900-12996	Fair Employment and Housing Act
H&S Code 1596.792	California Child Day Care Act; general provisions and definitions
H&S Code 1596.7925	California Child Day Care Act; health and safety regulations
Pen. Code 422.55	Definition of hate crime
Pen. Code 422.6	Crimes, harassment

#### **Federal References**

20 USC 1221  
20 USC 1232g  
20 USC 1681-1688

#### **Description**

Application of laws  
Family Educational Rights and Privacy Act (FERPA) of 1974  
Discrimination based on sex or blindness, Title IX

20 USC 6301-6576	Title I Improving the Academic Achievement of the Disadvantaged
20 USC 6801-7014	Limited English proficient and immigrant students
28 CFR 35.107	Nondiscrimination on basis of disability; complaints
29 USC 794	Rehabilitation Act of 1973, Section 504
34 CFR 100.3	Discrimination prohibited
34 CFR 104.7	Designation of responsible employee for Section 504
34 CFR 106.1-106.82	Nondiscrimination on the basis of sex in education programs
34 CFR 106.8	Designation of responsible employee and adoption of grievance procedures
34 CFR 106.9	Dissemination of policy
34 CFR 110.25	Notification of nondiscrimination on the basis of age
34 CFR 99.1-99.67	Family Educational Rights and Privacy
42 USC 11431-11435	McKinney-Vento Homeless Assistance Act
42 USC 12101-12213	Americans with Disabilities Act
42 USC 2000d-2000e-17	Title VI and Title VII Civil Rights Act of 1964, as amended
42 USC 2000h-2-2000h-6	Title IX of the Civil Rights Act of 1964
42 USC 6101-6107	Age Discrimination Act of 1975

#### **Management Resources References**

#### **Description**

CA DOE Publication	A Blueprint for Environmental Literacy: Educating Every Student In, About, and For the Environment, 2015
California Department of Education Publication	01-05 Guidelines for Piloting Textbooks and Instructional Materials, rev. January 2015
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, January 2014
U.S. DOJ Publication	Accessibility of State and Local Government Websites to People with Disabilities, June 2003
Website	AASA The School Superintendents Association - <a href="https://simbli.eboardsolutions.com/SU/MOaF8AO8cslshSlfGc13QQoEQ==">https://simbli.eboardsolutions.com/SU/MOaF8AO8cslshSlfGc13QQoEQ==</a>

#### **Cross References**

#### **Description**

0410	Nondiscrimination In District Programs And Activities - <a href="https://simbli.eboardsolutions.com/SU/FnDZ7yHITUVLmcPBwcYa4w==">https://simbli.eboardsolutions.com/SU/FnDZ7yHITUVLmcPBwcYa4w==</a>
0420	School Plans/Site Councils - <a href="https://simbli.eboardsolutions.com/SU/DyK0YaDQplusW63SpOOgvT99g==">https://simbli.eboardsolutions.com/SU/DyK0YaDQplusW63SpOOgvT99g==</a>
0420	School Plans/Site Councils - <a href="https://simbli.eboardsolutions.com/SU/ELwFdqqM1dlmLodslshc59CTg==">https://simbli.eboardsolutions.com/SU/ELwFdqqM1dlmLodslshc59CTg==</a>
0420.41	Charter School Oversight - <a href="https://simbli.eboardsolutions.com/SU/YgWPTHzspluscilwthplus0wslshm5Q==">https://simbli.eboardsolutions.com/SU/YgWPTHzspluscilwthplus0wslshm5Q==</a>
0420.41-E(1)	Charter School Oversight - <a href="https://simbli.eboardsolutions.com/SU/SYERo3Avfrpluspr6aJMw9Scg==">https://simbli.eboardsolutions.com/SU/SYERo3Avfrpluspr6aJMw9Scg==</a>
0430	Comprehensive Local Plan For Special Education - <a href="https://simbli.eboardsolutions.com/SU/v4RslshNgwalreHoj7ZVXWm7w==">https://simbli.eboardsolutions.com/SU/v4RslshNgwalreHoj7ZVXWm7w==</a>
0430	Comprehensive Local Plan For Special Education - <a href="https://simbli.eboardsolutions.com/SU/9boBGUTIBZ4DgJEW4QQULQ==">https://simbli.eboardsolutions.com/SU/9boBGUTIBZ4DgJEW4QQULQ==</a>
0450	Comprehensive Safety Plan - <a href="https://simbli.eboardsolutions.com/SU/XVeModcEEplusmIKmIViNyG8g==">https://simbli.eboardsolutions.com/SU/XVeModcEEplusmIKmIViNyG8g==</a>

0450	Comprehensive Safety Plan - <a href="https://simbli.eboardsolutions.com/SU/vQZUWC8qslshfqZpV1MmtaRBg==">https://simbli.eboardsolutions.com/SU/vQZUWC8qslshfqZpV1MmtaRBg==</a>
0460	Local Control And Accountability Plan - <a href="https://simbli.eboardsolutions.com/SU/Oa8UxEDuhq6BH2zsd274XA==">https://simbli.eboardsolutions.com/SU/Oa8UxEDuhq6BH2zsd274XA==</a>
0460	Local Control And Accountability Plan - <a href="https://simbli.eboardsolutions.com/SU/8eaD94eHfiVAA8KyIGLOhw==">https://simbli.eboardsolutions.com/SU/8eaD94eHfiVAA8KyIGLOhw==</a>
1100	Communication With The Public - <a href="https://simbli.eboardsolutions.com/SU/Hywu1plusUHmPznTnAojQejslshg==">https://simbli.eboardsolutions.com/SU/Hywu1plusUHmPznTnAojQejslshg==</a>
1113	District And School Web Sites - <a href="https://simbli.eboardsolutions.com/SU/BzLslshM03JGp7plus8dzh1Fzc4Q==">https://simbli.eboardsolutions.com/SU/BzLslshM03JGp7plus8dzh1Fzc4Q==</a>
1113	District And School Web Sites - <a href="https://simbli.eboardsolutions.com/SU/LkplusM8wFuCJcC9T99n32Hnw==">https://simbli.eboardsolutions.com/SU/LkplusM8wFuCJcC9T99n32Hnw==</a>
1113-E(1)	District And School Web Sites - <a href="https://simbli.eboardsolutions.com/SU/fCje9zCXa1OFcXTUBQYRhw==">https://simbli.eboardsolutions.com/SU/fCje9zCXa1OFcXTUBQYRhw==</a>
1114	District-Sponsored Social Media - <a href="https://simbli.eboardsolutions.com/SU/JfCojzMhplusqvfyCOP9Cgiw==">https://simbli.eboardsolutions.com/SU/JfCojzMhplusqvfyCOP9Cgiw==</a>
1114	District-Sponsored Social Media - <a href="https://simbli.eboardsolutions.com/SU/LnhNVipgsss47FWyv0docA==">https://simbli.eboardsolutions.com/SU/LnhNVipgsss47FWyv0docA==</a>
1220	Citizen Advisory Committees - <a href="https://simbli.eboardsolutions.com/SU/7obBkz3eDZdX6UuwdxRCNQ==">https://simbli.eboardsolutions.com/SU/7obBkz3eDZdX6UuwdxRCNQ==</a>
1220	Citizen Advisory Committees - <a href="https://simbli.eboardsolutions.com/SU/tHSbWzMDkTpvVHIUAi5KQ==">https://simbli.eboardsolutions.com/SU/tHSbWzMDkTpvVHIUAi5KQ==</a>
1250	Visitors/Outsiders - <a href="https://simbli.eboardsolutions.com/SU/0UxfKnDQx8i9V4vageslsh6VA==">https://simbli.eboardsolutions.com/SU/0UxfKnDQx8i9V4vageslsh6VA==</a>
1250	Visitors/Outsiders - <a href="https://simbli.eboardsolutions.com/SU/AlgI3G2av7RnSyAPrFJslshPg==">https://simbli.eboardsolutions.com/SU/AlgI3G2av7RnSyAPrFJslshPg==</a>
1312.1	Complaints Concerning District Employees - <a href="https://simbli.eboardsolutions.com/SU/JRoyWdC2IplusN7hd5IE0LP4g==">https://simbli.eboardsolutions.com/SU/JRoyWdC2IplusN7hd5IE0LP4g==</a>
1312.1	Complaints Concerning District Employees - <a href="https://simbli.eboardsolutions.com/SU/3x1plusj0z5ZLMqRsshsEIT6Q==">https://simbli.eboardsolutions.com/SU/3x1plusj0z5ZLMqRsshsEIT6Q==</a>
1312.1-E(1)	Complaints Concerning District Employees - <a href="https://simbli.eboardsolutions.com/SU/eAlz50x7oMx0vq3x9PJtplusg==">https://simbli.eboardsolutions.com/SU/eAlz50x7oMx0vq3x9PJtplusg==</a>
1312.2	Complaints Concerning Instructional Materials - <a href="https://simbli.eboardsolutions.com/SU/fcYZUJMp94bnD6gyGkJPw==">https://simbli.eboardsolutions.com/SU/fcYZUJMp94bnD6gyGkJPw==</a>
1312.2	Complaints Concerning Instructional Materials - <a href="https://simbli.eboardsolutions.com/SU/a2ihWI4WdVbn5kGQ0I4NAQ==">https://simbli.eboardsolutions.com/SU/a2ihWI4WdVbn5kGQ0I4NAQ==</a>
1312.2-E(1)	Complaints Concerning Instructional Materials - <a href="https://simbli.eboardsolutions.com/SU/OqEutdav2RrzoICZLslshl4Bg==">https://simbli.eboardsolutions.com/SU/OqEutdav2RrzoICZLslshl4Bg==</a>
1312.4	Williams Uniform Complaint Procedures - <a href="https://simbli.eboardsolutions.com/SU/1FJbIVCsn7KEqFkMwIR6w==">https://simbli.eboardsolutions.com/SU/1FJbIVCsn7KEqFkMwIR6w==</a>
3260	Fees And Charges - <a href="https://simbli.eboardsolutions.com/SU/y5iV6EkeKOWXC24aplusCVqWQ==">https://simbli.eboardsolutions.com/SU/y5iV6EkeKOWXC24aplusCVqWQ==</a>
3260	Fees And Charges - <a href="https://simbli.eboardsolutions.com/SU/Q6qw6mSuuyCLJFSqdOsislshA==">https://simbli.eboardsolutions.com/SU/Q6qw6mSuuyCLJFSqdOsislshA==</a>
3580	District Records - <a href="https://simbli.eboardsolutions.com/SU/slshum9iqFSJwslshMnliyP5FuWQ==">https://simbli.eboardsolutions.com/SU/slshum9iqFSJwslshMnliyP5FuWQ==</a>
4030	Nondiscrimination In Employment - <a href="https://simbli.eboardsolutions.com/SU/japlusF1fDZLwk4z1txs8TVw==">https://simbli.eboardsolutions.com/SU/japlusF1fDZLwk4z1txs8TVw==</a>
4030	Nondiscrimination In Employment - <a href="https://simbli.eboardsolutions.com/SU/1hR1nwwQdqhZCpluskI91M7LA==">https://simbli.eboardsolutions.com/SU/1hR1nwwQdqhZCpluskI91M7LA==</a>

4112.23	Special Education Staff - <a href="https://simbli.eboardsolutions.com/SU/7yZr4zmN9aJHwnMsEcPKcg==">https://simbli.eboardsolutions.com/SU/7yZr4zmN9aJHwnMsEcPKcg==</a>
4112.9	Employee Notifications - <a href="https://simbli.eboardsolutions.com/SU/Qz5Y9pFKlUz9yowJNByiOA==">https://simbli.eboardsolutions.com/SU/Qz5Y9pFKlUz9yowJNByiOA==</a>
4119.1	Civil And Legal Rights - <a href="https://simbli.eboardsolutions.com/SU/24DUL3dM9A2IUAAoqbi3Og==">https://simbli.eboardsolutions.com/SU/24DUL3dM9A2IUAAoqbi3Og==</a>
4119.11	Sexual Harassment - <a href="https://simbli.eboardsolutions.com/SU/SlvMh9PMikAPEOLcsVldiQ==">https://simbli.eboardsolutions.com/SU/SlvMh9PMikAPEOLcsVldiQ==</a>
4119.11	Sexual Harassment - <a href="https://simbli.eboardsolutions.com/SU/BsxQhDtsvrsIshROgWBslGoVg==">https://simbli.eboardsolutions.com/SU/BsxQhDtsvrsIshROgWBslGoVg==</a>
4212.9	Employee Notifications - <a href="https://simbli.eboardsolutions.com/SU/0ZJclXM1TTrTf1O5E1AArg==">https://simbli.eboardsolutions.com/SU/0ZJclXM1TTrTf1O5E1AArg==</a>
4219.1	Civil And Legal Rights - <a href="https://simbli.eboardsolutions.com/SU/NNHd7ATUG21WUZfMslshC2esw==">https://simbli.eboardsolutions.com/SU/NNHd7ATUG21WUZfMslshC2esw==</a>
4219.11	Sexual Harassment - <a href="https://simbli.eboardsolutions.com/SU/tANOtshslhLnplusAwRY1FCqQJA==">https://simbli.eboardsolutions.com/SU/tANOtshslhLnplusAwRY1FCqQJA==</a>
4219.11	Sexual Harassment - <a href="https://simbli.eboardsolutions.com/SU/sOKhv3nplusqEuVMf7plusON7wrw==">https://simbli.eboardsolutions.com/SU/sOKhv3nplusqEuVMf7plusON7wrw==</a>
4244	Complaints - <a href="https://simbli.eboardsolutions.com/SU/AG8XgRWjeslshpslshdhFTO2smwQ==">https://simbli.eboardsolutions.com/SU/AG8XgRWjeslshpslshdhFTO2smwQ==</a>
4312.9	Employee Notifications - <a href="https://simbli.eboardsolutions.com/SU/a1UsQLi9B3PWIEPE2MjvAQ==">https://simbli.eboardsolutions.com/SU/a1UsQLi9B3PWIEPE2MjvAQ==</a>
4319.1	Civil And Legal Rights - <a href="https://simbli.eboardsolutions.com/SU/S3pluswdN4h3ZfGQBHYZ4pWXg==">https://simbli.eboardsolutions.com/SU/S3pluswdN4h3ZfGQBHYZ4pWXg==</a>
4319.11	Sexual Harassment - <a href="https://simbli.eboardsolutions.com/SU/EX3wm6YIGO1llgpyhTruVw==">https://simbli.eboardsolutions.com/SU/EX3wm6YIGO1llgpyhTruVw==</a>
4319.11	Sexual Harassment - <a href="https://simbli.eboardsolutions.com/SU/afYPjOEJno5bLslshzEsWu4Xw==">https://simbli.eboardsolutions.com/SU/afYPjOEJno5bLslshzEsWu4Xw==</a>
4331	Staff Development - <a href="https://simbli.eboardsolutions.com/SU/mi31ZJfJZ6P6XlztQhGr3Q==">https://simbli.eboardsolutions.com/SU/mi31ZJfJZ6P6XlztQhGr3Q==</a>
4331	Staff Development - <a href="https://simbli.eboardsolutions.com/SU/hqxZRIEbEWMHD9ZdRfApig==">https://simbli.eboardsolutions.com/SU/hqxZRIEbEWMHD9ZdRfApig==</a>
4344	Complaints - <a href="https://simbli.eboardsolutions.com/SU/qGrsXimwkCHTw02tO8UC4Q==">https://simbli.eboardsolutions.com/SU/qGrsXimwkCHTw02tO8UC4Q==</a>
5116.1	Intradistrict Open Enrollment - <a href="https://simbli.eboardsolutions.com/SU/8DLBrRtLSFxiKfE26c5qyA==">https://simbli.eboardsolutions.com/SU/8DLBrRtLSFxiKfE26c5qyA==</a>
5116.1	Intradistrict Open Enrollment - <a href="https://simbli.eboardsolutions.com/SU/PwEuplusbULMEVWSO7fDTjtHg==">https://simbli.eboardsolutions.com/SU/PwEuplusbULMEVWSO7fDTjtHg==</a>
5117	Interdistrict Attendance - <a href="https://simbli.eboardsolutions.com/SU/404ggTkfcRWALKOslshslshkwxtg==">https://simbli.eboardsolutions.com/SU/404ggTkfcRWALKOslshslshkwxtg==</a>
5117	Interdistrict Attendance - <a href="https://simbli.eboardsolutions.com/SU/3qJXyPPeZYc0NslshwplusOMDEIA==">https://simbli.eboardsolutions.com/SU/3qJXyPPeZYc0NslshwplusOMDEIA==</a>
5125	Student Records - <a href="https://simbli.eboardsolutions.com/SU/tWHWUiPwslshr1YYPUpusvwMslshmQ==">https://simbli.eboardsolutions.com/SU/tWHWUiPwslshr1YYPUpusvwMslshmQ==</a>
5125	Student Records - <a href="https://simbli.eboardsolutions.com/SU/BVqShG6XWi846acAF21eCA==">https://simbli.eboardsolutions.com/SU/BVqShG6XWi846acAF21eCA==</a>
5131.62	Tobacco - <a href="https://simbli.eboardsolutions.com/SU/y054RaDWMUfljdNnUYFPvw==">https://simbli.eboardsolutions.com/SU/y054RaDWMUfljdNnUYFPvw==</a>
5131.62	Tobacco - <a href="https://simbli.eboardsolutions.com/SU/ATcPW5bYHslshMn2vn4omKq7w==">https://simbli.eboardsolutions.com/SU/ATcPW5bYHslshMn2vn4omKq7w==</a>

5141.4	Child Abuse Prevention And Reporting - <a href="https://simbli.eboardsolutions.com/SU/bJPdh0L79XOplus0slshSK4Cslshm0A==">https://simbli.eboardsolutions.com/SU/bJPdh0L79XOplus0slshSK4Cslshm0A==</a>
5141.4	Child Abuse Prevention And Reporting - <a href="https://simbli.eboardsolutions.com/SU/FWTDFspu3hVyORDB5i72Qw==">https://simbli.eboardsolutions.com/SU/FWTDFspu3hVyORDB5i72Qw==</a>
5144	Discipline - <a href="https://simbli.eboardsolutions.com/SU/VKfDusQz4wO4ztggq0xR0Q==">https://simbli.eboardsolutions.com/SU/VKfDusQz4wO4ztggq0xR0Q==</a>
5144	Discipline - <a href="https://simbli.eboardsolutions.com/SU/h8js9swo8roKNec7W9PBIQ==">https://simbli.eboardsolutions.com/SU/h8js9swo8roKNec7W9PBIQ==</a>
5144.1	Suspension And Expulsion/Due Process - <a href="https://simbli.eboardsolutions.com/SU/2KWISVzOJQsLVudCPe2bpg==">https://simbli.eboardsolutions.com/SU/2KWISVzOJQsLVudCPe2bpg==</a>
5144.1	Suspension And Expulsion/Due Process - <a href="https://simbli.eboardsolutions.com/SU/1wRsP0evdfTslshv6FLdTXneA==">https://simbli.eboardsolutions.com/SU/1wRsP0evdfTslshv6FLdTXneA==</a>
5145.3	Nondiscrimination/Harassment - <a href="https://simbli.eboardsolutions.com/SU/Xtm3uqHMo1KAP4CIBOS3g==">https://simbli.eboardsolutions.com/SU/Xtm3uqHMo1KAP4CIBOS3g==</a>
5145.3	Nondiscrimination/Harassment - <a href="https://simbli.eboardsolutions.com/SU/s8n1dpHOUJjhuiJ031sAgQ==">https://simbli.eboardsolutions.com/SU/s8n1dpHOUJjhuiJ031sAgQ==</a>
5145.6	Parental Notifications - <a href="https://simbli.eboardsolutions.com/SU/aumLfEWbRQTqmF8OKcrwjQ==">https://simbli.eboardsolutions.com/SU/aumLfEWbRQTqmF8OKcrwjQ==</a>
5145.6-E(1)	Parental Notifications - <a href="https://simbli.eboardsolutions.com/SU/5KtCGKwRqTKUDplusFgDOn0OQ==">https://simbli.eboardsolutions.com/SU/5KtCGKwRqTKUDplusFgDOn0OQ==</a>
5145.7	Sexual Harassment - <a href="https://simbli.eboardsolutions.com/SU/EtnsI0vfjVFwtsfy7FGqYA==">https://simbli.eboardsolutions.com/SU/EtnsI0vfjVFwtsfy7FGqYA==</a>
5145.7	Sexual Harassment - <a href="https://simbli.eboardsolutions.com/SU/bVa5mPNAi4zf7b1zOFIT1Q==">https://simbli.eboardsolutions.com/SU/bVa5mPNAi4zf7b1zOFIT1Q==</a>
5145.71	Title IX Sexual Harassment Complaint Procedures - <a href="https://simbli.eboardsolutions.com/SU/O9zo4plgytGao63PqBwRqQ==">https://simbli.eboardsolutions.com/SU/O9zo4plgytGao63PqBwRqQ==</a>
5146	Married/Pregnant/Parenting Students - <a href="https://simbli.eboardsolutions.com/SU/EDKXNIPU0tdiy8R83QvW7g==">https://simbli.eboardsolutions.com/SU/EDKXNIPU0tdiy8R83QvW7g==</a>
5148	Child Care And Development - <a href="https://simbli.eboardsolutions.com/SU/M7im2lx660fDMP1PxI0Xeg==">https://simbli.eboardsolutions.com/SU/M7im2lx660fDMP1PxI0Xeg==</a>
5148	Child Care And Development - <a href="https://simbli.eboardsolutions.com/SU/TfrOIC7GJKHpQixgwbYejA==">https://simbli.eboardsolutions.com/SU/TfrOIC7GJKHpQixgwbYejA==</a>
5148.3	Preschool/Early Childhood Education - <a href="https://simbli.eboardsolutions.com/SU/RbouLusXkTov4xyQA6MYvw==">https://simbli.eboardsolutions.com/SU/RbouLusXkTov4xyQA6MYvw==</a>
5148.3	Preschool/Early Childhood Education - <a href="https://simbli.eboardsolutions.com/SU/O7KHYYICoBYMqFazslshUtSaA==">https://simbli.eboardsolutions.com/SU/O7KHYYICoBYMqFazslshUtSaA==</a>
6142.1	Sexual Health And HIV/AIDS Prevention Instruction - <a href="https://simbli.eboardsolutions.com/SU/LV0CKpKiXb7ajC5fo52P5g==">https://simbli.eboardsolutions.com/SU/LV0CKpKiXb7ajC5fo52P5g==</a>
6142.1	Sexual Health And HIV/AIDS Prevention Instruction - <a href="https://simbli.eboardsolutions.com/SU/HcpwY3M8LuLLXehUiEcpYg==">https://simbli.eboardsolutions.com/SU/HcpwY3M8LuLLXehUiEcpYg==</a>
6142.7	Physical Education And Activity - <a href="https://simbli.eboardsolutions.com/SU/wLhC38IfitHbiftplusu8Slqg==">https://simbli.eboardsolutions.com/SU/wLhC38IfitHbiftplusu8Slqg==</a>
6142.7	Physical Education And Activity - <a href="https://simbli.eboardsolutions.com/SU/st47PplusnstvXplus2geOizZVwA==">https://simbli.eboardsolutions.com/SU/st47PplusnstvXplus2geOizZVwA==</a>
6145	Extracurricular And Cocurricular Activities - <a href="https://simbli.eboardsolutions.com/SU/kcnplusEMDbUq3oAi14H67CXg==">https://simbli.eboardsolutions.com/SU/kcnplusEMDbUq3oAi14H67CXg==</a>
6145	Extracurricular And Cocurricular Activities - <a href="https://simbli.eboardsolutions.com/SU/HodC5SBhYgTQ4CslshjPbo8xQ==">https://simbli.eboardsolutions.com/SU/HodC5SBhYgTQ4CslshjPbo8xQ==</a>
6145.2	Athletic Competition - <a href="https://simbli.eboardsolutions.com/SU/mjzVr4hwrthOplusJplusU0vFgStw==">https://simbli.eboardsolutions.com/SU/mjzVr4hwrthOplusJplusU0vFgStw==</a>
6145.2	Athletic Competition - <a href="https://simbli.eboardsolutions.com/SU/li7fyXj9QEE0CqwFCiOzbQ==">https://simbli.eboardsolutions.com/SU/li7fyXj9QEE0CqwFCiOzbQ==</a>

6146.1	High School Graduation Requirements - <a href="https://simbli.eboardsolutions.com/SU/rdGNtEjAJlhhHIYfPqISSw==">https://simbli.eboardsolutions.com/SU/rdGNtEjAJlhhHIYfPqISSw==</a>
6146.1	High School Graduation Requirements - <a href="https://simbli.eboardsolutions.com/SU/kTSOrWslshR2babZTZPU8qYcq==">https://simbli.eboardsolutions.com/SU/kTSOrWslshR2babZTZPU8qYcq==</a>
6152	Class Assignment - <a href="https://simbli.eboardsolutions.com/SU/CekMjSvJvXyDPX1wu5FtQQ==">https://simbli.eboardsolutions.com/SU/CekMjSvJvXyDPX1wu5FtQQ==</a>
6159	Individualized Education Program - <a href="https://simbli.eboardsolutions.com/SU/3vVDizDulqY8I7eXsslshJApA==">https://simbli.eboardsolutions.com/SU/3vVDizDulqY8I7eXsslshJApA==</a>
6159	Individualized Education Program - <a href="https://simbli.eboardsolutions.com/SU/3on5FNplusCvSTDslshj1eANpc2Q==">https://simbli.eboardsolutions.com/SU/3on5FNplusCvSTDslshj1eANpc2Q==</a>
6159.1	Procedural Safeguards And Complaints For Special Education - <a href="https://simbli.eboardsolutions.com/SU/gLa5k4aplusb7flyNscplusZRrZw==">https://simbli.eboardsolutions.com/SU/gLa5k4aplusb7flyNscplusZRrZw==</a>
6159.1	Procedural Safeguards And Complaints For Special Education - <a href="https://simbli.eboardsolutions.com/SU/crldClfqd8OjG0snrrGw==">https://simbli.eboardsolutions.com/SU/crldClfqd8OjG0snrrGw==</a>
6159.2	Nonpublic, Nonsectarian School And Agency Services For Special Education - <a href="https://simbli.eboardsolutions.com/SU/oiYXKslsh80jHeH45DKeeyTeA==">https://simbli.eboardsolutions.com/SU/oiYXKslsh80jHeH45DKeeyTeA==</a>
6159.2	Nonpublic, Nonsectarian School And Agency Services For Special Education - <a href="https://simbli.eboardsolutions.com/SU/yN432YBtjiSslsh9PRUbo6bmg==">https://simbli.eboardsolutions.com/SU/yN432YBtjiSslsh9PRUbo6bmg==</a>
6159.3	Appointment Of Surrogate Parent For Special Education Students - <a href="https://simbli.eboardsolutions.com/SU/Jul7H9OqG6h9xYMG47w1plusw==">https://simbli.eboardsolutions.com/SU/Jul7H9OqG6h9xYMG47w1plusw==</a>
6159.3	Appointment Of Surrogate Parent For Special Education Students - <a href="https://simbli.eboardsolutions.com/SU/eFQcinwciEeAAyYHliLJHw==">https://simbli.eboardsolutions.com/SU/eFQcinwciEeAAyYHliLJHw==</a>
6164.4	Identification And Evaluation Of Individuals For Special Education - <a href="https://simbli.eboardsolutions.com/SU/pluspg3XMsm0hsQQUU5SIUtbA==">https://simbli.eboardsolutions.com/SU/pluspg3XMsm0hsQQUU5SIUtbA==</a>
6164.4	Identification And Evaluation Of Individuals For Special Education - <a href="https://simbli.eboardsolutions.com/SU/jlslshCo5lWWhnZYfYeyNhWvUg==">https://simbli.eboardsolutions.com/SU/jlslshCo5lWWhnZYfYeyNhWvUg==</a>
6171	Title I Programs - <a href="https://simbli.eboardsolutions.com/SU/liaX8LnXncN1nKr3DhUU6g==">https://simbli.eboardsolutions.com/SU/liaX8LnXncN1nKr3DhUU6g==</a>
6171	Title I Programs - <a href="https://simbli.eboardsolutions.com/SU/d7SrtlxVZ7PCzy6JiGpYrw==">https://simbli.eboardsolutions.com/SU/d7SrtlxVZ7PCzy6JiGpYrw==</a>
6173	Education For Homeless Children - <a href="https://simbli.eboardsolutions.com/SU/txeOyoBAokde03EL8jzLslshQ==">https://simbli.eboardsolutions.com/SU/txeOyoBAokde03EL8jzLslshQ==</a>
6173	Education For Homeless Children - <a href="https://simbli.eboardsolutions.com/SU/RuKkaP9U0ZIZTrvBvW6Wjw==">https://simbli.eboardsolutions.com/SU/RuKkaP9U0ZIZTrvBvW6Wjw==</a>
6173.1	Education For Foster Youth - <a href="https://simbli.eboardsolutions.com/SU/j10m5Vblmj8pqMRz0d6dkQ==">https://simbli.eboardsolutions.com/SU/j10m5Vblmj8pqMRz0d6dkQ==</a>
6173.1	Education For Foster Youth - <a href="https://simbli.eboardsolutions.com/SU/suCMRgbiqOO4rvJsmX2tqw==">https://simbli.eboardsolutions.com/SU/suCMRgbiqOO4rvJsmX2tqw==</a>
6173.2	Education Of Children Of Military Families - <a href="https://simbli.eboardsolutions.com/SU/NurplusRF8plus3CpJPOwG1JplusPMA==">https://simbli.eboardsolutions.com/SU/NurplusRF8plus3CpJPOwG1JplusPMA==</a>
6173.3	Education For Juvenile Court School Students - <a href="https://simbli.eboardsolutions.com/SU/trlJ1slshYmZ1NnslshMeBOph3ww==">https://simbli.eboardsolutions.com/SU/trlJ1slshYmZ1NnslshMeBOph3ww==</a>
6175	Migrant Education Program - <a href="https://simbli.eboardsolutions.com/SU/PJhslshJvWeC0arnpiW695XRg==">https://simbli.eboardsolutions.com/SU/PJhslshJvWeC0arnpiW695XRg==</a>
6175	Migrant Education Program - <a href="https://simbli.eboardsolutions.com/SU/2bkhyJMJKihJpBiZplusFKMig==">https://simbli.eboardsolutions.com/SU/2bkhyJMJKihJpBiZplusFKMig==</a>
6178	Career Technical Education - <a href="https://simbli.eboardsolutions.com/SU/X7b5JEzoRKslshww2JugXgaPw==">https://simbli.eboardsolutions.com/SU/X7b5JEzoRKslshww2JugXgaPw==</a>
6178	Career Technical Education - <a href="https://simbli.eboardsolutions.com/SU/IKS6G1Gbwn6vkN4aZ4filw==">https://simbli.eboardsolutions.com/SU/IKS6G1Gbwn6vkN4aZ4filw==</a>

6178.1	Work-Based Learning - <a href="https://simbli.eboardsolutions.com/SU/N7S7GUgNDSv3dKJI2Jn7eQ==">https://simbli.eboardsolutions.com/SU/N7S7GUgNDSv3dKJI2Jn7eQ==</a>
6178.1	Work-Based Learning - <a href="https://simbli.eboardsolutions.com/SU/EKXI1J4mwAecbMO3BEnO8Q==">https://simbli.eboardsolutions.com/SU/EKXI1J4mwAecbMO3BEnO8Q==</a>
6178.2	Regional Occupational Center/Program - <a href="https://simbli.eboardsolutions.com/SU/Jc1u7vpV6ST8UnysQFNtrQ==">https://simbli.eboardsolutions.com/SU/Jc1u7vpV6ST8UnysQFNtrQ==</a>
6200	Adult Education - <a href="https://simbli.eboardsolutions.com/SU/C5HQcSV420mq8fF5fPWllw==">https://simbli.eboardsolutions.com/SU/C5HQcSV420mq8fF5fPWllw==</a>
6200	Adult Education - <a href="https://simbli.eboardsolutions.com/SU/H9Tg3dUdMslshoK5bnnSOZplusLg==">https://simbli.eboardsolutions.com/SU/H9Tg3dUdMslshoK5bnnSOZplusLg==</a>
9000	Role Of The Board - <a href="https://simbli.eboardsolutions.com/SU/yCFHLIFLUDCtfgpluseQHTjg==">https://simbli.eboardsolutions.com/SU/yCFHLIFLUDCtfgpluseQHTjg==</a>
9011	Disclosure Of Confidential/Privileged Information - <a href="https://simbli.eboardsolutions.com/SU/RXe8Xj7wrVHXZFRVqhX3OA==">https://simbli.eboardsolutions.com/SU/RXe8Xj7wrVHXZFRVqhX3OA==</a>
9012	Board Member Electronic Communications - <a href="https://simbli.eboardsolutions.com/SU/BvhPRCDa87EkplusSikllr1eA==">https://simbli.eboardsolutions.com/SU/BvhPRCDa87EkplusSikllr1eA==</a>
9124	Attorney - <a href="https://simbli.eboardsolutions.com/SU/slshOCqMiqFcC60jEt4dQfrsA==">https://simbli.eboardsolutions.com/SU/slshOCqMiqFcC60jEt4dQfrsA==</a>
9200	Limits Of Board Member Authority - <a href="https://simbli.eboardsolutions.com/SU/0hKRSAtVLHUI2u41Y5PPKQ==">https://simbli.eboardsolutions.com/SU/0hKRSAtVLHUI2u41Y5PPKQ==</a>
9321	Closed Session - <a href="https://simbli.eboardsolutions.com/SU/eQxvTE4sunzJru8wB8gc1g==">https://simbli.eboardsolutions.com/SU/eQxvTE4sunzJru8wB8gc1g==</a>
9322	Agenda/Meeting Materials - <a href="https://simbli.eboardsolutions.com/SU/HMeZuSH7vnURgKSyn06rcA==">https://simbli.eboardsolutions.com/SU/HMeZuSH7vnURgKSyn06rcA==</a>

**Regulation 4030: Nondiscrimination In Employment**

**Status:** ADOPTED

**Original Adopted Date:** 02/20/2018 | **Last Revised Date:** 05/18/2021 | **Last Reviewed Date:** 05/18/2021

All allegations of discrimination in employment, including those involving an employee, job applicant, intern, volunteer, or other person contracted to provide services to the district shall be investigated and resolved in accordance with procedures specified in this administrative regulation.

The district designates the position identified below as its coordinator for nondiscrimination in employment (coordinator) to organize and manage the district's efforts to comply with state and federal nondiscrimination laws and to answer inquiries regarding the district's nondiscrimination policies. The coordinator may be contacted at:

Assistant Superintendent Human Resources  
546 S. Citrus Ave. Azusa, CA 91702  
(626) 858-6189  
jronquillo@azusa.org

**Measures to Prevent Discrimination**

To prevent unlawful discrimination, harassment, and retaliation in district employment, the Superintendent or designee shall implement the following measures:

1. Display in a prominent and accessible location at every work site where the district has employees, and post electronically in a conspicuous location on computers for employee use, up-to-date California Department of Fair Employment and Housing (DFEH) posters on the prohibition of workplace discrimination and harassment, the rights of transgender employees, and the rights and obligations of employees who are pregnant, have a related medical condition, or are recovering from childbirth (Government Code 12950; 2 CCR 11013, 11023, 11049)
2. Publicize the district's nondiscrimination policy and regulation, including the complaint procedures and the coordinator's contact information, by: (5 CCR 4960; 34 CFR 100.6, 106.9)
  - a. Including them in each announcement, bulletin, or application form that is used in employee recruitment
  - b. Posting them in all district schools and offices, including staff lounges and other prominent locations
  - c. Posting them on the district's web site and providing easy access to them through district-supported social media, when available
3. Disseminate the district's nondiscrimination policy and administrative regulation to all employees by one or more of the following methods: (2 CCR 11023)
  - a. Printing and providing a copy to all employees, with an acknowledgment form for each employee to sign and return
  - b. Sending a copy via email with an acknowledgment return form
  - c. Posting a copy on the district intranet with a tracking system ensuring all employees have read and acknowledged receipt of the policies
  - d. Discussing the policy and regulation with employees upon hire and/or during a new hire orientation session



- e. Any other way that ensures employees receive and understand the policy
4. Provide to employees a handbook which contains information that clearly describes the district's nondiscrimination policy, procedures for filing a complaint, and resources available to employees who believe they have been the victim of any discriminatory or harassing behavior
5. Provide training regarding the district's nondiscrimination policy, including what constitutes unlawful discrimination, harassment, and retaliation and how and to whom a report of an incident should be made

The district may also provide bystander intervention training to employees which includes information and practical guidance on how to recognize potentially problematic behaviors and which may motivate them to take action when they observe such behaviors. The training and education may include exercises to provide employees with the skills and confidence to intervene as appropriate and to provide them with resources they can call upon that support their intervention. (Government Code 12950.2)

6. Periodically review the district's recruitment, hiring, and promotion processes and regularly monitor the terms, conditions, and privileges of employment to ensure district compliance with law
7. For any district facility where 10 percent of employees have a language other than English as their spoken language, translate the policy into every language spoken by at least 10 percent of the workforce (2 CCR 11023)

### **Complaint Procedure**

Complaints of sexual harassment shall be investigated and resolved in accordance with AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures if the alleged conduct meets the definition of sexual harassment pursuant to 34 CFR 106.30.

Any other complaint alleging unlawful discrimination or harassment shall be addressed in accordance with the following procedures:

1. Notice and Receipt of Complaint: A complainant may inform a direct supervisor, another supervisor, the coordinator, the Superintendent or, if available, a complaint hotline or an ombudsman. The complainant's direct supervisor may be bypassed in filing a complaint when the supervisor is the subject of the complaint.

The complainant may first attempt to resolve the situation informally with the complainant's supervisor before filing a written complaint.

A supervisor or manager who has received information about an incident of discrimination or harassment, or has observed such an incident, shall report it to the coordinator, whether or not the complainant files a written complaint.

The written complaint should contain the complainant's name, the name of the individual who allegedly committed the act, a description of the incident, the date and location where the incident occurred, any witnesses who may have relevant information, any available evidence of the discrimination or harassment, and any other pertinent information which may assist in investigating and resolving the complaint.

2. Investigation Process: The coordinator shall initiate an impartial investigation of an allegation of discrimination or harassment within five business days of receiving notice of the alleged discriminatory or harassing behavior, regardless of whether a written complaint has been filed or whether the written complaint is complete.

The coordinator shall meet with the complainant to describe the district's complaint procedure and discuss the actions being sought by the complainant in response to the allegation. The coordinator shall inform the complainant that the investigation of the allegations will be fair, timely, and thorough and will be conducted in a manner that provides all parties due process and reaches reasonable conclusions based on the evidence collected. The coordinator shall also inform the parties that the investigation will be kept confidential to the extent possible, but that some information may be disclosed as necessary to conduct an effective investigation.

If the coordinator determines that a detailed fact-finding investigation is necessary, the investigation shall begin immediately. As part of this investigation, the coordinator should interview the complainant, the person accused, and other persons who could be expected to have relevant information.

The coordinator shall track and document the progress of the investigation to ensure reasonable progress and shall inform the parties as necessary.

When necessary to carry out the investigation or to protect employee safety, the coordinator may discuss the complaint with the Superintendent or designee, district legal counsel, or the district's risk manager.

The coordinator shall also determine whether interim measures, such as scheduling changes, transfers, or leaves, need to be taken before the investigation is completed in order to prevent further incidents. The coordinator shall ensure that such interim measures do not constitute retaliation.

3. **Written Report on Findings and Remedial/Corrective Action:** No more than 20 business days after receiving the complaint, the coordinator shall conclude the investigation and prepare a written report of the findings. This timeline may be extended for good cause. If an extension is needed, the coordinator shall notify the parties and explain the reasons for the extension.

The report shall include the decision and the reasons for the decision and shall summarize the steps taken during the investigation. If a determination has been made that discrimination or harassment occurred, the report shall also include any corrective action(s) that have been or will be taken to address the behavior, provide appropriate options for remedial actions and resolutions for the complainant, and ensure that retaliation or further discrimination or harassment is prevented. The report shall be presented to the Superintendent or designee.

A summary of the findings shall be presented to the complainant and the person accused.

4. **Appeal to the Governing Board:** The complainant or the person accused may appeal any findings to the Board within 10 business days of receiving the written report of the coordinator's findings. The Superintendent or designee shall provide the Board with all information presented during the investigation. Upon receiving an appeal, the Board shall schedule a hearing as soon as practicable. Any complaint against a district employee shall be addressed in closed session in accordance with law. The Board shall render its decision within 10 business days.

### **Other Remedies**

In addition to filing a discrimination or harassment complaint with the district, a person may file a complaint with either DFEH or the Equal Employment Opportunity Commission (EEOC). The time limits for filing such complaints are as follows:

1. For filing a complaint with DFEH alleging a violation of Government Code 12940-12952, within three years of the alleged discriminatory act(s), unless an exception exists pursuant to Government Code 12960 (Government Code 12960)
2. For filing a complaint with EEOC, within 180 days of the alleged discriminatory act(s) (42 USC 2000e-5)
3. For filing a complaint with EEOC after first filing a complaint with DFEH, within 300 days of the alleged discriminatory act(s) or within 30 days after the termination of proceedings by DFEH, whichever is earlier (42 USC 2000e-5)

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

**State References**

2 CCR 11006-11086

2 CCR 11023

2 CCR 11024

2 CCR 11027-11028

5 CCR 4900-4965

Civ. Code 51.7

Ed. Code 200-262.4

Gov. Code 11135

Gov. Code 11138

Gov. Code 12900-12996

Gov. Code 12940-12952

Gov. Code 12960-12976

Pen. Code 422.56

**Federal References**

20 USC 1681-1688

28 CFR 35.101-35.190

29 USC 621-634

29 USC 794

34 CFR 100.6

34 CFR 104.7

34 CFR 104.8

34 CFR 106.8

34 CFR 106.9

34 CFR 110.1-110.39

42 USC 12101-12213

42 USC 2000d-2000d-7

42 USC 2000e-2000e-17

42 USC 2000ff-2000ff-11

42 USC 2000h-2-2000h-6

42 USC 6101-6107

**Management Resources References**CA Dept of Fair Employment and Housing  
Publication

Court Decision

**Description**

Discrimination in employment -

<https://simbli.eboardsolutions.com/SU/jUNOUneBGplusu4fvMYTIWMKA==>

Harassment and discrimination prevention and correction -

<https://simbli.eboardsolutions.com/SU/haAgKnrQhVJbslsh34hY5zslsh5Q==>Required training and education on harassment based on sex, gender identity  
and expression, and sexual orientation -<https://simbli.eboardsolutions.com/SU/WdslshVrKs4pluscfHplushNGLhCeQw==>

National origin and ancestry discrimination -

<https://simbli.eboardsolutions.com/SU/SYk7u9LttH4epGWfUlfjdg==>

Nondiscrimination in elementary and secondary education programs

Freedom from violence or intimidation -

<https://simbli.eboardsolutions.com/SU/biK5w5xHjaslshApluscWXhrJ7ZQ==>

Educational equity; prohibition of discrimination on the basis of sex -

<https://simbli.eboardsolutions.com/SU/ytTLslshoozWGUAbNL6kKkgxQ==>

Discrimination -

<https://simbli.eboardsolutions.com/SU/PcUFWMcCJnzBrKAL0EtfQ==>

Rules and regulations

Fair Employment and Housing Act

Unlawful employment practices

Unlawful employment practices; complaints

Definitions, hate crimes

**Description**

Discrimination based on sex or blindness, Title IX

Americans with Disabilities Act

Age Discrimination in Employment Act

Rehabilitation Act of 1973, Section 504

Compliance information

Designation of responsible employee for Section 504

Nondiscrimination

Designation of responsible employee and adoption of grievance procedures

Dissemination of policy

Nondiscrimination on the basis of age

Americans with Disabilities Act

Title VI, Civil Rights Act of 1964

Title VII, Civil Rights Act of 1964, as amended

Genetic Information Nondiscrimination Act of 2008

Title IX of the Civil Rights Act of 1964

Age Discrimination Act of 1975

**Description**

California Law Prohibits Workplace Discrimination and Harassment

A.M. v. Albertsons, LLC, (2009) Cal.App.4th 455

U.S. DOE Office For Civil Rights Publication  
U.S. Equal Employment Opportunity Comm  
Publication  
Website

Dear Colleague Letter, May 26, 2011

EEOC Compliance Manual

AASA The School Superintendents Association -  
<https://simbli.eboardsolutions.com/SU/MOaF8AO8cslshSlfGc13QQoEQ==>

## Cross References

0410

Nondiscrimination In District Programs And Activities -  
<https://simbli.eboardsolutions.com/SU/FnDZ7yHITUVLmcPBwcYa4w==>

1113

District And School Web Sites -  
<https://simbli.eboardsolutions.com/SU/BzLslshM03JGp7plus8dzh1Fzc4Q==>

1113

District And School Web Sites -  
<https://simbli.eboardsolutions.com/SU/LkplusM8wFuCJcC9T99n32Hnw==>

1113-E(1)

District And School Web Sites -  
<https://simbli.eboardsolutions.com/SU/fCje9zCXa1OFcXTUBQYRhW==>

1114

District-Sponsored Social Media -  
<https://simbli.eboardsolutions.com/SU/JfCojzMhplusqvfyCOp9Cgiw==>

1114

District-Sponsored Social Media -  
<https://simbli.eboardsolutions.com/SU/LnhNVipgsss47FWyv0docA==>

1240

Volunteer Assistance -  
<https://simbli.eboardsolutions.com/SU/s1kDPms91ZslshXvtuUxCKMdw==>

1240

Volunteer Assistance -  
<https://simbli.eboardsolutions.com/SU/KR2sg4KWAHgxai0qdzzyQA==>

1312.1

Complaints Concerning District Employees -  
<https://simbli.eboardsolutions.com/SU/JRoyWdC2lplusN7hd5lE0LP4g==>

1312.1

Complaints Concerning District Employees -  
<https://simbli.eboardsolutions.com/SU/3x1plusj0z5ZLMqRsshsEIT6Q==>

1312.1-E(1)

Complaints Concerning District Employees -  
<https://simbli.eboardsolutions.com/SU/eAlz50x7oMx0vq3x9PjTplusg==>

1312.3

Uniform Complaint Procedures -  
<https://simbli.eboardsolutions.com/SU/jyKa60efBU85pBteBaMvhA==>

1312.3

Uniform Complaint Procedures -  
<https://simbli.eboardsolutions.com/SU/he5R6o3mKhZ8plus8KsNn26EQ==>

3312

Contracts -  
<https://simbli.eboardsolutions.com/SU/RtEPentWF4fC8KdSsZuiQQ==>

3530

Risk Management/Insurance -  
<https://simbli.eboardsolutions.com/SU/AwD0gWC1fp3vplus35CcotDig==>

3530

Risk Management/Insurance -  
<https://simbli.eboardsolutions.com/SU/usslshWhTtZbMepJAoA7BVd6g==>

3580

District Records -  
<https://simbli.eboardsolutions.com/SU/slshum9iqFSJwslshMnliyP5FuWQ==>

3600

Consultants -  
<https://simbli.eboardsolutions.com/SU/19Y2YhOrjiSGxS8QOUWGnA==>

4000

Concepts And Roles -  
<https://simbli.eboardsolutions.com/SU/OD2npGAZCiRik4Mzfor9zA==>

4032

Reasonable Accommodation -  
<https://simbli.eboardsolutions.com/SU/xCU2Q3bo4IrdA5Kslsh5iqGslshA==>

4033

Lactation Accommodation -  
<https://simbli.eboardsolutions.com/SU/BCWG4ZmkOPFlvslshL6SHOGDA==>

4111

Recruitment And Selection -  
<https://simbli.eboardsolutions.com/SU/HeUlwNZQTFVbF6nplusNePaZQ==>

4111.2	Legal Status Requirement - <a href="https://simbli.eboardsolutions.com/SU/m3WslshNV7bzEWPHOtWVprGLw==">https://simbli.eboardsolutions.com/SU/m3WslshNV7bzEWPHOtWVprGLw==</a>
4112.4	Health Examinations - <a href="https://simbli.eboardsolutions.com/SU/nKXNuY4nuf6VtbFdt8BxXQ==">https://simbli.eboardsolutions.com/SU/nKXNuY4nuf6VtbFdt8BxXQ==</a>
4112.41	Employee Drug Testing - <a href="https://simbli.eboardsolutions.com/SU/slshxWc7zKFP9LhPljHzE6Oog==">https://simbli.eboardsolutions.com/SU/slshxWc7zKFP9LhPljHzE6Oog==</a>
4112.6	Personnel Files - <a href="https://simbli.eboardsolutions.com/SU/8rmeuQPjBjxnplusLHK6jENEA==">https://simbli.eboardsolutions.com/SU/8rmeuQPjBjxnplusLHK6jENEA==</a>
4112.9	Employee Notifications - <a href="https://simbli.eboardsolutions.com/SU/Qz5Y9pFKIUz9yowJNByiOA==">https://simbli.eboardsolutions.com/SU/Qz5Y9pFKIUz9yowJNByiOA==</a>
4119.1	Civil And Legal Rights - <a href="https://simbli.eboardsolutions.com/SU/24DUL3dM9A2IUAAoqbi3Og==">https://simbli.eboardsolutions.com/SU/24DUL3dM9A2IUAAoqbi3Og==</a>
4119.11	Sexual Harassment - <a href="https://simbli.eboardsolutions.com/SU/SlvMh9PMikAPEOLcsVldiQ==">https://simbli.eboardsolutions.com/SU/SlvMh9PMikAPEOLcsVldiQ==</a>
4119.11	Sexual Harassment - <a href="https://simbli.eboardsolutions.com/SU/BsxQhDtsvrsishROgWBslGoVg==">https://simbli.eboardsolutions.com/SU/BsxQhDtsvrsishROgWBslGoVg==</a>
4119.41	Employees With Infectious Disease - <a href="https://simbli.eboardsolutions.com/SU/UW7i21Bcj9ORkQ5ObHAUAQ==">https://simbli.eboardsolutions.com/SU/UW7i21Bcj9ORkQ5ObHAUAQ==</a>
4131	Staff Development - <a href="https://simbli.eboardsolutions.com/SU/y4QplusedaFgrVD8fr8wpCMqQ==">https://simbli.eboardsolutions.com/SU/y4QplusedaFgrVD8fr8wpCMqQ==</a>
4131	Staff Development - <a href="https://simbli.eboardsolutions.com/SU/xnlUHul4wamrtLwplus2OFxcA==">https://simbli.eboardsolutions.com/SU/xnlUHul4wamrtLwplus2OFxcA==</a>
4144	Complaints - <a href="https://simbli.eboardsolutions.com/SU/KyKD8LDxrB2PwRRY0z7CWA==">https://simbli.eboardsolutions.com/SU/KyKD8LDxrB2PwRRY0z7CWA==</a>
4151	Employee Compensation - <a href="https://simbli.eboardsolutions.com/SU/sKgclPNslshLxkivtjIWzWr7g==">https://simbli.eboardsolutions.com/SU/sKgclPNslshLxkivtjIWzWr7g==</a>
4154	Health And Welfare Benefits - <a href="https://simbli.eboardsolutions.com/SU/6R1sBLgslshYgDslshAd2SuZj7eA==">https://simbli.eboardsolutions.com/SU/6R1sBLgslshYgDslshAd2SuZj7eA==</a>
4154	Health And Welfare Benefits - <a href="https://simbli.eboardsolutions.com/SU/WNoCah873JGR0slshZyGCtZtQ==">https://simbli.eboardsolutions.com/SU/WNoCah873JGR0slshZyGCtZtQ==</a>
4161.8	Family Care And Medical Leave - <a href="https://simbli.eboardsolutions.com/SU/dkzM3sFaSMA9NvtdslshHt2slshw==">https://simbli.eboardsolutions.com/SU/dkzM3sFaSMA9NvtdslshHt2slshw==</a>
4211	Recruitment And Selection - <a href="https://simbli.eboardsolutions.com/SU/1QyhISbz3gqFplusbhfpq4IEQ==">https://simbli.eboardsolutions.com/SU/1QyhISbz3gqFplusbhfpq4IEQ==</a>
4211.2	Legal Status Requirement - <a href="https://simbli.eboardsolutions.com/SU/uNIWpQaABVr6aKaLg4OdpQ==">https://simbli.eboardsolutions.com/SU/uNIWpQaABVr6aKaLg4OdpQ==</a>
4212.4	Health Examinations - <a href="https://simbli.eboardsolutions.com/SU/rlyplusslshRZ4Csezcx5hVxJL6Q==">https://simbli.eboardsolutions.com/SU/rlyplusslshRZ4Csezcx5hVxJL6Q==</a>
4212.41	Employee Drug Testing - <a href="https://simbli.eboardsolutions.com/SU/ONXwUHblKplusdn8d0BHAtFfA==">https://simbli.eboardsolutions.com/SU/ONXwUHblKplusdn8d0BHAtFfA==</a>
4212.6	Personnel Files - <a href="https://simbli.eboardsolutions.com/SU/6Sms9Cslshckj3AxFvjilVLwg==">https://simbli.eboardsolutions.com/SU/6Sms9Cslshckj3AxFvjilVLwg==</a>
4212.9	Employee Notifications - <a href="https://simbli.eboardsolutions.com/SU/0ZJclXM1TTrTf1O5E1AArg==">https://simbli.eboardsolutions.com/SU/0ZJclXM1TTrTf1O5E1AArg==</a>
4219.1	Civil And Legal Rights - <a href="https://simbli.eboardsolutions.com/SU/NNHd7ATUG21WUZfMslshC2esw==">https://simbli.eboardsolutions.com/SU/NNHd7ATUG21WUZfMslshC2esw==</a>
4219.11	Sexual Harassment - <a href="https://simbli.eboardsolutions.com/SU/tANOtSlshLtnplusAwRY1FCqQjA==">https://simbli.eboardsolutions.com/SU/tANOtSlshLtnplusAwRY1FCqQjA==</a>
4219.11	Sexual Harassment - <a href="https://simbli.eboardsolutions.com/SU/sOKhv3nplusqEuVMf7plusON7wrw==">https://simbli.eboardsolutions.com/SU/sOKhv3nplusqEuVMf7plusON7wrw==</a>

4219.41	Employees With Infectious Disease - <a href="https://simbli.eboardsolutions.com/SU/NpZq3EcMaaBylSSsQZkUvw==">https://simbli.eboardsolutions.com/SU/NpZq3EcMaaBylSSsQZkUvw==</a>
4244	Complaints - <a href="https://simbli.eboardsolutions.com/SU/AG8XgRWjeslshpslshdhFTO2smwQ==">https://simbli.eboardsolutions.com/SU/AG8XgRWjeslshpslshdhFTO2smwQ==</a>
4251	Employee Compensation - <a href="https://simbli.eboardsolutions.com/SU/d2AjUqcSgcwKXQ9kF6ShYQ==">https://simbli.eboardsolutions.com/SU/d2AjUqcSgcwKXQ9kF6ShYQ==</a>
4254	Health And Welfare Benefits - <a href="https://simbli.eboardsolutions.com/SU/IOQxocnnxc7t0zO4gNslshEig==">https://simbli.eboardsolutions.com/SU/IOQxocnnxc7t0zO4gNslshEig==</a>
4254	Health And Welfare Benefits - <a href="https://simbli.eboardsolutions.com/SU/baiguAHICDz2MiTzMIQl0A==">https://simbli.eboardsolutions.com/SU/baiguAHICDz2MiTzMIQl0A==</a>
4261.8	Family Care And Medical Leave - <a href="https://simbli.eboardsolutions.com/SU/RxAOPGwtmmyMLo5slshskLOtA==">https://simbli.eboardsolutions.com/SU/RxAOPGwtmmyMLo5slshskLOtA==</a>
4311	Recruitment And Selection - <a href="https://simbli.eboardsolutions.com/SU/S1DtM6q4nxCUkFJdgUiurg==">https://simbli.eboardsolutions.com/SU/S1DtM6q4nxCUkFJdgUiurg==</a>
4311.2	Legal Status Requirement - <a href="https://simbli.eboardsolutions.com/SU/zLDFviZ9L41plusxZLZHO5JGw==">https://simbli.eboardsolutions.com/SU/zLDFviZ9L41plusxZLZHO5JGw==</a>
4312.4	Health Examinations - <a href="https://simbli.eboardsolutions.com/SU/bslshMGq1l2YgZP7pluspaaHXLeA==">https://simbli.eboardsolutions.com/SU/bslshMGq1l2YgZP7pluspaaHXLeA==</a>
4312.41	Employee Drug Testing - <a href="https://simbli.eboardsolutions.com/SU/Oz43bunUpWERwRfDslsh1UBgw==">https://simbli.eboardsolutions.com/SU/Oz43bunUpWERwRfDslsh1UBgw==</a>
4312.6	Personnel Files - <a href="https://simbli.eboardsolutions.com/SU/c66XSPEsGJAEqplus435ncEpw==">https://simbli.eboardsolutions.com/SU/c66XSPEsGJAEqplus435ncEpw==</a>
4312.9	Employee Notifications - <a href="https://simbli.eboardsolutions.com/SU/a1UsQLi9B3PWIEPE2MJvAQ==">https://simbli.eboardsolutions.com/SU/a1UsQLi9B3PWIEPE2MJvAQ==</a>
4319.1	Civil And Legal Rights - <a href="https://simbli.eboardsolutions.com/SU/S3pluswdN4h3ZfGQBHYZ4pWXg==">https://simbli.eboardsolutions.com/SU/S3pluswdN4h3ZfGQBHYZ4pWXg==</a>
4319.11	Sexual Harassment - <a href="https://simbli.eboardsolutions.com/SU/EX3wm6YIGO1llgpyhTruVw==">https://simbli.eboardsolutions.com/SU/EX3wm6YIGO1llgpyhTruVw==</a>
4319.11	Sexual Harassment - <a href="https://simbli.eboardsolutions.com/SU/afYPjOEJno5bLslshzEsWu4Xw==">https://simbli.eboardsolutions.com/SU/afYPjOEJno5bLslshzEsWu4Xw==</a>
4319.41	Employees With Infectious Disease - <a href="https://simbli.eboardsolutions.com/SU/U6X8VCGYePZQtETEvG6GyQ==">https://simbli.eboardsolutions.com/SU/U6X8VCGYePZQtETEvG6GyQ==</a>
4331	Staff Development - <a href="https://simbli.eboardsolutions.com/SU/mi31ZJfJZ6P6XlztQhGr3Q==">https://simbli.eboardsolutions.com/SU/mi31ZJfJZ6P6XlztQhGr3Q==</a>
4331	Staff Development - <a href="https://simbli.eboardsolutions.com/SU/hqxZRIEbEWMHD9ZdRfApig==">https://simbli.eboardsolutions.com/SU/hqxZRIEbEWMHD9ZdRfApig==</a>
4344	Complaints - <a href="https://simbli.eboardsolutions.com/SU/qGrsXimwkCHTw02tO8UC4Q==">https://simbli.eboardsolutions.com/SU/qGrsXimwkCHTw02tO8UC4Q==</a>
4351	Employee Compensation - <a href="https://simbli.eboardsolutions.com/SU/7yki0pHAhelqH4DkAzNuTw==">https://simbli.eboardsolutions.com/SU/7yki0pHAhelqH4DkAzNuTw==</a>
4354	Health And Welfare Benefits - <a href="https://simbli.eboardsolutions.com/SU/AUcC2pRXWApZWZErGJyJUg==">https://simbli.eboardsolutions.com/SU/AUcC2pRXWApZWZErGJyJUg==</a>
4354	Health And Welfare Benefits - <a href="https://simbli.eboardsolutions.com/SU/slsh0UxeGKSx3ebrYlspgISrg==">https://simbli.eboardsolutions.com/SU/slsh0UxeGKSx3ebrYlspgISrg==</a>
4361.8	Family Care And Medical Leave - <a href="https://simbli.eboardsolutions.com/SU/14pPp1TwlNK12lxOlrqSnw==">https://simbli.eboardsolutions.com/SU/14pPp1TwlNK12lxOlrqSnw==</a>
9000	Role Of The Board - <a href="https://simbli.eboardsolutions.com/SU/yCFHLIFLUDCtfgppluseQHTjg==">https://simbli.eboardsolutions.com/SU/yCFHLIFLUDCtfgppluseQHTjg==</a>
9321	Closed Session - <a href="https://simbli.eboardsolutions.com/SU/eQxvTE4sunzJru8wB8gc1g==">https://simbli.eboardsolutions.com/SU/eQxvTE4sunzJru8wB8gc1g==</a>

**Regulation 4119.11: Sexual Harassment**

**Status:** ADOPTED

**Original Adopted Date:** 10/05/2010 | **Last Revised Date:** 02/20/2018 | **Last Reviewed Date:** 02/20/2018

This administrative regulation shall apply to all allegations of sexual harassment involving employees, interns, volunteers, and job applicants, but shall not be used to resolve any complaint by or against a student.

**Definitions**

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature made against another person of the same or opposite sex in the work or educational setting when: (Education Code 212.5; Government Code 12940; 2 CCR 11034)

1. Submission to the conduct is made explicitly or implicitly a term or condition of the individual's employment.
2. Submission to or rejection of the conduct is used as the basis for an employment decision affecting the individual.
3. Submission to or rejection of the conduct is used as the basis for any decision affecting the individual regarding benefits, services, honors, programs, or activities available at or through the district.

Prohibited sexual harassment also includes conduct which, regardless of whether or not it is motivated by sexual desire, is so severe or pervasive as to unreasonably interfere with the victim's work performance or create an intimidating, hostile, or offensive work environment.

Examples of actions that might constitute sexual harassment in the work or educational setting, whether committed by a supervisor, a co-worker, or a non-employee, include, but are not limited to:

1. Unwelcome verbal conduct such as sexual flirtations or propositions; graphic comments about an individual's body; overly personal conversations or pressure for sexual activity; sexual jokes or stories; unwelcome sexual slurs, epithets, threats, innuendoes, derogatory comments, sexually degrading descriptions, or the spreading of sexual rumors
2. Unwelcome visual conduct such as drawings, pictures, graffiti, or gestures; sexually explicit emails; displaying sexually suggestive objects
3. Unwelcome physical conduct such as massaging, grabbing, fondling, stroking, or brushing the body; touching an individual's body or clothes in a sexual way; cornering, blocking, leaning over, or impeding normal movements

**Training**

The Superintendent or designee shall ensure that all employees receive training regarding the district's sexual harassment policies when hired and periodically thereafter. The training shall include the procedures for reporting and/or filing complaints involving an employee, employees' duty to use the district's complaint procedures, and employee obligations when a sexual harassment report involving a student is made to the employee.

Every two years, the Superintendent or designee shall ensure that supervisory employees receive at least two hours of classroom or other effective interactive training and education regarding sexual harassment. All such newly hired or promoted employees shall receive training within six months of their assumption of the new position. (Government Code 12950.1)

A supervisory employee is any employee having the authority, in the interest of the district, to hire, transfer, suspend, lay off, promote, discharge, assign, reward, or discipline other employees, or the responsibility to direct them, adjust their grievances, or effectively recommend such action, when the exercise of the authority is not of a merely routine or clerical nature, but requires the use of independent judgment. (Government Code 12926)

The district's sexual harassment training and education program for supervisory employees shall be aimed at assisting them in preventing and effectively responding to incidents of sexual harassment, as well as implementing mechanisms to promptly address and correct wrongful behavior. The training shall include, but is not limited to, the following: (Government Code 12950.1; 2 CCR 11024)

1. Information and practical guidance regarding federal and state laws on the prohibition, prevention, and

correction of sexual harassment, the remedies available to sexual harassment victims in civil actions, and potential district and/or individual exposure or liability

2. The types of conduct that constitute sexual harassment and practical examples which illustrate sexual harassment, discrimination, and retaliation using training modalities such as role plays, case studies, and group discussions, based on factual scenarios taken from case law, news and media accounts, and hypotheticals based on workplace situations and other sources
3. A supervisor's obligation to report sexual harassment, discrimination, and retaliation of which he/she becomes aware and what to do if the supervisor himself/herself is personally accused of harassment
4. Strategies for preventing harassment, discrimination, and retaliation and appropriate steps to ensure that remedial measures are taken to correct harassing behavior, including an effective process for investigation of a complaint
5. The essential elements of the district's anti-harassment policy, including the limited confidentiality of the complaint process and resources for victims of unlawful sexual harassment, such as to whom they should report any alleged sexual harassment, and how to use the policy if a harassment complaint is filed
6. A copy of the district's sexual harassment policy and administrative regulation, which each participant shall acknowledge in writing that he/she has received
7. The definition and prevention of abusive conduct that addresses the use of derogatory remarks, insults, or epithets, other verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, and the gratuitous sabotage or undermining of a person's work performance

The Superintendent or designee shall retain for at least two years the records of any training provided to supervisory employees. Such records shall include the names of trained employees, date of the training, the type of training, and the name of the training provider. (2 CCR 11024)

### **Notifications**

A copy of the Board policy and this administrative regulation shall: (Education Code 231.5)

1. Be displayed in a prominent location in the main administrative building, district office, or other area of the school where notices of district rules, regulations, procedures, and standards of conduct are posted
2. Be provided to every district employee at the beginning of the first quarter or semester of the school year or whenever a new employee is hired
3. Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct

All employees shall receive either a copy of information sheets prepared by the California Department of Fair Employment and Housing (DFEH) or a copy of district information sheets that contain, at a minimum, components on: (Government Code 12950)

1. The illegality of sexual harassment
2. The definition of sexual harassment under applicable state and federal law
3. A description of sexual harassment, with examples
4. The district's complaint process available to the employee
5. The legal remedies and complaint process available through DFEH and the Equal Employment Opportunity Commission (EEOC)
6. Directions on how to contact DFEH and the EEOC
7. The protection against retaliation provided by 2 CCR 11021 for opposing harassment prohibited by law or for filing a complaint with or otherwise participating in an investigation, proceeding, or hearing conducted by



## DFEH and the EEOC

In addition, the district shall post, in a prominent and accessible location, DFEH's poster on discrimination in employment and the illegality of sexual harassment. (Government Code 12950)

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

### State References

	Description
2 CCR 11006-11086	Discrimination in employment - <a href="https://simbli.eboardsolutions.com/SU/jUNOUneBGplusu4fVMTIWMKA==">https://simbli.eboardsolutions.com/SU/jUNOUneBGplusu4fVMTIWMKA==</a>
2 CCR 11021	Discrimination in employment - retaliation - <a href="https://simbli.eboardsolutions.com/SU/iTztgujF38E1spcl6qvQZw==">https://simbli.eboardsolutions.com/SU/iTztgujF38E1spcl6qvQZw==</a>
2 CCR 11023	Harassment and discrimination prevention and correction - <a href="https://simbli.eboardsolutions.com/SU/haAgKnrQhVJbslsh34hY5zslsh5Q==">https://simbli.eboardsolutions.com/SU/haAgKnrQhVJbslsh34hY5zslsh5Q==</a>
2 CCR 11024	Required training and education on harassment based on sex, gender identity and expression, and sexual orientation - <a href="https://simbli.eboardsolutions.com/SU/WdslshVrKs4pluscfHplushNGLhCeQw==">https://simbli.eboardsolutions.com/SU/WdslshVrKs4pluscfHplushNGLhCeQw==</a>
2 CCR 11034	Terms, conditions, and privileges of employment - <a href="https://simbli.eboardsolutions.com/SU/jX8JHDplusuhtEPVPUCVlvsTA==">https://simbli.eboardsolutions.com/SU/jX8JHDplusuhtEPVPUCVlvsTA==</a>
5 CCR 4900-4965	Nondiscrimination in elementary and secondary education programs
Ed. Code 200-262.4	Educational equity; prohibition of discrimination on the basis of sex - <a href="https://simbli.eboardsolutions.com/SU/ytTLslshoozWGUAbNL6kKkgxQ==">https://simbli.eboardsolutions.com/SU/ytTLslshoozWGUAbNL6kKkgxQ==</a>
Gov. Code 12900-12996	Fair Employment and Housing Act
Gov. Code 12940	Unlawful discriminatory employment practices
Gov. Code 12950	Sexual harassment
Gov. Code 12950.1	Sexual harassment training
Lab. Code 1101	Political activities of employees
Lab. Code 1102.1	Discrimination: sexual orientation

### Federal References

	Description
20 USC 1681-1688	Discrimination based on sex or blindness, Title IX
34 CFR 106.1-106.9	Nondiscrimination on the basis of sex in education programs or activities
34 CFR 106.51-106.61	Nondiscrimination on the basis of sex in employment in education program or activities
42 USC 2000e-2000e-17	Title VII, Civil Rights Act of 1964, as amended

### Management Resources References

	Description
Court Decision	A.M. v. Albertsons, LLC, (2009) Cal.App.4th 455
U.S. Equal Employment Opportunity Com. Publication	Promising Practices for Preventing Harassment, November 2017
Website	AASA The School Superintendents Association - <a href="https://simbli.eboardsolutions.com/SU/MOaF8AO8cslshSlfGc13QQoEQ==">https://simbli.eboardsolutions.com/SU/MOaF8AO8cslshSlfGc13QQoEQ==</a>

### Cross References

	Description
0410	Nondiscrimination In District Programs And Activities - <a href="https://simbli.eboardsolutions.com/SU/FnDZ7yHITUVLmcPBwcYa4w==">https://simbli.eboardsolutions.com/SU/FnDZ7yHITUVLmcPBwcYa4w==</a>
0450	Comprehensive Safety Plan - <a href="https://simbli.eboardsolutions.com/SU/XVeModcEEplusmlKmlViNyG8g==">https://simbli.eboardsolutions.com/SU/XVeModcEEplusmlKmlViNyG8g==</a>

0450	Comprehensive Safety Plan - <a href="https://simbli.eboardsolutions.com/SU/vQZUWC8qslshfqZpV1MmtaRBg==">https://simbli.eboardsolutions.com/SU/vQZUWC8qslshfqZpV1MmtaRBg==</a>
1312.3	Uniform Complaint Procedures - <a href="https://simbli.eboardsolutions.com/SU/jyKa60efBU85pBteBaMvhA==">https://simbli.eboardsolutions.com/SU/jyKa60efBU85pBteBaMvhA==</a>
1312.3	Uniform Complaint Procedures - <a href="https://simbli.eboardsolutions.com/SU/he5R6o3mKhZ8plus8KsNn26EQ==">https://simbli.eboardsolutions.com/SU/he5R6o3mKhZ8plus8KsNn26EQ==</a>
3530	Risk Management/Insurance - <a href="https://simbli.eboardsolutions.com/SU/AwD0gWC1fp3vplus35CcotDig==">https://simbli.eboardsolutions.com/SU/AwD0gWC1fp3vplus35CcotDig==</a>
3530	Risk Management/Insurance - <a href="https://simbli.eboardsolutions.com/SU/usslshWhTtZbMepJAoA7BYd6g==">https://simbli.eboardsolutions.com/SU/usslshWhTtZbMepJAoA7BYd6g==</a>
3600	Consultants - <a href="https://simbli.eboardsolutions.com/SU/19Y2YhOrjiSGxS8QOUWGnA==">https://simbli.eboardsolutions.com/SU/19Y2YhOrjiSGxS8QOUWGnA==</a>
4030	Nondiscrimination In Employment - <a href="https://simbli.eboardsolutions.com/SU/japluspF1fDZLwk4z1txs8TVw==">https://simbli.eboardsolutions.com/SU/japluspF1fDZLwk4z1txs8TVw==</a>
4030	Nondiscrimination In Employment - <a href="https://simbli.eboardsolutions.com/SU/1hR1nwwQdqhZCpluskI91M7LA==">https://simbli.eboardsolutions.com/SU/1hR1nwwQdqhZCpluskI91M7LA==</a>
4040	Employee Use Of Technology - <a href="https://simbli.eboardsolutions.com/SU/pCyVFWhxjPMeq9hSFguPfw==">https://simbli.eboardsolutions.com/SU/pCyVFWhxjPMeq9hSFguPfw==</a>
4040-E(1)	Employee Use Of Technology - <a href="https://simbli.eboardsolutions.com/SU/SHiUEWDyslshNbm0aZ0gplusTpfw==">https://simbli.eboardsolutions.com/SU/SHiUEWDyslshNbm0aZ0gplusTpfw==</a>
4112.9	Employee Notifications - <a href="https://simbli.eboardsolutions.com/SU/Qz5Y9pFKIUz9yowJNByiOA==">https://simbli.eboardsolutions.com/SU/Qz5Y9pFKIUz9yowJNByiOA==</a>
4117.7	Employment Status Reports - <a href="https://simbli.eboardsolutions.com/SU/NHiiCROplusQplusLIV6uz4JtDzg==">https://simbli.eboardsolutions.com/SU/NHiiCROplusQplusLIV6uz4JtDzg==</a>
4119.21	Professional Standards - <a href="https://simbli.eboardsolutions.com/SU/UTGFaZorslshLeTKDloySlofQ==">https://simbli.eboardsolutions.com/SU/UTGFaZorslshLeTKDloySlofQ==</a>
4119.21-E(1)	Professional Standards - <a href="https://simbli.eboardsolutions.com/SU/mGplusvfwZSZeWEomplumBplusTJTg==">https://simbli.eboardsolutions.com/SU/mGplusvfwZSZeWEomplumBplusTJTg==</a>
4131	Staff Development - <a href="https://simbli.eboardsolutions.com/SU/y4QplusedaFgrVD8fr8wpCMqQ==">https://simbli.eboardsolutions.com/SU/y4QplusedaFgrVD8fr8wpCMqQ==</a>
4131	Staff Development - <a href="https://simbli.eboardsolutions.com/SU/xnIUHul4wamrtLwplus2OFxcA==">https://simbli.eboardsolutions.com/SU/xnIUHul4wamrtLwplus2OFxcA==</a>
4144	Complaints - <a href="https://simbli.eboardsolutions.com/SU/KyKD8LDxrB2PwRRY0z7CWA==">https://simbli.eboardsolutions.com/SU/KyKD8LDxrB2PwRRY0z7CWA==</a>
4212.9	Employee Notifications - <a href="https://simbli.eboardsolutions.com/SU/0ZJclXM1TTrTf1O5E1AArg==">https://simbli.eboardsolutions.com/SU/0ZJclXM1TTrTf1O5E1AArg==</a>
4219.21	Professional Standards - <a href="https://simbli.eboardsolutions.com/SU/cRQObj7EJcTiplushojXxDrvw==">https://simbli.eboardsolutions.com/SU/cRQObj7EJcTiplushojXxDrvw==</a>
4219.21-E(1)	Professional Standards - Code Of Ethics Classified Employees - <a href="https://simbli.eboardsolutions.com/SU/Yn4FDSgBUNSbsWF3lvpkIQ==">https://simbli.eboardsolutions.com/SU/Yn4FDSgBUNSbsWF3lvpkIQ==</a>
4244	Complaints - <a href="https://simbli.eboardsolutions.com/SU/AG8XgRWjeslshpslshdhFTO2smwQ==">https://simbli.eboardsolutions.com/SU/AG8XgRWjeslshpslshdhFTO2smwQ==</a>
4300	Administrative And Supervisory Personnel - <a href="https://simbli.eboardsolutions.com/SU/zuSelJPD0gilsglN1WCEbg==">https://simbli.eboardsolutions.com/SU/zuSelJPD0gilsglN1WCEbg==</a>
4312.9	Employee Notifications - <a href="https://simbli.eboardsolutions.com/SU/a1UsQLi9B3PWIEPE2MJvAQ==">https://simbli.eboardsolutions.com/SU/a1UsQLi9B3PWIEPE2MJvAQ==</a>
4319.21	Professional Standards - <a href="https://simbli.eboardsolutions.com/SU/aVzvR2gnF6PxyE8OYijAPA==">https://simbli.eboardsolutions.com/SU/aVzvR2gnF6PxyE8OYijAPA==</a>
4319.21-E(1)	Professional Standards - <a href="https://simbli.eboardsolutions.com/SU/sVVtgfkApxmtRMQLIsMRyQ==">https://simbli.eboardsolutions.com/SU/sVVtgfkApxmtRMQLIsMRyQ==</a>

4344	Complaints - <a href="https://simbli.eboardsolutions.com/SU/qGrsXimwkCHTw02tO8UC4Q==">https://simbli.eboardsolutions.com/SU/qGrsXimwkCHTw02tO8UC4Q==</a>
5145.7	Sexual Harassment - <a href="https://simbli.eboardsolutions.com/SU/Etnsl0vfjVFwtsfy7FGqYA==">https://simbli.eboardsolutions.com/SU/Etnsl0vfjVFwtsfy7FGqYA==</a>
5145.7	Sexual Harassment - <a href="https://simbli.eboardsolutions.com/SU/bVa5mPNAi4zf7b1zOFIT1Q==">https://simbli.eboardsolutions.com/SU/bVa5mPNAi4zf7b1zOFIT1Q==</a>

**Regulation 4158: Employee Security**

**Status:** ADOPTED

**Original Adopted Date:** 10/05/2010 | **Last Revised Date:** 12/11/2012 | **Last Reviewed Date:** 12/11/2012

An employee may use reasonable and necessary force when necessary for self-defense, to protect another person or property, to quell a disturbance threatening physical injury to others, or to obtain possession of weapons or other dangerous objects on or within the control of a student. (Education Code 44807, 49001)

Employees shall promptly report to their principal or other immediate supervisor any attack, assault or physical threat made against them by a student.

Both the employee and the principal or other immediate supervisor shall promptly report such instances to the appropriate local law enforcement agency. (Education Code 44014)

In addition, employees shall promptly report to their principal or supervisor, and may report to law enforcement, any attack, assault or threat made against them on school grounds by any other individual.

Reports of attack, assault or threat also shall be forwarded immediately to the Superintendent or designee.

**Notice Regarding Student Offenses Committed While Under School Jurisdiction**

The Superintendent or designee shall inform the teacher of each student who has engaged in, or is reasonably suspected of, any act during the previous three school years which could constitute grounds for suspension or expulsion under Education Code 48900, with the exception of the possession or use of tobacco products, or Education Code 48900.2, 48900.3, 48900.4, or 48900.7. This information shall be based upon district records maintained in the ordinary course of business or records received from a law enforcement agency. (Education Code 49079)

Upon receiving a transfer student's record regarding acts committed by the student that resulted in his/her suspension or expulsion, the Superintendent or designee shall inform any of the student's teacher(s) that the student was suspended from his/her former district and of the act that resulted in the suspension or expulsion. (Education Code 48201)

Information received by teacher(s) shall be received in confidence for the limited purpose for which it was provided and shall not be further disseminated by the teacher. (Education Code 49079)

**Notice Regarding Student Offenses Committed While Outside School Jurisdiction**

When informed by the court that a minor student has been found by a court to have committed any felony or any misdemeanor involving curfew, gambling, alcohol, drugs, tobacco products, carrying of weapons, a sex offense listed in Penal Code 290, assault or battery, larceny, vandalism or graffiti, the Superintendent or designee shall so inform the school principal. (Welfare and Institution Code 827)

The principal shall disseminate this information to the counselor(s) who directly supervises or reports on the student's behavior or progress. The principal also may inform any teacher or administrator he/she thinks may need the information so as to work with the student appropriately, avoid being needlessly vulnerable, or protect others from vulnerability. (Welfare and Institutions Code 827)

Any court-initiated information that a teacher, counselor or administrator receives shall be kept confidential and used only to rehabilitate the student and protect other students and staff. The information shall be further disseminated only when communication with the student, parent/guardian, law enforcement staff and probation officer is necessary to rehabilitate the student or to protect students and staff. (Welfare and Institutions Code 827)

When a student is removed from school as a result of his/her offense, the Superintendent shall hold the court's information in a separate confidential file until the student is returned to public school. If the student is returned to a different district, the Superintendent shall transmit the information provided by the student's parole or probation officer to the Superintendent of the new district of attendance. (Welfare and Institutions Code 827)

Any confidential file of court-initiated information shall be kept until the student becomes 18, graduates from high school, or is released from juvenile court jurisdiction, whichever occurs first; it shall then be destroyed. (Welfare and Institutions Code 827)

**Procedures to Maintain Confidentiality of Student Offenses**

In order to maintain confidentiality when providing information about student offenses to counselors and teachers of classes/programs to which a student is assigned, the principal or designee shall send the staff member a written notification that one of his/her students has committed an offense that requires his/her review of a student's file in the school office. This

notification shall not name or otherwise identify the student. The staff member shall be asked to initial the notification and return it to the principal or designee.

The staff member shall also initial the student's file when reviewing it in the school office. Once the district has made a good faith effort to comply with the notification requirement of Education Code 49079 and Welfare and Institutions Code 827, an employee's failure to review the file constitutes district compliance with the requirement to provide notice to the teacher.

### Use of Pepper Spray

Employees who are permitted to possess pepper spray on school property shall be notified of the following conditions:

1. The pepper spray shall be used only in self-defense.
2. An employee who uses pepper spray other than in self-defense shall be subject to disciplinary action by the district and, in accordance with law, a fine and/or imprisonment.
3. The employee shall ensure that the pepper spray is stored in a secure place and not accessible to students or other individuals. An employee who is negligent in the storage of pepper spray may be subject to disciplinary action.

Employees wishing to carry pepper spray on school property or to a school-related activity shall submit to the Superintendent or designee a written request setting forth the need for the pepper spray. Should the Superintendent or designee determine that the employee may not carry pepper spray, the employee shall receive a written statement of the reason for this determination.

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

### State References

### Description

CCP. 527.8	Workplace violence safety - <a href="https://simbli.eboardsolutions.com/SU/zzBhO3hWGUr7lplusYiDNCP8A==">https://simbli.eboardsolutions.com/SU/zzBhO3hWGUr7lplusYiDNCP8A==</a>
Civ. Code 51.7	Freedom from violence or intimidation - <a href="https://simbli.eboardsolutions.com/SU/biK5w5xHjaslshApluscWXhrJ7ZQ==">https://simbli.eboardsolutions.com/SU/biK5w5xHjaslshApluscWXhrJ7ZQ==</a>
Ed. Code 32210-32212	Willful disturbance, public schools or meetings
Ed. Code 32225-32226	Communications devices in classrooms
Ed. Code 35208	Liability insurance
Ed. Code 35213	Reimbursement for loss or damage of personal property
Ed. Code 44014	Report of assault by pupil against school employee
Ed. Code 44807	Duty concerning conduct of students
Ed. Code 48201	Student records for transfer students who have been suspended/expelled
Ed. Code 48900-48926	Suspension and expulsion
Ed. Code 49079	Notification to teacher, student who has engaged in acts re: grounds suspension or expulsion
Ed. Code 49330-49335	Injurious objects
Gov. Code 995-996.4	Defense of public employees
Pen. Code 22810	Purchase, possession, and use of tear gas
Pen. Code 240-246.3	Assault and battery

Pen. Code 241.3	Assault against school bus drivers
Pen. Code 241.6	Assault on school employee including board member
Pen. Code 243.3	Battery against school bus drivers
Pen. Code 243.6	Battery against school employee including board members
Pen. Code 245.5	Assault with deadly weapon against school employee including board member
Pen. Code 290	Registration of sex offenders
Pen. Code 601	Trespass by person making credible threat
Pen. Code 626-626.11	Crimes on school grounds
Pen. Code 646.9	Stalking
Pen. Code 71	Threatening public officers and employees and school officials
W&I Code 827	Juvenile court proceedings; reports; confidentiality
W&I Code 828.1	Disclosure of criminal records; protection of vulnerable staff & students

### Federal References

Gov. Code 3543.2

### Description

Scope of bargaining

### Management Resources References

Court Decision

Website

### Description

A.M. v. Albertsons, LLC, (2009) Cal.App.4th 455

AASA The School Superintendents Association -  
<https://simbli.eboardsolutions.com/SU/MOaF8AO8cslshSlfGc13QQoEQ==>

### Cross References

0450

0450

3320

3320

3515

3515

3515.2

3515.2

3515.4

3515.4

3530

3530

4119.21

### Description

Comprehensive Safety Plan -  
<https://simbli.eboardsolutions.com/SU/XVeModcEEplusmIKmIViNyG8g==>

Comprehensive Safety Plan -  
<https://simbli.eboardsolutions.com/SU/vQZUWC8qslshfqZpV1MmtaRBg==>

Claims And Actions Against The District -  
<https://simbli.eboardsolutions.com/SU/uCWIR11RDy6p03LxKpKPCw==>

Claims And Actions Against The District -  
<https://simbli.eboardsolutions.com/SU/Qrp22NVkslshfb8KJT8vxEvVg==>

Campus Security -  
<https://simbli.eboardsolutions.com/SU/hqEPjAhd9goSoQpbplus4kjiQ==>

Campus Security -  
<https://simbli.eboardsolutions.com/SU/TNTSaLuS8Nthk6qXGvHC9g==>

Disruptions - <https://simbli.eboardsolutions.com/SU/3zz1tI0X4ZIN7VAPLICn2w==>

Disruptions -  
<https://simbli.eboardsolutions.com/SU/AuZ7CmtLr9yBgGvfKslshy3fw==>

Recovery For Property Loss Or Damage -  
<https://simbli.eboardsolutions.com/SU/UC2manslshyq18ZgggFuNMKBQ==>

Recovery For Property Loss Or Damage -  
<https://simbli.eboardsolutions.com/SU/1IPyTgflGkwgRjC0ihf1LA==>

Risk Management/Insurance -  
<https://simbli.eboardsolutions.com/SU/AwD0gWC1fp3vplus35CcotDig==>

Risk Management/Insurance -  
<https://simbli.eboardsolutions.com/SU/usslshWhTtZbMepJAoA7BVd6g==>

Professional Standards -  
<https://simbli.eboardsolutions.com/SU/UTGFaZorslshLeTKDloySlofQ==>

4119.21-E(1)	Professional Standards - <a href="https://simbli.eboardsolutions.com/SU/mGplusvfwZSZeWEomplumBplusTJTg==">https://simbli.eboardsolutions.com/SU/mGplusvfwZSZeWEomplumBplusTJTg==</a>
4131	Staff Development - <a href="https://simbli.eboardsolutions.com/SU/y4QplusedaFgrVD8fr8wpCMqQ==">https://simbli.eboardsolutions.com/SU/y4QplusedaFgrVD8fr8wpCMqQ==</a>
4131	Staff Development - <a href="https://simbli.eboardsolutions.com/SU/xnIUHul4wamrtLwplus2OFxcA==">https://simbli.eboardsolutions.com/SU/xnIUHul4wamrtLwplus2OFxcA==</a>
4156.3	Employee Property Reimbursement - <a href="https://simbli.eboardsolutions.com/SU/PSd78mwNI7PBg0JEpDln7A==">https://simbli.eboardsolutions.com/SU/PSd78mwNI7PBg0JEpDln7A==</a>
4219.21	Professional Standards - <a href="https://simbli.eboardsolutions.com/SU/cRQObj7EJcTiplushojXxDrvw==">https://simbli.eboardsolutions.com/SU/cRQObj7EJcTiplushojXxDrvw==</a>
4219.21-E(1)	Professional Standards - Code Of Ethics Classified Employees - <a href="https://simbli.eboardsolutions.com/SU/Yn4FDSgBUNSbsWF3lvpkIQ==">https://simbli.eboardsolutions.com/SU/Yn4FDSgBUNSbsWF3lvpkIQ==</a>
4256.3	Employee Property Reimbursement - <a href="https://simbli.eboardsolutions.com/SU/KKd3731fZ7J5wAslsh2IESdfg==">https://simbli.eboardsolutions.com/SU/KKd3731fZ7J5wAslsh2IESdfg==</a>
4319.21	Professional Standards - <a href="https://simbli.eboardsolutions.com/SU/aVzvR2gnF6PxyE8OYijAPA==">https://simbli.eboardsolutions.com/SU/aVzvR2gnF6PxyE8OYijAPA==</a>
4319.21-E(1)	Professional Standards - <a href="https://simbli.eboardsolutions.com/SU/sVVtgfkApxmtRMQLIsMRyQ==">https://simbli.eboardsolutions.com/SU/sVVtgfkApxmtRMQLIsMRyQ==</a>
4331	Staff Development - <a href="https://simbli.eboardsolutions.com/SU/mi31ZJfJZ6P6XIztQhGr3Q==">https://simbli.eboardsolutions.com/SU/mi31ZJfJZ6P6XIztQhGr3Q==</a>
4331	Staff Development - <a href="https://simbli.eboardsolutions.com/SU/hqxZREbEWMHD9ZdRfApig==">https://simbli.eboardsolutions.com/SU/hqxZREbEWMHD9ZdRfApig==</a>
4356.3	Employee Property Reimbursement - <a href="https://simbli.eboardsolutions.com/SU/cJuZ6fh7ckFixytDnGuGmg==">https://simbli.eboardsolutions.com/SU/cJuZ6fh7ckFixytDnGuGmg==</a>
5125	Student Records - <a href="https://simbli.eboardsolutions.com/SU/tWHWUiPwslshr1YYPUpusvwMslshmQ==">https://simbli.eboardsolutions.com/SU/tWHWUiPwslshr1YYPUpusvwMslshmQ==</a>
5125	Student Records - <a href="https://simbli.eboardsolutions.com/SU/BVqShG6XWi846acAF21eCA==">https://simbli.eboardsolutions.com/SU/BVqShG6XWi846acAF21eCA==</a>
5125.2	Withholding Grades, Diploma Or Transcripts - <a href="https://simbli.eboardsolutions.com/SU/8fliZDslshTgEa3EslshyLjKO9ig==">https://simbli.eboardsolutions.com/SU/8fliZDslshTgEa3EslshyLjKO9ig==</a>
5131.4	Student Disturbances - <a href="https://simbli.eboardsolutions.com/SU/LI3WnRLoXmLkeMY3u4u1bw==">https://simbli.eboardsolutions.com/SU/LI3WnRLoXmLkeMY3u4u1bw==</a>
5131.4	Student Disturbances - <a href="https://simbli.eboardsolutions.com/SU/UqQ9HwSmY1ubUAbnvCCAzw==">https://simbli.eboardsolutions.com/SU/UqQ9HwSmY1ubUAbnvCCAzw==</a>
5131.7	Weapons And Dangerous Instruments - <a href="https://simbli.eboardsolutions.com/SU/sEXU7d6s1W2lslsh3fm6ha3xA==">https://simbli.eboardsolutions.com/SU/sEXU7d6s1W2lslsh3fm6ha3xA==</a>
5131.7	Weapons And Dangerous Instruments - <a href="https://simbli.eboardsolutions.com/SU/Gj20cYYEOE5vGxsL02XDkQ==">https://simbli.eboardsolutions.com/SU/Gj20cYYEOE5vGxsL02XDkQ==</a>
5141	Health Care And Emergencies - <a href="https://simbli.eboardsolutions.com/SU/zOGaTyaz8y3Px5h4jX6jfQ==">https://simbli.eboardsolutions.com/SU/zOGaTyaz8y3Px5h4jX6jfQ==</a>
5141	Health Care And Emergencies - <a href="https://simbli.eboardsolutions.com/SU/EyWdU9HUGyejrQYEpLTGrg==">https://simbli.eboardsolutions.com/SU/EyWdU9HUGyejrQYEpLTGrg==</a>
5144	Discipline - <a href="https://simbli.eboardsolutions.com/SU/VKfDusQz4wO4ztggq0xR0Q==">https://simbli.eboardsolutions.com/SU/VKfDusQz4wO4ztggq0xR0Q==</a>
5144	Discipline - <a href="https://simbli.eboardsolutions.com/SU/h8js9swo8roKNec7W9PBIQ==">https://simbli.eboardsolutions.com/SU/h8js9swo8roKNec7W9PBIQ==</a>
5144.1	Suspension And Expulsion/Due Process - <a href="https://simbli.eboardsolutions.com/SU/2KWISVzOJQsLVudCPe2bpg==">https://simbli.eboardsolutions.com/SU/2KWISVzOJQsLVudCPe2bpg==</a>
5144.1	Suspension And Expulsion/Due Process - <a href="https://simbli.eboardsolutions.com/SU/1wRsP0evdfTslshv6FLdTXneA==">https://simbli.eboardsolutions.com/SU/1wRsP0evdfTslshv6FLdTXneA==</a>

5144.2

Suspension And Expulsion/Due Process (Students With Disabilities) -  
<https://simbli.eboardsolutions.com/SU/lsishWEps64d5tGtqQbrl8gaQ==>



**Regulation 4161.8: Family Care And Medical Leave**

**Status:** ADOPTED

**Original Adopted Date:** 05/18/2021 | **Last Reviewed Date:** 05/18/2021

The district shall not deny any eligible employee the right to family care or medical leave pursuant to the Family and Medical Leave Act (FMLA) or the California Family Rights Act (CFRA), or leave for pregnancy disability pursuant to California Pregnancy Disability Leave (PDL). The district shall not interfere with, restrain, or deny the exercise of an employee's right to any such leave, nor shall the district discharge, discriminate against, or retaliate against an employee for taking such leave, opposing or challenging an unlawful employment practice in relation to any of these laws, or being involved in any related inquiry or proceeding. (Government Code 12945, 12945.2; 2 CCR 11094; 29 USC 2615)

**Definitions**

The words and phrases defined below shall have the same meaning throughout this administrative regulation except where a different meaning is otherwise specified.

Child means a biological, adopted, or foster child; a stepchild; a legal ward; or a person to whom the employee stands in loco parentis. For purposes of CFRA leave, child also includes a child of a registered domestic partner. (Government Code 12945.2; 2 CCR 11087; 29 USC 2611)

Eligible employee, for FMLA and CFRA purposes, means an employee who has been employed with the district for at least 12 months and who has at least 1,250 hours of service with the district during the 12 months immediately preceding the leave. However, these requirements shall not apply when an employee applies for PDL. (Government Code 12945.2; 2 CCR 11087; 29 USC 2611; 29 CFR 825.110)

Eligible family member means an employee's child, parent, or spouse. For purposes of leave to care for a family member with a serious health condition pursuant to CFRA, eligible family member includes an employee's child, parent, spouse, registered domestic partner, grandparent, grandchild, or sibling. (Government Code 12945.2; 2 CCR 11087; 29 USC 2612)

Employee disabled by pregnancy means an employee whose health care provider states that the employee is: (2 CCR 11035)

1. Unable because of pregnancy to perform any one or more of the essential functions of the job or to perform any of them without undue risk to the employee or other persons or to the pregnancy's successful completion
2. Suffering from severe "morning sickness" or needs to take time off for prenatal or postnatal care, bed rest, gestational diabetes, pregnancy-induced hypertension, preeclampsia, postpartum depression, childbirth, loss or end of pregnancy, recovery from childbirth or loss or end of pregnancy, or any other pregnancy-related condition

Parent means a biological, foster, or adoptive parent; a stepparent; a legal guardian; or another person who stood in loco parentis to the employee when the employee was a child. Parent does not include a spouse's parents. (Government Code 12945.2; 2 CCR 11087; 29 USC 2611; 29 CFR 825.122)

Serious health condition means an illness, injury (including, but not limited to, on-the-job injuries), impairment, or physical or mental condition of the employee or an eligible family member of the employee that involves either inpatient care or continuing treatment, including treatment for substance abuse, as follows: (Government Code 12945.2; 2 CCR 11087, 11097; 29 USC 2611, 2612; 29 CFR 825.113-825.115)

1. Inpatient care in a hospital, hospice, or residential health care facility, any subsequent treatment in connection with such inpatient care, or any period of incapacity

A person is considered an inpatient when formally admitted to a health care facility with the expectation of remaining overnight and occupying a bed, even if it later develops that the person can be discharged or transferred to another facility and does not actually remain overnight.

Incapacity means the inability to work, attend school, or perform other regular daily activities due to a serious health condition, its treatment, or the recovery that it requires.

2. Continuing treatment or continuing supervision by a health care provider, including one or more of the following:
  - a. A period of incapacity of more than three consecutive full days
  - b. Any period of incapacity or treatment for such incapacity due to a chronic serious health condition
  - c. Any period of incapacity due to pregnancy or for prenatal care under FMLA
  - d. Any period of incapacity which is permanent or long term due to a condition for which treatment may not be effective
  - e. Any period of absence to receive multiple treatments, including recovery, by a health care provider

Spouse means a partner in marriage as defined in Family Code 300, including same sex partners in marriage. For purposes of CFRA leave, spouse also includes a registered domestic partner within the meaning of Family Code 297-297.5. (Family Code 297, 297.5, 300; 2 CCR 11087; 29 CFR 825.122)

### **Eligibility**

The district shall grant FMLA or CFRA leave to eligible employees for any of the following reasons: (Government Code 12945.2; 29 USC 2612; 29 CFR 825.112, 825.126, 825.127)

1. The birth of a child of the employee or placement of a child with the employee in connection with the employee's adoption or foster care of the child (parental leave)
2. To care for the employee's eligible family member with a serious health condition
3. The employee's own serious health condition that makes the employee unable to perform one or more essential job functions of the position
4. Any qualifying exigency arising out of the fact that the employee's spouse, child, parent, or, for CFRA leave only, a registered domestic partner, is a military member on covered active duty or call to covered active duty (or has been notified of an impending call or order to covered active duty)
5. To care for a covered servicemember with a serious injury or illness if the covered servicemember is the employee's spouse, child, parent, or next of kin, as defined

In addition, the district shall grant PDL to any employee who is disabled by pregnancy, childbirth, or other related medical condition. (Government Code 12945; 2 CCR 11037)

### **Terms of Leave**

An eligible employee shall be entitled to a total of 12 work weeks of FMLA or CFRA leave during any 12-month period, except in the case of leave to care for a covered servicemember as provided under "Military Caregiver Leave" below. To the extent allowed by law, CFRA and FMLA leaves shall run concurrently. In circumstances where the leaves do not run concurrently under the law, the employee may take up to 12 work weeks for both CFRA and FMLA, for a total of 24 work weeks. (Government Code 12945.2; 29 USC 2612)

This 12-month period shall coincide with the fiscal year. (29 CFR 825.200)

In addition, any employee who is disabled by pregnancy, childbirth, or other related condition shall be entitled to PDL for the period of the disability not to exceed four months. For a part-time employee, the four months shall be calculated on a proportional basis. (Government Code 12945; 2 CCR 11042)

PDL shall run concurrently with FMLA leave for disability caused by an employee's pregnancy. At the end of the employee's FMLA leave for disability caused by pregnancy, or at the end of four months of PDL, whichever occurs first, a CFRA-eligible employee may request to take CFRA leave of up to 12 work weeks, for the reason of the birth of a child or to bond with or care for the child. (Government Code 12945, 12945.2; 2 CCR 11046, 11093)

Leave taken for the birth or placement of a child must be concluded within the 12-month period beginning on the date of the birth or placement of the child. Such leave does not need to be taken in one continuous period of time. (2 CCR 11090; 29 USC 2612)

Each eligible employee shall be granted up to 12 work weeks for family care and medical leave related to the birth or placement of a child, regardless of whether both parents of the child work for the district.

#### **Use/Substitution of Paid Leave**

During any otherwise unpaid period of FMLA or CFRA leave, except leave for an employee's own serious health condition, an employee shall use accrued paid leave, including, but not limited to, vacation leave, personal leave, or family leave. If the leave is for the employee's own serious health condition, the employee shall use accrued paid leave, including but not limited to, vacation leave, personal leave, or sick leave. During an unpaid period of PDL, the employee shall use any accrued sick leave and may elect to use any vacation time or other accrued personal time off. (Government Code 12945, 12945.2; 2 CCR 11044, 11092; 29 USC 2612)

The district and employee may also come to agreement regarding the use of any additional paid or unpaid time off instead of using the employee's CFRA leave. (2 CCR 11092)

#### **Intermittent Leave/Reduced Work or Leave Schedule**

PDL and family care and medical leave for the serious health condition of an employee or eligible family member may be taken intermittently or on a reduced work or leave schedule when medically necessary, as determined by the health care provider of the person with the serious health condition. However, the district shall limit leave increments to the shortest period of time that the district's payroll system uses to account for absences or use of leave provided it is not to be greater than one hour. (Government Code 12945.2; 2 CCR 11042, 11090; 29 USC 2612)

The basic minimum duration of leave for the birth, adoption, or foster care placement of a child shall be two weeks. However, the district shall grant a request for such leave of less than two weeks on any two occasions. (2 CCR 11090; 29 USC 2612)

The district may require an employee to transfer temporarily to an available alternative position under any of the following circumstances: (2 CCR 11041, 11090; 29 USC 2612)

1. The employee needs intermittent leave or leave on a reduced work schedule that is foreseeable based on a planned medical treatment for the employee or family member.
2. A medical certification is provided by the employee's health care provider that, because of pregnancy, the employee has a medical need to take intermittent leave or leave on a reduced work schedule.
3. The district agrees to permit intermittent leave or leave on a reduced work schedule due to the birth, adoption, or foster care placement of the employee's child.

The alternative position must have equivalent pay and benefits and must better accommodate recurring periods of leave than the employee's regular job, and the employee must be qualified for the position. Transfer to an alternative position may include altering an existing job to better accommodate the employee's need for intermittent leave or a reduced work or leave schedule. (2 CCR 11041, 11090; 29 USC 2612)

#### **Request for Leave**

The district shall consider an employee's request for PDL or family care and medical leave only if the employee provides at least verbal notice sufficient to make the district aware of the need to take the leave and the anticipated timing and duration of the leave. (2 CCR 11050, 11091)

For family care and medical leave, the employee need not expressly assert or mention FMLA/CFRA to satisfy this requirement. However, the employee must state the reason the leave is needed (e.g., birth of child, medical treatment). If more information is necessary to determine whether the employee is eligible for family care and medical leave, the Superintendent or designee shall inquire further and obtain the necessary details of the leave to be taken. (2 CCR 11091)

The district shall respond to requests for leave as soon as practicable, but no later than five business days after receiving the employee's request. (2 CCR 11091)

Based on the information provided by the employee, the Superintendent or designee shall designate the leave, paid or unpaid, as FMLA/CFRA qualifying leave and shall give notice of such designation to the employee. Failure of an employee to respond to permissible inquiries regarding the leave request may result in denial of CFRA protection if the district is unable to determine whether the leave is CFRA qualifying. (2 CCR 11091; 29 CFR 825.300)

When an employee is able to foresee the need for PDL or family care and medical leave at least 30 days in advance of the leave, the employee shall provide the district with at least 30 days advance notice before the leave. When the 30 days' notice is not practicable because of a lack of knowledge of when leave will be required to begin, a change in circumstances, a medical emergency, or other good cause, the employee shall provide the district with notice as soon as practicable. Failure of an employee to provide required notice may result in a denial of leave. (2 CCR 11050, 11091)

In all instances, the employee shall consult with the Superintendent or designee and make a reasonable effort to schedule, subject to the health care provider's approval, any planned appointment or medical treatment or supervision so as to minimize disruption to district operations. (Government Code 12945.2; 2 CCR 11050, 11091)

### **Certification of Health Condition**

Within five business days of an employee's request for family care and medical leave for the serious health condition of the employee or an eligible family member, the Superintendent or designee shall request that the employee provide certification by a health care provider of the need for leave. Upon receiving the district's request, the employee shall provide the certification within 15 calendar days, unless either the Superintendent or designee provides additional time or it is not practicable under the particular circumstances, despite the employee's diligent, good faith efforts. (2 CCR 11087, 11091; 29 CFR 825.305)

The certification shall include the following: (Government Code 12945.2; 2 CCR 11087; 29 USC 2613)

1. The date on which the serious health condition began
2. The probable duration of the condition
3. If the employee is requesting leave to care for an eligible family member with a serious health condition, both of the following:
  - a. Statement that the serious health condition warrants the participation of the employee to provide care, such as by providing psychological comfort, arranging for third party care, or directly providing or participating in the medical care of the eligible family member during a period of the treatment or supervision
  - b. Estimated amount of time the health care provider believes the employee needs to care for the eligible family member
4. If the employee is requesting leave because of the employee's own serious health condition, a statement that due to the serious health condition, the employee is unable to work at all or is unable to perform one or more essential job functions of the position
5. If the employee is requesting leave for intermittent treatment or on a reduced work or leave schedule for planned medical treatment, a statement of the medical necessity for the leave, the dates on which treatment is expected to be given, the duration of such treatment, and the expected duration of the leave

The Superintendent or designee shall not request any genetic information related to an employee except as authorized by law in accordance with the California Genetic Information Nondiscrimination Act of 2011. (Government Code 12940)

When an employee has provided sufficient medical certification to enable the district to determine whether the employee's leave request is FMLA/CFRA-eligible, the Superintendent or designee shall notify the employee within five business days whether the leave is FMLA/CFRA-eligible. The Superintendent or designee may also retroactively designate leave as FMLA/CFRA leave as long as appropriate notice is given to the employee and there is no harm or injury to the employee. (2 CCR 11091; 29 CFR 825.301)

If the Superintendent or designee has a good faith objective reason to doubt the validity of a certification that accompanies a request for leave for the employee's own serious health condition, the Superintendent or designee may require the employee to obtain a second opinion from a district-approved health care provider, at district expense. If the second opinion is contrary to the first, the Superintendent or designee may require the employee to obtain a third medical opinion from a third health care provider approved by both the employee and the district, again at district expense. The opinion of the third health care provider shall be final and binding. (Government Code 12945.2; 2 CCR 11091; 29 USC 2613)

### **Certification for PDL**

The Superintendent or designee shall request that an employee who is requesting PDL provide certification by a health care provider of the need for leave at the time the employee gives notice of the need for PDL, or within two business days of giving the notice. If the need for PDL is unforeseen, the Superintendent or designee shall request the medical certification within two business days after the leave commences. The Superintendent or designee may request certification at some later date if the Superintendent or designee has reason to question the appropriateness of the leave or its duration. (2 CCR 11050)

For PDL that is foreseeable and for which at least 30 days' notice has been given, the employee shall provide the medical certification before the leave begins. When this is not practicable, the employee shall provide the certification within the time frame specified by the Superintendent or designee which must be at least 15 calendar days after the request, unless it is not practicable under the particular circumstances despite the employee's diligent, good faith efforts. (2 CCR 11050)

Medical certification for PDL purposes shall include a statement that the employee needs to take the leave because the employee is disabled by pregnancy, childbirth, or a related medical condition, the date on which the employee became disabled because of pregnancy, and the estimated duration of the leave. (2 CCR 11050)

If additional PDL or family care and medical leave is needed when the time estimated by the health care provider expires, the district may require the employee to provide recertification in the manner specified for the leave. (Government Code 12945.2; 2 CCR 11050; 29 USC 2613)

### **Release to Return to Work**

Upon expiration of an employee's PDL or family care and medical leave taken for the employee's own serious health condition, the employee shall present certification from the health care provider of the employee's ability to resume work. The certification shall address the employee's ability to perform the essential job functions of the position.

### **Rights to Reinstatement**

Upon granting an employee's request for PDL or FMLA/CFRA leave, the Superintendent or designee shall guarantee to reinstate the employee in the same or a comparable position when the leave ends. (Government Code 12945.2; 2 CCR 11043, 11089; 29 USC 2614)

The district may refuse to reinstate an employee to the same or a comparable position if the FMLA/CFRA leave was fraudulently obtained by the employee. (2 CCR 11089; 29 CFR 825.216)

The district may refuse to reinstate an employee to the same position after taking PDL if, at the time the reinstatement is requested, the employee would not otherwise have been employed in that position for legitimate business reasons unrelated to the employee's PDL. (2 CCR 11043)

## **Maintenance of Benefits/Failure to Return from Leave**

During the period when an employee is on PDL or family care and medical leave, the employee shall maintain employee status with the district and the leave shall not constitute a break in service for purposes of longevity, seniority under any collective bargaining agreement, or any employee benefit plan. (Government Code 12945.2; 2 CCR 11092; 29 USC 2614)

For up to a maximum of four months for PDL and 12 work weeks for other family care and medical leave, the district shall continue to provide an eligible employee the group health plan coverage that was in place before the employee took the leave. The employee shall reimburse the district for premiums paid during the leave if the employee fails to return to district employment after the expiration of all available leaves and the failure is for a reason other than the continuation, recurrence, or onset of a serious health condition or other circumstances beyond the employee's control. (Government Code 12945.2; 2 CCR 11044, 11092; 29 USC 2614; 29 CFR 825.213)

In addition, during the period when an employee is on PDL or family care and medical leave, the employee shall be entitled to continue to participate in other employee benefit plans including life insurance, short-term or long-term disability insurance, accident insurance, pension and retirement plans, and supplemental unemployment benefit plans to the same extent and under the same conditions as would apply to an unpaid leave taken for any other purpose.

However, for purposes of pension and retirement plans, the district shall not make plan payments for an employee during any unpaid portion of the leave period and the leave period shall not be counted for purposes of time accrued under the plan. (Government Code 12945.2; 2 CCR 11044, 11092)

## **Military Family Leave Resulting from Qualifying Exigencies**

An eligible employee may take up to 12 work weeks of unpaid FMLA/CFRA leave, during each 12-month period established by the district in the section entitled "Terms of Leave" above, for one or more qualifying exigencies while the employee's child, parent, spouse, or, for purposes of CFRA leave, registered domestic partner, who is a military member is on covered active duty or on call to covered active duty status. (Government Code 12945.2; 29 USC 2612; 29 CFR 825.126)

Covered active duty means, for members of the Regular Armed forces, duty during the deployment of a member of the regular Armed Forces to a foreign country or and, for members of the Reserve components of the Armed forces, duty during the deployment of a member of the National Guard or Reserves to a foreign country under a call or an order to active duty in support of a contingency operation pursuant to law. Deployment to a foreign county includes deployment to international waters. (29 USC 2611; 29 CFR 825.126)

Qualifying exigencies include time needed to: (29 CFR 825.126)

1. Address issues arising from short notice deployment of up to seven calendar days from the date of receipt of call or order of short notice deployment
2. Attend military events and related activities, such as any official ceremony or family assistance program related to the covered active duty or call to covered active duty status
3. Arrange child care or attend school activities arising from the covered active duty or call to covered active duty, such as arranging for alternative child care, enrolling or transferring a child to a new school, or attending meetings
4. Make or update financial and legal arrangements to address a military member's absence
5. Attend counseling provided by someone other than a health care provider
6. Spend time (up to 15 calendar days of leave per instance) with a military member who is on short-term, temporary, rest and recuperation leave during deployment
7. Attend to certain post-deployment activities, such as arrival ceremonies or reintegration briefings

8. Care for a military member's parent who is incapable of self-care when the care is necessitated by the military member's covered active duty
9. Address any other event that the employee and district agree is a qualifying exigency

The employee shall provide the Superintendent or designee with notice of the need for the qualifying exigency leave as soon as practicable, regardless of how far in advance such leave is foreseeable. (29 CFR 825.302)

An employee who is requesting leave for qualifying exigencies shall provide the Superintendent or designee with a copy of the military member's active duty orders, or other documentation issued by the military, and the dates of the service. In addition, the employee shall provide the Superintendent or designee with certification of the qualifying exigency necessitating the leave. The certification shall contain the information specified in 29 CFR 825.309.

The employee's qualifying exigency leave may be taken on an intermittent or reduced work or leave schedule basis. (29 CFR 825.302)

During the period of qualified exigency leave, the district's rule regarding an employee's use of accrued vacation leave and any other accrued paid or unpaid time off, as specified in the section "Use/Substitution of Paid Leave" above, shall apply.

### **Military Caregiver Leave**

The district shall grant an eligible employee up to a total of 26 work weeks of leave during a single 12-month period, measured forward from the first date the leave is taken, to care for a covered servicemember with a serious illness or injury. In order to be eligible for such military caregiver leave, the employee must be the spouse, child, parent, or next of kin of the covered servicemember. This 26-week period is not in addition to, but rather is inclusive of, the 12 work weeks of leave that may be taken for other FMLA qualifying reasons. (29 USC 2611, 2612; 29 CFR 825.127)

Covered servicemember may be: (29 CFR 825.127)

1. A current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy; is otherwise in outpatient status; or is otherwise on the temporary disability retired list for a serious injury or illness
2. A veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran

Child of a covered servicemember means the covered servicemember's biological, adopted, or foster child, stepchild, legal ward, or child for whom the covered servicemember stood in loco parentis, and who is of any age. (29 CFR 825.127)

Parent of a covered servicemember means the covered servicemember's biological, adopted, step, or foster parent, or any other individual who stood in loco parentis to the covered servicemember (except "parents in law"). (29 CFR 825.127)

Next of kin means the nearest blood relative to the covered servicemember, other than the spouse, parent, or child, unless designated in writing by the covered servicemember. (29 USC 2611, 2612; 29 CFR 825.127)

Outpatient status means the status of a member of the Armed Forces assigned to a military medical treatment facility as an outpatient or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients. (29 USC 2611; 29 CFR 825.127)

Serious injury or illness means: (29 USC 2611; 29 CFR 825.127)

1. For a current member of the Armed Forces, an injury or illness incurred by the member in the line of duty on active duty, or that existed before the beginning of the member's active duty and was aggravated by the member's service in the line of duty while on active duty in the Armed Forces, and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating.

2. For a veteran, an injury or illness incurred or aggravated by the member's service in the line of duty on active duty in the Armed Forces, including the National Guard or Reserves, that manifested itself before or after the member became a veteran and that is at least one of the following:
  - a. A continuation of a serious injury or illness incurred or aggravated while the veteran was a member of the Armed Forces and rendered the servicemember unable to perform the duties of the servicemember's office, grade, rank, or rating
  - b. A physical or mental condition for which the veteran has received a U.S. Department of Veterans Affairs (VA) Service-Related Disability Rating of 50 percent or greater, based wholly or partly on that physical or mental condition
  - c. A physical or mental condition that substantially impairs the veteran's ability to secure or follow a substantially gainful occupation by reason of one or more disabilities related to the servicemember's military service or that would do so but for treatment received by the veteran
  - d. An injury, including a psychological injury, on the basis of which the veteran has been enrolled in the VA's Program of Comprehensive Assistance for Family Caregivers

The employee shall provide reasonable and practicable notice of the need for the leave in accordance with the procedures in the section entitled "Request for Leave" above.

An employee requesting leave to care for a covered servicemember with a serious injury or illness shall provide the Superintendent or designee with certification from an authorized health care provider of the servicemember that contains the information specified in 29 CFR 825.310.

The leave may be taken intermittently or on a reduced work or leave schedule when medically necessary. An employee taking military caregiver leave in combination with other family care and medical leaves pursuant to this administrative regulation shall be entitled to a combined total of 26 work weeks of leave during a single 12-month period. When both spouses work for the district and both wish to take such leave, the spouses are limited to a maximum combined total of 26 work weeks during a single 12-month period. (29 USC 2612)

During the period of military caregiver leave, the district's rule regarding an employee's use of accrued vacation leave and other accrued paid or unpaid time off, as specified in the section "Use/Substitution of Paid Leave" above, shall apply.

### **Notifications**

The Superintendent or designee shall provide the following notifications regarding state and federal law related to PDL or FMLA/CFRA leave:

1. General Notice: Information explaining the provisions of the FEHA/PDL and FMLA/CFRA and employee rights and obligations shall be posted in a conspicuous place on district premises, or electronically, and shall be included in employee handbooks. (2 CCR 11049, 11095; 29 USC 2619)

The general notice shall also explain an employee's obligation to provide the Superintendent or designee with at least 30 days' notice of the need for the requested leave, when the need is reasonably foreseeable at least 30 days prior to the start of the leave. (2 CCR 11049, 11050, 11091)

2. Eligibility Notice: When an employee requests leave, including PDL, or when the Superintendent or designee acquires knowledge that an employee's leave may be for an FMLA/CFRA qualifying reason, the Superintendent or designee shall, within five business days, provide notification to the employee of eligibility to take such leave. (2 CCR 11049, 11091; 29 CFR 825.300)
3. Rights and Responsibilities Notice: Each time the eligibility notice is provided to an employee, the Superintendent or designee shall provide written notification explaining the specific expectations and obligations of the employee, including any consequences for a failure to meet those obligations. Such notice shall include, as applicable: (29 CFR 825.300)



- a. A statement that the leave may be designated and counted against the employee's annual FMLA/CFRA leave entitlement and the appropriate 12-month entitlement period, if qualifying
- b. Any requirements for the employee to furnish medical certification of a serious health condition, serious injury or illness, or qualifying exigency arising out of active duty or call to active duty status and the consequences of failing to provide the certification
- c. The employee's right to use paid leave, whether the district will require use of paid leave, conditions related to any use of paid leave, and the employee's entitlement to take unpaid leave if the employee does not meet the conditions for paid leave
- d. Any requirements for the employee to make premium payments necessary to maintain health benefits, the arrangement for making such payments, and the possible consequences of failure to make payments on a timely basis
- e. The employee's right to maintenance of benefits during the leave and restoration to the same or an equivalent job upon return from leave
- f. The employee's potential liability for health insurance premiums paid by the district during the employee's unpaid FMLA leave should the employee not return to service after the leave

Any time the information provided in the above notice changes, the Superintendent or designee shall, within five business days of receipt of an employee's first notice of need for leave, provide the employee with a written notice referencing the prior notice and describing any changes to the notice. (29 CFR 825.300)

4. Designation Notice: When the Superintendent or designee has information (e.g., sufficient medical certification) to determine whether the leave qualifies as FMLA/CFRA leave, he/she shall, within five business days, provide written notification designating the leave as FMLA/CFRA qualifying or, if the leave will not be so designated, the reason for that determination. (2 CCR 11091; 29 CFR 825.300)

If the amount of leave needed is known, the notice shall include the number of hours, days, or weeks that will be counted against the employee's FMLA/CFRA entitlement. If it is not possible to provide that number at the time of the designation notice, notification shall be provided of the amount of leave counted against the employee's entitlement upon request by the employee and at least once in every 30-day period if leave was taken in that period. (29 CFR 825.300)

If the district requires paid leave to be used during an otherwise unpaid family care and medical leave, the notice shall so specify. If the district requires an employee to present a release to return to work certification that addresses the employee's ability to perform the essential functions of the job, the notice shall also specify that requirement. (2 CCR 11091, 11097; 29 CFR 825.300)

Any time the information provided in the designation notice changes, the Superintendent or designee shall, within five business days, provide the employee with written notice referencing the prior notice and describing any changes to the notice. (29 CFR 825.300)

## Records

The Superintendent or designee shall maintain records pertaining to an individual employee's use of family care and medical leave in accordance with law. (Government Code 12946; 29 USC 2616; 42 USC 2000ff-1; 29 CFR 825.500)

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

### State References

2 CCR 11035-11051

2 CCR 11087-11098

Ed. Code 44965

Fam. Code 297-297.5

Fam. Code 300

Gov. Code 12926

Gov. Code 12940

Gov. Code 12945

Gov. Code 12945.1-12945.2

Gov. Code 12945.6

Gov. Code 12946

### Federal References

1 USC 7

29 CFR 825.100-825.702

29 USC 2601-2654

42 USC 2000ff-2000ff-11

### Management Resources References

Court Decision

U.S. Department of Labor Publication

Website

### Cross References

0410

2121

4030

4030

4032

4033

4112.2

4112.2

### Description

Unlawful sex discrimination: pregnancy, childbirth and related medical conditions -

<https://simbli.eboardsolutions.com/SU/GplusgYNhBplus6hlimWMyAuhwJw==>

California Family Rights Act -

<https://simbli.eboardsolutions.com/SU/abM0slshHCKrMbGboplusCdDilag==>

Granting of leaves of absence for pregnancy and childbirth

Rights, protections, benefits under the law; registered domestic partners

Definition of marriage

Definitions

Unlawful discriminatory employment practices

Unlawful discrimination based on pregnancy, childbirth, or related medical conditions

California Family Rights Act

Parental leave

Fair employment and Housing Act: discrimination prohibited

### Description

Definition of marriage, spouse -

<https://simbli.eboardsolutions.com/SU/zna4bZkEoCQ5ILKxeKqGw==>

Family and Medical Leave Act of 1993

Family Care and Medical Leave Act

Genetic Information Nondiscrimination Act of 2008

### Description

A.M. v. Albertsons, LLC, (2009) Cal.App.4th 455

A Non-Technical Resource Guide to the Uniformed Services Employment and Reemployment Rights Act (USERRA), rev. April 2005

AASA The School Superintendents Association -

<https://simbli.eboardsolutions.com/SU/MOaF8AO8cslshSlfGc13QQoEQ==>

### Description

Nondiscrimination In District Programs And Activities -

<https://simbli.eboardsolutions.com/SU/FnDZ7yHITUVLmcPBwcYa4w==>

Superintendent's Contract -

<https://simbli.eboardsolutions.com/SU/5eKslshdiBvHlzb6VIBRZK9w==>

Nondiscrimination In Employment -

<https://simbli.eboardsolutions.com/SU/japlusF1fDZLwk4z1txs8TVw==>

Nondiscrimination In Employment -

<https://simbli.eboardsolutions.com/SU/1hR1nwwQdqhZCpluskI91M7LA==>

Reasonable Accommodation -

<https://simbli.eboardsolutions.com/SU/xCU2Q3bo4IrdA5Kslsh5iqGslshA==>

Lactation Accommodation -

<https://simbli.eboardsolutions.com/SU/BCWG4ZmkOPFlvsLshL6SHOGDA==>

Certification -

<https://simbli.eboardsolutions.com/SU/q8l4slshXu4CrrLkoslshYlmslshFyQ==>

Certification -

<https://simbli.eboardsolutions.com/SU/DDjiXtBJeO5pB0n3bGtLPw==>

4112.4	Health Examinations - <a href="https://simbli.eboardsolutions.com/SU/nKXNuY4nuf6VtbFdt8BxXQ==">https://simbli.eboardsolutions.com/SU/nKXNuY4nuf6VtbFdt8BxXQ==</a>
4112.9	Employee Notifications - <a href="https://simbli.eboardsolutions.com/SU/Qz5Y9pFKIUz9yowJNByiOA==">https://simbli.eboardsolutions.com/SU/Qz5Y9pFKIUz9yowJNByiOA==</a>
4117.3	Personnel Reduction - <a href="https://simbli.eboardsolutions.com/SU/CslshuQUVxpYidpdSI75cNAplusw==">https://simbli.eboardsolutions.com/SU/CslshuQUVxpYidpdSI75cNAplusw==</a>
4154	Health And Welfare Benefits - <a href="https://simbli.eboardsolutions.com/SU/6R1sBLgslshYgDslshAd2SuZj7eA==">https://simbli.eboardsolutions.com/SU/6R1sBLgslshYgDslshAd2SuZj7eA==</a>
4154	Health And Welfare Benefits - <a href="https://simbli.eboardsolutions.com/SU/WNoCah873JGR0slshZyGCTztQ==">https://simbli.eboardsolutions.com/SU/WNoCah873JGR0slshZyGCTztQ==</a>
4161	Leaves - <a href="https://simbli.eboardsolutions.com/SU/L0sa8HPNFlz43P87NscBIA==">https://simbli.eboardsolutions.com/SU/L0sa8HPNFlz43P87NscBIA==</a>
4161.1	Personal Illness/Injury Leave - <a href="https://simbli.eboardsolutions.com/SU/pBT8qcBchpd9Nretl5tpDQ==">https://simbli.eboardsolutions.com/SU/pBT8qcBchpd9Nretl5tpDQ==</a>
4161.2	Personal Leaves - <a href="https://simbli.eboardsolutions.com/SU/0n8aJXm8vISRtdFTHYgumw==">https://simbli.eboardsolutions.com/SU/0n8aJXm8vISRtdFTHYgumw==</a>
4212.4	Health Examinations - <a href="https://simbli.eboardsolutions.com/SU/rlyplusslshRZ4Csezcx5hVxJL6Q==">https://simbli.eboardsolutions.com/SU/rlyplusslshRZ4Csezcx5hVxJL6Q==</a>
4212.9	Employee Notifications - <a href="https://simbli.eboardsolutions.com/SU/0ZJclXM1TTrTf1O5E1AArg==">https://simbli.eboardsolutions.com/SU/0ZJclXM1TTrTf1O5E1AArg==</a>
4217.3	Layoff/Rehire - <a href="https://simbli.eboardsolutions.com/SU/zzASb7clCzcCyplus88RtsvplusQ==">https://simbli.eboardsolutions.com/SU/zzASb7clCzcCyplus88RtsvplusQ==</a>
4254	Health And Welfare Benefits - <a href="https://simbli.eboardsolutions.com/SU/IOQxocnnxc7t0zO4gNslshEig==">https://simbli.eboardsolutions.com/SU/IOQxocnnxc7t0zO4gNslshEig==</a>
4254	Health And Welfare Benefits - <a href="https://simbli.eboardsolutions.com/SU/baiguAHICDz2MiTzMIQl0A==">https://simbli.eboardsolutions.com/SU/baiguAHICDz2MiTzMIQl0A==</a>
4261	Leaves - <a href="https://simbli.eboardsolutions.com/SU/4qNFHJIV4UumHJslshBCRwvlQ==">https://simbli.eboardsolutions.com/SU/4qNFHJIV4UumHJslshBCRwvlQ==</a>
4261.2	Personal Leaves - <a href="https://simbli.eboardsolutions.com/SU/847PCMzco4iw8hFQgZErUQ==">https://simbli.eboardsolutions.com/SU/847PCMzco4iw8hFQgZErUQ==</a>
4312.4	Health Examinations - <a href="https://simbli.eboardsolutions.com/SU/bslshMGq1l2YgZP7pluspaaHXLeA==">https://simbli.eboardsolutions.com/SU/bslshMGq1l2YgZP7pluspaaHXLeA==</a>
4312.9	Employee Notifications - <a href="https://simbli.eboardsolutions.com/SU/a1UsQLi9B3PWIEPE2MJvAQ==">https://simbli.eboardsolutions.com/SU/a1UsQLi9B3PWIEPE2MJvAQ==</a>
4354	Health And Welfare Benefits - <a href="https://simbli.eboardsolutions.com/SU/AUcC2pRXWApZWZErGJyJUg==">https://simbli.eboardsolutions.com/SU/AUcC2pRXWApZWZErGJyJUg==</a>
4354	Health And Welfare Benefits - <a href="https://simbli.eboardsolutions.com/SU/slsh0UxeGKSx3ebrYlspgJSrg==">https://simbli.eboardsolutions.com/SU/slsh0UxeGKSx3ebrYlspgJSrg==</a>
4361	Leaves - <a href="https://simbli.eboardsolutions.com/SU/aEjmtRLplusieVJXslshzbK5PtXg==">https://simbli.eboardsolutions.com/SU/aEjmtRLplusieVJXslshzbK5PtXg==</a>
4361.1	Personal Illness/Injury Leave - <a href="https://simbli.eboardsolutions.com/SU/etl1turBC71j4hKK2A3r6A==">https://simbli.eboardsolutions.com/SU/etl1turBC71j4hKK2A3r6A==</a>
4361.2	Personal Leaves - <a href="https://simbli.eboardsolutions.com/SU/IJj2CGBYDwcCELCob3rSMA==">https://simbli.eboardsolutions.com/SU/IJj2CGBYDwcCELCob3rSMA==</a>

**Policy 1312.3: Uniform Complaint Procedures**

**Status:** ADOPTED

**Original Adopted Date:** 10/01/2019 | **Last Revised Date:** 02/15/2022 | **Last Reviewed Date:** 02/15/2022

The Governing Board recognizes that the district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing resolution of complaints whenever possible. To resolve complaints which may require a more formal process, the Board adopts the uniform system of complaint procedure administrative regulation.

**Complaints Subject to UCP**

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

1. Accommodations for pregnant and parenting students (Education Code 46015)
2. Adult education programs (Education Code 8500-8538, 52334.7, 52500-52617)
3. After School Education and Safety programs (Education Code 8482-8484.65)
4. Agricultural career technical education (Education Code 52460-52462)
5. Career technical and technical education and career technical and technical training programs (Education Code 52300-52462)
6. Child care and development programs (Education Code 8200-8488)
7. Compensatory education (Education Code 54400)
8. Consolidated categorical aid programs (Education Code 33315; 34 CFR 299.10-299.12)
9. Course periods without educational content (Education Code 51228.1-51228.3)
10. Discrimination, harassment, intimidation, or bullying in district programs and activities, including in those programs or activities funded directly by or that receive person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, immigration status, ethnic group identification, age, and mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified or Penal Code 422.55, or based on the person's association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610)
11. Educational and graduation requirements for students in foster care, homeless students, students from military families, and students formerly in a juvenile court (51225.1, 51225.2)
12. Every Student Succeeds Act (Education Code 52059.5; 20 USC 6301 et seq.)
13. Local control and accountability plan (Education Code 52075)
14. Migrant education (Education Code 54440-54445)
15. Physical education instructional minutes (Education Code 51210, 51222, 51223)
16. Student fees (Education Code 49010-49013)
17. Reasonable accommodations to a lactating student (Education Code 222)
18. Regional occupational centers and programs (Education Code 52300-52334.7)
19. School plans for student achievement as required for the consolidated application for specified federal and/or state categorical funding (Education Code 6400)
20. School safety plans (Education Code 32280-32289)
21. School site councils as required for the consolidated application for specified federal and/or state categorical funding (Education Code 65000)
22. State preschool programs (Education Code 8207-8225)
23. State preschool health and safety issues in license-exempt programs (Education Code 8212)
24. 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
25. Any other state or federal educational program the Superintendent of Public Instruction or designee deems appropriate

The Board recognizes that alternative dispute resolution (ADR) can, depending on the nature of the allegations, offer a process for resolving a complaint in a manner in which mediation may be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any conflict that a party to the mediation would feel compelled to participate. The Superintendent or designee shall ensure that the use of ADR is consistent with state and federal law.

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

When an allegation that is not subject to UCP is included in a UCP complaint, the district shall refer the non-UCP allegation to the appropriate staff or agency and shall resolve the 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 requirements related to UCP, including administrative regulation.

The Superintendent or designee shall maintain a record of each complaint and subsequent related actions, including steps taken during the investigation and all inform

## Non-UCP Complaints

The following complaints shall not be subject to the district's UCP but shall be investigated and resolved by the specified agency or through an alternative process:

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services Protective Services Division or the appropriate law
2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services. (5
3. Any complaint alleging that a student, while in an education program or activity in which the district exercises substantial control over the context and respond 106.30 shall be addressed through the federal Title IX complaint procedures adopted pursuant to 34 CFR 106.44-106.45, as specified in AR 5145.71 - Title IX
4. Any complaint alleging employment discrimination or harassment shall be investigated and resolved by the district in accordance with the procedures specified right to file the complaint with the California Department of Fair Employment and Housing.
5. Any complaint alleging a violation of a state or federal law or regulation related to special education, a settlement agreement related to the provision of a free : implement a due process hearing order to which the district is subject, or a physical safety concern that interferes with the district's provision of FAPE shall be : accordance with AR 6159.1 - Procedural Safeguards and Complaints for Special Education. (5 CCR 3200-3205)
6. Any complaint alleging noncompliance of the district's food service program with laws regarding meal counting and claiming, reimbursable meals, eligibility of cl expenses shall be filed with or referred to CDE in accordance with BP 3555 - Nutrition Program Compliance. (5 CCR 15580-15584)
7. Any allegation of discrimination based on race, color, national origin, sex, age, or disability in the district's food service program shall be filed with or referred to 3555 - Nutrition Program Compliance. (5 CCR 15582)
8. Any complaint related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety : shall be investigated and resolved in accordance with AR 1312.4 - Williams Uniform Complaint Procedures. (Education Code 35186)

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

## State References

State References	Description
2 CCR 11023	Harassment and discrimination prevention and correction - <a href="https://simbli.eboardsolutions.com/SU/haAgKnrQhVJbsh34hY5zslsh5Q==">https://simbli.eboardsolutions.com/SU/haAgKnrQhVJbsh34hY5zslsh5Q==</a>
5 CCR 15580-15584	Child nutrition programs complaint procedures
5 CCR 3200-3205	Special education compliance complaints
5 CCR 4600-4670	Uniform complaint procedures
5 CCR 4680-4687	Williams uniform complaint procedures
5 CCR 4690-4694	Complaints regarding health and safety issues in license-exempt preschool programs
5 CCR 4900-4965	Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance
Ed. Code 200-262.4	Prohibition of discrimination - <a href="https://simbli.eboardsolutions.com/SU/ytTlslshoozWGUAbNL6kKkgxQ==">https://simbli.eboardsolutions.com/SU/ytTlslshoozWGUAbNL6kKkgxQ==</a>
Ed. Code 18100-18203	School libraries
Ed. Code 32280-32289.5	School safety plans
Ed. Code 35186	Williams uniform complaint procedures
Ed. Code 46015	Parental leave for students
Ed. Code 48645.7	Juvenile court schools
Ed. Code 48853-48853.5	Foster youth
Ed. Code 48985	Notices to parents in language other than English
Ed. Code 49010-49014	Student fees
Ed. code 49060-49079	Student records
Ed. Code 49069.5	Records of foster youth
Ed. Code 49490-49590	Child nutrition programs
Ed. Code 49701	Interstate Compact on Educational Opportunity for Military Children
Ed. Code 51210	Course of study for grades 1-6
Ed. Code 51222	Physical education
Ed. Code 51223	Physical education, elementary schools
Ed. Code 51225.1-51225.2	Foster youth, homeless children, former juvenile court school students; course credits; graduation requirements
Ed. Code 51226-51226.1	Career technical education
Ed. Code 51228.1-51228.3	Course periods without educational content
Ed. Code 52059.5	Statewide system of support
Ed. Code 52060-52077	Local control and accountability plan
Ed. Code 52075	Complaint for lack of compliance with local control and accountability plan requirements
Ed. Code 52300-52462	Career technical education
Ed. Code 52500-52617	Adult schools

Ed. Code 54400-54425  
 Ed. Code 54440-54445  
 Ed. Code 54460-54529  
 Ed. Code 59000-59300  
 Ed. Code 64000-64001  
 Ed. Code 65000-65001  
 Ed. Code 8200-8488  
 Ed. Code 8500-8538

Gov. Code 11135  
 Gov. Code 12900-12996  
 H&S Code 1596.792  
 H&S Code 1596.7925  
 Pen. Code 422.55  
 Pen. Code 422.6

#### Federal References

20 USC 1221  
 20 USC 1232g  
 20 USC 1681-1688  
 20 USC 6301-6576  
 20 USC 6801-7014  
 28 CFR 35.107  
 29 USC 794  
 34 CFR 100.3  
 34 CFR 104.7  
 34 CFR 106.1-106.82  
 34 CFR 106.30  
 34 CFR 106.44  
 34 CFR 106.45  
 34 CFR 106.8  
 34 CFR 110.25  
 34 CFR 99.1-99.67  
 42 USC 11431-11435  
 42 USC 12101-12213  
 42 USC 2000d-2000e-17  
 42 USC 2000h-2-2000h-6  
 42 USC 6101-6107

#### Management Resources References

California Department of Education Publication  
 California Department of Education Publication  
 U.S. DOE, Office for Civil Rights Publication  
 U.S. DOE, Office for Civil Rights Publication  
 U.S. DOE, Office for Civil Rights Publication  
 U.S. DOJ Publication  
 Website  
 Website  
 Website  
 Website  
 Website  
 Website  
 Website  
 Website

#### Cross References

Compensatory education programs  
 Migrant education  
 Compensatory education programs  
 Special schools and centers  
 Consolidated application process; school plan for student achievement  
 School site councils  
 Child care and development programs  
 Adult basic education  
 Nondiscrimination; accessibility to state web sites - <https://simbli.eboardsolutions.com/SU/PcUFWMcCJnzBrKAL0EtfQ==>  
 Fair Employment and Housing Act  
 California Child Day Care Act; general provisions and definitions  
 California Child Day Care Act; health and safety regulations  
 Definition of hate crime  
 Crimes, harassment

#### Description

Application of laws  
 Family Educational Rights and Privacy Act (FERPA) of 1974  
 Title IX of the Education Amendments of 1972; discrimination based on sex  
 Title I Improving the Academic Achievement of the Disadvantaged  
 Title III language instruction for limited English proficient and immigrant students  
 Nondiscrimination on basis of disability; complaints  
 Rehabilitation Act of 1973; Section 504  
 Prohibition of discrimination on basis of race, color or national origin  
 Designation of responsible employee for Section 504  
 Nondiscrimination on the basis of sex in education programs  
 Discrimination on the basis of sex in education programs and activities; definitions  
 Recipient's response to sexual harassment  
 Grievance process for formal complaints of sexual harassment  
 Designation of responsible employee and adoption of grievance procedures  
 Notification of nondiscrimination on the basis of age  
 Family Educational Rights and Privacy  
 McKinney-Vento Homeless Assistance Act  
 Americans with Disabilities Act  
 Title VI and Title VII Civil Rights Act of 1964, as amended  
 Title IX of the Civil Rights Act of 1964  
 Age Discrimination Act of 1975

#### Description

Uniform Complaint Procedure 2021-22 Program Instrument  
 Sample UCP Board Policies and Procedures  
 Part 1: Questions and Answers Regarding the Department's Title IX Regulations, January 2021  
 Questions and Answers on the Title IX Regulations on Sexual Harassment, July 2021  
 Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014  
 Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 2007  
 Student Privacy Policy Office - <https://simbli.eboardsolutions.com/SU/vQvG7O4R64DgKeNodKIAAQ==>  
 U.S. Department of Agriculture - <https://simbli.eboardsolutions.com/SU/njpdBqDfo1Mslsh1ZLplusszTslshRw==>  
 California Department of Social Services - <https://simbli.eboardsolutions.com/SU/TFIWQAAhRHb4PYNSjlzKIQ==>  
 U.S. Department of Justice - <https://simbli.eboardsolutions.com/SU/BPwrkTmFhG0SXt3hKCVuBw==>  
 California Department of Education - <https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==>  
 CSBA - <https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==>  
 U.S. Department of Education, Office for Civil Rights - <https://simbli.eboardsolutions.com/SU/xmCPrTcoZle111WmbX10Vg==>  
 California Department of Fair Employment and Housing - <https://simbli.eboardsolutions.com/SU/RRvNseNogmlnMLyl8K40jw==>

#### Description

0410	Nondiscrimination In District Programs And Activities - <a href="https://simbli.eboardsolutions.com/SU/FnDZ7yHITUVLmcPBwcYa4w==">https://simbli.eboardsolutions.com/SU/FnDZ7yHITUVLmcPBwcYa4w==</a>
0420	School Plans/Site Councils - <a href="https://simbli.eboardsolutions.com/SU/DyK0YaDQplusW63SpOOgvT99g==">https://simbli.eboardsolutions.com/SU/DyK0YaDQplusW63SpOOgvT99g==</a>
0420	School Plans/Site Councils - <a href="https://simbli.eboardsolutions.com/SU/ELwFdqQM1dlmLodslshc59CTg==">https://simbli.eboardsolutions.com/SU/ELwFdqQM1dlmLodslshc59CTg==</a>
0420.41	Charter School Oversight - <a href="https://simbli.eboardsolutions.com/SU/YgWPTHzspluscilwthplus0wslsh5Q==">https://simbli.eboardsolutions.com/SU/YgWPTHzspluscilwthplus0wslsh5Q==</a>
0420.41-E PDF(1)	Charter School Oversight - <a href="https://simbli.eboardsolutions.com/SU/SYERo3Avfrpluspr6aJmw9Scg==">https://simbli.eboardsolutions.com/SU/SYERo3Avfrpluspr6aJmw9Scg==</a>
0430	Comprehensive Local Plan For Special Education - <a href="https://simbli.eboardsolutions.com/SU/v4RslshNgwalreHoj7ZVXWm7w==">https://simbli.eboardsolutions.com/SU/v4RslshNgwalreHoj7ZVXWm7w==</a>
0430	Comprehensive Local Plan For Special Education - <a href="https://simbli.eboardsolutions.com/SU/9boBGUTIBZ4DgJEW4QQULQ==">https://simbli.eboardsolutions.com/SU/9boBGUTIBZ4DgJEW4QQULQ==</a>
0450	Comprehensive Safety Plan - <a href="https://simbli.eboardsolutions.com/SU/XVeModcEEplusmKmlViNyG8g==">https://simbli.eboardsolutions.com/SU/XVeModcEEplusmKmlViNyG8g==</a>
0450	Comprehensive Safety Plan - <a href="https://simbli.eboardsolutions.com/SU/vQZUWC8qslshfqZpY1MmtaRBg==">https://simbli.eboardsolutions.com/SU/vQZUWC8qslshfqZpY1MmtaRBg==</a>
0460	Local Control And Accountability Plan - <a href="https://simbli.eboardsolutions.com/SU/Oa8UxEDuhq6BH2zsd274XA==">https://simbli.eboardsolutions.com/SU/Oa8UxEDuhq6BH2zsd274XA==</a>
0460	Local Control And Accountability Plan - <a href="https://simbli.eboardsolutions.com/SU/8eaD94eHfiVAA8KylGL0hw==">https://simbli.eboardsolutions.com/SU/8eaD94eHfiVAA8KylGL0hw==</a>
1100	Communication With The Public - <a href="https://simbli.eboardsolutions.com/SU/Hywu1plusUHMpznTnAoJQeJslshg==">https://simbli.eboardsolutions.com/SU/Hywu1plusUHMpznTnAoJQeJslshg==</a>
1113	District And School Web Sites - <a href="https://simbli.eboardsolutions.com/SU/BzLslshM03JGp7plus8dzh1Fzc4Q==">https://simbli.eboardsolutions.com/SU/BzLslshM03JGp7plus8dzh1Fzc4Q==</a>
1113	District And School Web Sites - <a href="https://simbli.eboardsolutions.com/SU/LkplusM8wFuCJc9T99n32Hnw==">https://simbli.eboardsolutions.com/SU/LkplusM8wFuCJc9T99n32Hnw==</a>
1113-E PDF(1)	District And School Web Sites - <a href="https://simbli.eboardsolutions.com/SU/fCje9zCXa1OFcXTUBQYRhw==">https://simbli.eboardsolutions.com/SU/fCje9zCXa1OFcXTUBQYRhw==</a>
1114	District-Sponsored Social Media - <a href="https://simbli.eboardsolutions.com/SU/JfCojzMhplusqvfyCOp9Cgiw==">https://simbli.eboardsolutions.com/SU/JfCojzMhplusqvfyCOp9Cgiw==</a>
1114	District-Sponsored Social Media - <a href="https://simbli.eboardsolutions.com/SU/LnhNVipgsss47FWYv0docA==">https://simbli.eboardsolutions.com/SU/LnhNVipgsss47FWYv0docA==</a>
1220	Citizen Advisory Committees - <a href="https://simbli.eboardsolutions.com/SU/7obBkz3eDZdX6UuwdxRCNQ==">https://simbli.eboardsolutions.com/SU/7obBkz3eDZdX6UuwdxRCNQ==</a>
1220	Citizen Advisory Committees - <a href="https://simbli.eboardsolutions.com/SU/tH5bWzMDkTPvVHIIUAI5KQ==">https://simbli.eboardsolutions.com/SU/tH5bWzMDkTPvVHIIUAI5KQ==</a>
1250	Visitors/Outsiders - <a href="https://simbli.eboardsolutions.com/SU/0UxfKnDQx8i9V4vageslsh6VA==">https://simbli.eboardsolutions.com/SU/0UxfKnDQx8i9V4vageslsh6VA==</a>
1250	Visitors/Outsiders - <a href="https://simbli.eboardsolutions.com/SU/Algl3G2av7RnSyAPrfJslshPg==">https://simbli.eboardsolutions.com/SU/Algl3G2av7RnSyAPrfJslshPg==</a>
1312.1	Complaints Concerning District Employees - <a href="https://simbli.eboardsolutions.com/SU/UeCd2AJlxfBU7E37o1kmUg==">https://simbli.eboardsolutions.com/SU/UeCd2AJlxfBU7E37o1kmUg==</a>
1312.1	Complaints Concerning District Employees - <a href="https://simbli.eboardsolutions.com/SU/3x1plusj0z5ZLMqRsshsEIT6Q==">https://simbli.eboardsolutions.com/SU/3x1plusj0z5ZLMqRsshsEIT6Q==</a>
1312.1-E PDF(1)	Complaints Concerning District Employees - <a href="https://simbli.eboardsolutions.com/SU/eAlz50x7oMx0vq3x9PJtplusg==">https://simbli.eboardsolutions.com/SU/eAlz50x7oMx0vq3x9PJtplusg==</a>
1312.2	Complaints Concerning Instructional Materials - <a href="https://simbli.eboardsolutions.com/SU/fcYZUJMpv94bnD6gyGkJpW==">https://simbli.eboardsolutions.com/SU/fcYZUJMpv94bnD6gyGkJpW==</a>
1312.2	Complaints Concerning Instructional Materials - <a href="https://simbli.eboardsolutions.com/SU/a2ihWl4WdVbn5kGQ0i4NAQ==">https://simbli.eboardsolutions.com/SU/a2ihWl4WdVbn5kGQ0i4NAQ==</a>
1312.2-E PDF(1)	Complaints Concerning Instructional Materials - <a href="https://simbli.eboardsolutions.com/SU/OqEutdav2RrzoICZLslsh4Bg==">https://simbli.eboardsolutions.com/SU/OqEutdav2RrzoICZLslsh4Bg==</a>
1312.4	Williams Uniform Complaint Procedures - <a href="https://simbli.eboardsolutions.com/SU/4nKsf7OqCyf78FQ5NpVbbA==">https://simbli.eboardsolutions.com/SU/4nKsf7OqCyf78FQ5NpVbbA==</a>
1312.4-E PDF(1)	Williams Uniform Complaint Procedures - <a href="https://simbli.eboardsolutions.com/SU/Vouz1byLBrdGQklvsFslshGfg==">https://simbli.eboardsolutions.com/SU/Vouz1byLBrdGQklvsFslshGfg==</a>
1313	Civility - <a href="https://simbli.eboardsolutions.com/SU/yOa4hXbmytyls4p2JKUbNw==">https://simbli.eboardsolutions.com/SU/yOa4hXbmytyls4p2JKUbNw==</a>
1340	Access To District Records - <a href="https://simbli.eboardsolutions.com/SU/ilradJh510f82Bjhbu4vRw==">https://simbli.eboardsolutions.com/SU/ilradJh510f82Bjhbu4vRw==</a>
1340	Access To District Records - <a href="https://simbli.eboardsolutions.com/SU/zrxplusFTeTpg8XDnadUSa6Q==">https://simbli.eboardsolutions.com/SU/zrxplusFTeTpg8XDnadUSa6Q==</a>
3260	Fees And Charges - <a href="https://simbli.eboardsolutions.com/SU/y0gzCJ6sSplus9byK0L49dVplusQ==">https://simbli.eboardsolutions.com/SU/y0gzCJ6sSplus9byK0L49dVplusQ==</a>
3260	Fees And Charges - <a href="https://simbli.eboardsolutions.com/SU/Mr7mOJYGplusRzB7O3OQI7wEQ==">https://simbli.eboardsolutions.com/SU/Mr7mOJYGplusRzB7O3OQI7wEQ==</a>
3555	Nutrition Program Compliance - <a href="https://simbli.eboardsolutions.com/SU/yLThUk8C6gblX0ZmqG7TPg==">https://simbli.eboardsolutions.com/SU/yLThUk8C6gblX0ZmqG7TPg==</a>
3580	District Records - <a href="https://simbli.eboardsolutions.com/SU/slshum9iFqJswslshMnliyP5FuWUQ==">https://simbli.eboardsolutions.com/SU/slshum9iFqJswslshMnliyP5FuWUQ==</a>
4030	Nondiscrimination In Employment - <a href="https://simbli.eboardsolutions.com/SU/japlusP1fDZLwk4z1txs8TVw==">https://simbli.eboardsolutions.com/SU/japlusP1fDZLwk4z1txs8TVw==</a>
4030	Nondiscrimination In Employment - <a href="https://simbli.eboardsolutions.com/SU/1hR1nwwQdqhZCpluskI91M7LA==">https://simbli.eboardsolutions.com/SU/1hR1nwwQdqhZCpluskI91M7LA==</a>
4112.23	Special Education Staff - <a href="https://simbli.eboardsolutions.com/SU/7yzz4zmN9aJHwnMsEcPKcg==">https://simbli.eboardsolutions.com/SU/7yzz4zmN9aJHwnMsEcPKcg==</a>
4112.9-E PDF(1)	Employee Notifications - <a href="https://simbli.eboardsolutions.com/SU/TOwynt27j11e84Ed9go0cQ==">https://simbli.eboardsolutions.com/SU/TOwynt27j11e84Ed9go0cQ==</a>
4118	Dismissal/Suspension/Disciplinary Action - <a href="https://simbli.eboardsolutions.com/SU/rOKplusxHxHkrEBT6aplusTWhisshQ==">https://simbli.eboardsolutions.com/SU/rOKplusxHxHkrEBT6aplusTWhisshQ==</a>
4119.1	Civil And Legal Rights - <a href="https://simbli.eboardsolutions.com/SU/24DUL3dM9A2IUAAoqbi3Og==">https://simbli.eboardsolutions.com/SU/24DUL3dM9A2IUAAoqbi3Og==</a>
4119.11	Sexual Harassment - <a href="https://simbli.eboardsolutions.com/SU/SlvMh9PMikAPEOLcsVldiQ==">https://simbli.eboardsolutions.com/SU/SlvMh9PMikAPEOLcsVldiQ==</a>
4119.11	Sexual Harassment - <a href="https://simbli.eboardsolutions.com/SU/BsxQhDtsvrsishROgWBslGoVg==">https://simbli.eboardsolutions.com/SU/BsxQhDtsvrsishROgWBslGoVg==</a>
4131	Staff Development - <a href="https://simbli.eboardsolutions.com/SU/qM93MntQ08IXE19SqyYgzA==">https://simbli.eboardsolutions.com/SU/qM93MntQ08IXE19SqyYgzA==</a>

4131	Staff Development - <a href="https://simbli.eboardsolutions.com/SU/xnlUHu4wamrtLwplus2OFxcA==">https://simbli.eboardsolutions.com/SU/xnlUHu4wamrtLwplus2OFxcA==</a>
4212.9	Employee Notifications - <a href="https://simbli.eboardsolutions.com/SU/OZJcXM1TTrTf1O5E1AArg==">https://simbli.eboardsolutions.com/SU/OZJcXM1TTrTf1O5E1AArg==</a>
4212.9-E PDF(1)	Employee Notifications - <a href="https://simbli.eboardsolutions.com/SU/cXGwH831aenCNbQC6jA3hQ==">https://simbli.eboardsolutions.com/SU/cXGwH831aenCNbQC6jA3hQ==</a>
4218	Dismissal/Suspension/Disciplinary Action - <a href="https://simbli.eboardsolutions.com/SU/9plusE9V6WiAoDtbVijXcJb8Q==">https://simbli.eboardsolutions.com/SU/9plusE9V6WiAoDtbVijXcJb8Q==</a>
4218	Dismissal/Suspension/Disciplinary Action - <a href="https://simbli.eboardsolutions.com/SU/WSdW3plusnjP9wlvJpaJpqnSA==">https://simbli.eboardsolutions.com/SU/WSdW3plusnjP9wlvJpaJpqnSA==</a>
4219.1	Civil And Legal Rights - <a href="https://simbli.eboardsolutions.com/SU/NNHd7ATUG21WUZFmSlshC2esw==">https://simbli.eboardsolutions.com/SU/NNHd7ATUG21WUZFmSlshC2esw==</a>
4219.11	Sexual Harassment - <a href="https://simbli.eboardsolutions.com/SU/tANotslshaLtnplusAwRY1FCqQjA==">https://simbli.eboardsolutions.com/SU/tANotslshaLtnplusAwRY1FCqQjA==</a>
4219.11	Sexual Harassment - <a href="https://simbli.eboardsolutions.com/SU/sOKhv3nplusqEuVMf7plusON7wrw==">https://simbli.eboardsolutions.com/SU/sOKhv3nplusqEuVMf7plusON7wrw==</a>
4244	Complaints - <a href="https://simbli.eboardsolutions.com/SU/AG8XgRWjeslshpslshdhFTO2smwQ==">https://simbli.eboardsolutions.com/SU/AG8XgRWjeslshpslshdhFTO2smwQ==</a>
4312.9	Employee Notifications - <a href="https://simbli.eboardsolutions.com/SU/a1UsQLi9B3PWIEPE2MjvAQ==">https://simbli.eboardsolutions.com/SU/a1UsQLi9B3PWIEPE2MjvAQ==</a>
4312.9-E PDF(1)	Employee Notifications - <a href="https://simbli.eboardsolutions.com/SU/s7slshH4vgvylStf0p9iUWHA==">https://simbli.eboardsolutions.com/SU/s7slshH4vgvylStf0p9iUWHA==</a>
4319.1	Civil And Legal Rights - <a href="https://simbli.eboardsolutions.com/SU/S3pluswdN4h3ZfGQBHYZ4pWXg==">https://simbli.eboardsolutions.com/SU/S3pluswdN4h3ZfGQBHYZ4pWXg==</a>
4319.11	Sexual Harassment - <a href="https://simbli.eboardsolutions.com/SU/EX3wm6YIGOIllgpyhTruVw==">https://simbli.eboardsolutions.com/SU/EX3wm6YIGOIllgpyhTruVw==</a>
4319.11	Sexual Harassment - <a href="https://simbli.eboardsolutions.com/SU/afYPJOEJno5LslshzEsWu4Xw==">https://simbli.eboardsolutions.com/SU/afYPJOEJno5LslshzEsWu4Xw==</a>
4331	Staff Development - <a href="https://simbli.eboardsolutions.com/SU/mi31ZJfJZ6P6XlztQhGr3Q==">https://simbli.eboardsolutions.com/SU/mi31ZJfJZ6P6XlztQhGr3Q==</a>
4331	Staff Development - <a href="https://simbli.eboardsolutions.com/SU/hqxZRIebEWMHD9ZdRfApig==">https://simbli.eboardsolutions.com/SU/hqxZRIebEWMHD9ZdRfApig==</a>
4344	Complaints - <a href="https://simbli.eboardsolutions.com/SU/qGrsXimwkCHT702iO8UC4Q==">https://simbli.eboardsolutions.com/SU/qGrsXimwkCHT702iO8UC4Q==</a>
5116.1	Intradistrict Open Enrollment - <a href="https://simbli.eboardsolutions.com/SU/8DLBrRtLSFxiJlKF26c5qyA==">https://simbli.eboardsolutions.com/SU/8DLBrRtLSFxiJlKF26c5qyA==</a>
5116.1	Intradistrict Open Enrollment - <a href="https://simbli.eboardsolutions.com/SU/PwEuplusbULMEVWSO7fDTjtHg==">https://simbli.eboardsolutions.com/SU/PwEuplusbULMEVWSO7fDTjtHg==</a>
5117	Interdistrict Attendance - <a href="https://simbli.eboardsolutions.com/SU/404ggTkfcRWALKOsllshslshkwxgt==">https://simbli.eboardsolutions.com/SU/404ggTkfcRWALKOsllshslshkwxgt==</a>
5117	Interdistrict Attendance - <a href="https://simbli.eboardsolutions.com/SU/3qJXyPPeZYcONslshwplusOMDEIA==">https://simbli.eboardsolutions.com/SU/3qJXyPPeZYcONslshwplusOMDEIA==</a>
5125	Student Records - <a href="https://simbli.eboardsolutions.com/SU/tWHWUipWslshr1YYPUplusvwMslshmQ==">https://simbli.eboardsolutions.com/SU/tWHWUipWslshr1YYPUplusvwMslshmQ==</a>
5125	Student Records - <a href="https://simbli.eboardsolutions.com/SU/Arf4lGHplusjQnGslsh3Sd1slshPOHw==">https://simbli.eboardsolutions.com/SU/Arf4lGHplusjQnGslsh3Sd1slshPOHw==</a>
5131.62	Tobacco - <a href="https://simbli.eboardsolutions.com/SU/y054RaDWMUfijdnNuyFPvw==">https://simbli.eboardsolutions.com/SU/y054RaDWMUfijdnNuyFPvw==</a>
5131.62	Tobacco - <a href="https://simbli.eboardsolutions.com/SU/ATcPW5bYHslshMn2vn4omKq7w==">https://simbli.eboardsolutions.com/SU/ATcPW5bYHslshMn2vn4omKq7w==</a>
5141.22	Infectious Diseases - <a href="https://simbli.eboardsolutions.com/SU/fofKG2y9KkyVyTef5VpjPQ==">https://simbli.eboardsolutions.com/SU/fofKG2y9KkyVyTef5VpjPQ==</a>
5141.22	Infectious Diseases - <a href="https://simbli.eboardsolutions.com/SU/SSzp7t1kSfjzyfJoaeq7A==">https://simbli.eboardsolutions.com/SU/SSzp7t1kSfjzyfJoaeq7A==</a>
5141.4	Child Abuse Prevention And Reporting - <a href="https://simbli.eboardsolutions.com/SU/tfJUzI75lk5USth1slshchO1g==">https://simbli.eboardsolutions.com/SU/tfJUzI75lk5USth1slshchO1g==</a>
5141.4	Child Abuse Prevention And Reporting - <a href="https://simbli.eboardsolutions.com/SU/gYslshHHnEDM0tHaXoDoUSGsw==">https://simbli.eboardsolutions.com/SU/gYslshHHnEDM0tHaXoDoUSGsw==</a>
5144	Discipline - <a href="https://simbli.eboardsolutions.com/SU/VKfDusQz4wO4ztggqOxR0Q==">https://simbli.eboardsolutions.com/SU/VKfDusQz4wO4ztggqOxR0Q==</a>
5144	Discipline - <a href="https://simbli.eboardsolutions.com/SU/h8js9swo8roKNec7W9PB1Q==">https://simbli.eboardsolutions.com/SU/h8js9swo8roKNec7W9PB1Q==</a>
5144.1	Suspension And Expulsion/Due Process - <a href="https://simbli.eboardsolutions.com/SU/2KWfSVzOJQsLVudCPe2bpg==">https://simbli.eboardsolutions.com/SU/2KWfSVzOJQsLVudCPe2bpg==</a>
5144.1	Suspension And Expulsion/Due Process - <a href="https://simbli.eboardsolutions.com/SU/1wRsP0evdfTslshv6FLdTXneA==">https://simbli.eboardsolutions.com/SU/1wRsP0evdfTslshv6FLdTXneA==</a>
5145.3	Nondiscrimination/Harassment - <a href="https://simbli.eboardsolutions.com/SU/Xtm3uqHMol1KAP4CIBOS3g==">https://simbli.eboardsolutions.com/SU/Xtm3uqHMol1KAP4CIBOS3g==</a>
5145.3	Nondiscrimination/Harassment - <a href="https://simbli.eboardsolutions.com/SU/Rx7eYWCQJQxyhVGfnTMBQ==">https://simbli.eboardsolutions.com/SU/Rx7eYWCQJQxyhVGfnTMBQ==</a>
5145.6	Parental Notifications - <a href="https://simbli.eboardsolutions.com/SU/aumLfEWHRQTqmF8OKcrwjQ==">https://simbli.eboardsolutions.com/SU/aumLfEWHRQTqmF8OKcrwjQ==</a>
5145.6-E PDF(1)	Parental Notifications - <a href="https://simbli.eboardsolutions.com/SU/5KtCGKwRqTKUDplusFgDOon0OQ==">https://simbli.eboardsolutions.com/SU/5KtCGKwRqTKUDplusFgDOon0OQ==</a>
5145.7	Sexual Harassment - <a href="https://simbli.eboardsolutions.com/SU/EtnsI0vfjFWtsfy7FGqYA==">https://simbli.eboardsolutions.com/SU/EtnsI0vfjFWtsfy7FGqYA==</a>
5145.7	Sexual Harassment - <a href="https://simbli.eboardsolutions.com/SU/bVa5mPNAi4zf7b1zOFIT1Q==">https://simbli.eboardsolutions.com/SU/bVa5mPNAi4zf7b1zOFIT1Q==</a>
5145.71	Title IX Sexual Harassment Complaint Procedures - <a href="https://simbli.eboardsolutions.com/SU/O9zo4plgvtGao63PqBwRqQ==">https://simbli.eboardsolutions.com/SU/O9zo4plgvtGao63PqBwRqQ==</a>
5145.9	Hate-Motivated Behavior - <a href="https://simbli.eboardsolutions.com/SU/Ak4bbXFt2GC0Nslshe6zOQilw==">https://simbli.eboardsolutions.com/SU/Ak4bbXFt2GC0Nslshe6zOQilw==</a>
5146	Married/Pregnant/Parenting Students - <a href="https://simbli.eboardsolutions.com/SU/EDKXNIPU0tdiy8R83QvW7g==">https://simbli.eboardsolutions.com/SU/EDKXNIPU0tdiy8R83QvW7g==</a>
5148	Child Care And Development - <a href="https://simbli.eboardsolutions.com/SU/6OHKRr8DxSxpoGUQD9PpvQ==">https://simbli.eboardsolutions.com/SU/6OHKRr8DxSxpoGUQD9PpvQ==</a>
5148	Child Care And Development - <a href="https://simbli.eboardsolutions.com/SU/PpTmuBb0jx1Tkuh4GaGhow==">https://simbli.eboardsolutions.com/SU/PpTmuBb0jx1Tkuh4GaGhow==</a>
5148.3	Preschool/Early Childhood Education - <a href="https://simbli.eboardsolutions.com/SU/LglZz7yJo8y3LbzjDCV0AQ==">https://simbli.eboardsolutions.com/SU/LglZz7yJo8y3LbzjDCV0AQ==</a>
5148.3	Preschool/Early Childhood Education - <a href="https://simbli.eboardsolutions.com/SU/yAdCukXhvvSU4qzj6kntkg==">https://simbli.eboardsolutions.com/SU/yAdCukXhvvSU4qzj6kntkg==</a>
6142.1	Sexual Health And HIV/AIDS Prevention Instruction - <a href="https://simbli.eboardsolutions.com/SU/LV0CKpKiXb7ajC5fo52P5g==">https://simbli.eboardsolutions.com/SU/LV0CKpKiXb7ajC5fo52P5g==</a>
6142.1	Sexual Health And HIV/AIDS Prevention Instruction - <a href="https://simbli.eboardsolutions.com/SU/HcpwY3M8LuLLXehUiEcpYg==">https://simbli.eboardsolutions.com/SU/HcpwY3M8LuLLXehUiEcpYg==</a>
6142.7	Physical Education And Activity - <a href="https://simbli.eboardsolutions.com/SU/wLhC38lfitHbiftplusu8Slqg==">https://simbli.eboardsolutions.com/SU/wLhC38lfitHbiftplusu8Slqg==</a>



6142.7	Physical Education And Activity - <a href="https://simbli.eboardsolutions.com/SU/st47PplusnstvXplus2ge0izZVwA==">https://simbli.eboardsolutions.com/SU/st47PplusnstvXplus2ge0izZVwA==</a>
6145	Extracurricular And Cocurricular Activities - <a href="https://simbli.eboardsolutions.com/SU/kcnplusEMDbUq3oAi14H67CXg==">https://simbli.eboardsolutions.com/SU/kcnplusEMDbUq3oAi14H67CXg==</a>
6145	Extracurricular And Cocurricular Activities - <a href="https://simbli.eboardsolutions.com/SU/HodC5SBHygTQ4CslshjPho8xQ==">https://simbli.eboardsolutions.com/SU/HodC5SBHygTQ4CslshjPho8xQ==</a>
6145.2	Athletic Competition - <a href="https://simbli.eboardsolutions.com/SU/mjzVr4hwh0plusJplusU0vFgStw==">https://simbli.eboardsolutions.com/SU/mjzVr4hwh0plusJplusU0vFgStw==</a>
6145.2	Athletic Competition - <a href="https://simbli.eboardsolutions.com/SU/ii7fyXj9QEE0CqwFCiOzbQ==">https://simbli.eboardsolutions.com/SU/ii7fyXj9QEE0CqwFCiOzbQ==</a>
6146.1	High School Graduation Requirements - <a href="https://simbli.eboardsolutions.com/SU/vp95bp6sYHG0eop0gLqhSA==">https://simbli.eboardsolutions.com/SU/vp95bp6sYHG0eop0gLqhSA==</a>
6146.1	High School Graduation Requirements - <a href="https://simbli.eboardsolutions.com/SU/fG91NrUN0SRom05BZPJoha==">https://simbli.eboardsolutions.com/SU/fG91NrUN0SRom05BZPJoha==</a>
6152	Class Assignment - <a href="https://simbli.eboardsolutions.com/SU/CekMjSvJvXyDPX1wu5FtQQ==">https://simbli.eboardsolutions.com/SU/CekMjSvJvXyDPX1wu5FtQQ==</a>
6159	Individualized Education Program - <a href="https://simbli.eboardsolutions.com/SU/3vVDizDulqY8I7eXsslshJApA==">https://simbli.eboardsolutions.com/SU/3vVDizDulqY8I7eXsslshJApA==</a>
6159	Individualized Education Program - <a href="https://simbli.eboardsolutions.com/SU/3on5FNplusCvSTDslshj1eANpc2Q==">https://simbli.eboardsolutions.com/SU/3on5FNplusCvSTDslshj1eANpc2Q==</a>
6159.1	Procedural Safeguards And Complaints For Special Education - <a href="https://simbli.eboardsolutions.com/SU/gLa5k4aplusb7flyNscplusZRzW==">https://simbli.eboardsolutions.com/SU/gLa5k4aplusb7flyNscplusZRzW==</a>
6159.1	Procedural Safeguards And Complaints For Special Education - <a href="https://simbli.eboardsolutions.com/SU/crldCIfqd8Ot0qG0snrrGw==">https://simbli.eboardsolutions.com/SU/crldCIfqd8Ot0qG0snrrGw==</a>
6159.2	Nonpublic, Nonsectarian School And Agency Services For Special Education - <a href="https://simbli.eboardsolutions.com/SU/oiYXKslsh80jHeH45DKeeyTeA==">https://simbli.eboardsolutions.com/SU/oiYXKslsh80jHeH45DKeeyTeA==</a>
6159.2	Nonpublic, Nonsectarian School And Agency Services For Special Education - <a href="https://simbli.eboardsolutions.com/SU/yN432YBtjSslsh9PRUbo6bmg==">https://simbli.eboardsolutions.com/SU/yN432YBtjSslsh9PRUbo6bmg==</a>
6159.3	Appointment Of Surrogate Parent For Special Education Students - <a href="https://simbli.eboardsolutions.com/SU/Jul7H9OqG6h9xYMG47w1plusw==">https://simbli.eboardsolutions.com/SU/Jul7H9OqG6h9xYMG47w1plusw==</a>
6159.3	Appointment Of Surrogate Parent For Special Education Students - <a href="https://simbli.eboardsolutions.com/SU/eFQcinwciEeAAyYHlilJHw==">https://simbli.eboardsolutions.com/SU/eFQcinwciEeAAyYHlilJHw==</a>
6164.2	Guidance/Counseling Services - <a href="https://simbli.eboardsolutions.com/SU/g7bp9zAL1gyQwbRj6etZMQ==">https://simbli.eboardsolutions.com/SU/g7bp9zAL1gyQwbRj6etZMQ==</a>
6164.4	Identification And Evaluation Of Individuals For Special Education - <a href="https://simbli.eboardsolutions.com/SU/QQslsh8nRCq4oplusfVJr7T9tA==">https://simbli.eboardsolutions.com/SU/QQslsh8nRCq4oplusfVJr7T9tA==</a>
6164.4	Identification And Evaluation Of Individuals For Special Education - <a href="https://simbli.eboardsolutions.com/SU/Ig0Rp5FimAXePmGkNOr3jw==">https://simbli.eboardsolutions.com/SU/Ig0Rp5FimAXePmGkNOr3jw==</a>
6164.5	Student Success Teams - <a href="https://simbli.eboardsolutions.com/SU/Cp6yplusXBTCyXmfqsCDbQ4ew==">https://simbli.eboardsolutions.com/SU/Cp6yplusXBTCyXmfqsCDbQ4ew==</a>
6164.5	Student Success Teams - <a href="https://simbli.eboardsolutions.com/SU/Pa4WJnDy0tqNmdlvaNQqag==">https://simbli.eboardsolutions.com/SU/Pa4WJnDy0tqNmdlvaNQqag==</a>
6171	Title I Programs - <a href="https://simbli.eboardsolutions.com/SU/liaX8LnXncN1nKr3DhUU6g==">https://simbli.eboardsolutions.com/SU/liaX8LnXncN1nKr3DhUU6g==</a>
6171	Title I Programs - <a href="https://simbli.eboardsolutions.com/SU/d7SrtkVZ7PCzy6JiGpYrw==">https://simbli.eboardsolutions.com/SU/d7SrtkVZ7PCzy6JiGpYrw==</a>
6173	Education For Homeless Children - <a href="https://simbli.eboardsolutions.com/SU/txeOyoBAokde03EL8jzLslshQ==">https://simbli.eboardsolutions.com/SU/txeOyoBAokde03EL8jzLslshQ==</a>
6173	Education For Homeless Children - <a href="https://simbli.eboardsolutions.com/SU/RuKkaP9U0ZITrvBvW6Wjw==">https://simbli.eboardsolutions.com/SU/RuKkaP9U0ZITrvBvW6Wjw==</a>
6173.1	Education For Foster Youth - <a href="https://simbli.eboardsolutions.com/SU/j10m5VbLmj8pqMRz0d6dkQ==">https://simbli.eboardsolutions.com/SU/j10m5VbLmj8pqMRz0d6dkQ==</a>
6173.1	Education For Foster Youth - <a href="https://simbli.eboardsolutions.com/SU/suCMRgbiqOO4rvJsmX2tqw==">https://simbli.eboardsolutions.com/SU/suCMRgbiqOO4rvJsmX2tqw==</a>
6173.2	Education Of Children Of Military Families - <a href="https://simbli.eboardsolutions.com/SU/NurplusRF8plus3CpJPowG1JplusPMA==">https://simbli.eboardsolutions.com/SU/NurplusRF8plus3CpJPowG1JplusPMA==</a>
6173.3	Education For Juvenile Court School Students - <a href="https://simbli.eboardsolutions.com/SU/trlJ1slshYmZ1NnslshMeBOph3ww==">https://simbli.eboardsolutions.com/SU/trlJ1slshYmZ1NnslshMeBOph3ww==</a>
6175	Migrant Education Program - <a href="https://simbli.eboardsolutions.com/SU/PJhslshJvWeCOarnpiW695XRg==">https://simbli.eboardsolutions.com/SU/PJhslshJvWeCOarnpiW695XRg==</a>
6175	Migrant Education Program - <a href="https://simbli.eboardsolutions.com/SU/2bkhyJMJKihJpBiZplusFKMig==">https://simbli.eboardsolutions.com/SU/2bkhyJMJKihJpBiZplusFKMig==</a>
6178	Career Technical Education - <a href="https://simbli.eboardsolutions.com/SU/X7b5JEzoRKslshww2JugXgaPw==">https://simbli.eboardsolutions.com/SU/X7b5JEzoRKslshww2JugXgaPw==</a>
6178	Career Technical Education - <a href="https://simbli.eboardsolutions.com/SU/IKS6G1GbwN6vkN4aZ4filw==">https://simbli.eboardsolutions.com/SU/IKS6G1GbwN6vkN4aZ4filw==</a>
6178.1	Work-Based Learning - <a href="https://simbli.eboardsolutions.com/SU/N7S7GUGuNDSy3dKJl2Jn7eQ==">https://simbli.eboardsolutions.com/SU/N7S7GUGuNDSy3dKJl2Jn7eQ==</a>
6178.1	Work-Based Learning - <a href="https://simbli.eboardsolutions.com/SU/EKXI1J4mwAecbMO3BEnO8Q==">https://simbli.eboardsolutions.com/SU/EKXI1J4mwAecbMO3BEnO8Q==</a>
6178.2	Regional Occupational Center/Program - <a href="https://simbli.eboardsolutions.com/SU/Jc1u7vpV6ST8UnysQFNtrQ==">https://simbli.eboardsolutions.com/SU/Jc1u7vpV6ST8UnysQFNtrQ==</a>
6200	Adult Education - <a href="https://simbli.eboardsolutions.com/SU/C5HQcSV420mq8f5fPWIllw==">https://simbli.eboardsolutions.com/SU/C5HQcSV420mq8f5fPWIllw==</a>
6200	Adult Education - <a href="https://simbli.eboardsolutions.com/SU/H9Tg3dUdMslshoK5bnnSOZplusLg==">https://simbli.eboardsolutions.com/SU/H9Tg3dUdMslshoK5bnnSOZplusLg==</a>
9000	Role Of The Board - <a href="https://simbli.eboardsolutions.com/SU/yCFHlIFLUDctfpgpluseQHTjg==">https://simbli.eboardsolutions.com/SU/yCFHlIFLUDctfpgpluseQHTjg==</a>
9011	Disclosure Of Confidential/Privileged Information - <a href="https://simbli.eboardsolutions.com/SU/RXe8Xj7wrVHXZFRVqhX3OA==">https://simbli.eboardsolutions.com/SU/RXe8Xj7wrVHXZFRVqhX3OA==</a>
9012	Board Member Electronic Communications - <a href="https://simbli.eboardsolutions.com/SU/hytEYovBqsqMp5UzUoFqvQ==">https://simbli.eboardsolutions.com/SU/hytEYovBqsqMp5UzUoFqvQ==</a>
9124	Attorney - <a href="https://simbli.eboardsolutions.com/SU/slshOCqMiqFcC60jEt4dQfrsA==">https://simbli.eboardsolutions.com/SU/slshOCqMiqFcC60jEt4dQfrsA==</a>
9200	Limits Of Board Member Authority - <a href="https://simbli.eboardsolutions.com/SU/0hKRSAtVLHUI2u41Y5PPKQ==">https://simbli.eboardsolutions.com/SU/0hKRSAtVLHUI2u41Y5PPKQ==</a>

9321-E PDF(2)

9321

9322

Closed Session - <https://simbli.eboardsolutions.com/SU/TBNupyywUx8cH54bQnaCO1Q==>

Closed Session - <https://simbli.eboardsolutions.com/SU/eQxvTE4sunzJru8wB8gc1g==>

Agenda/Meeting Materials - <https://simbli.eboardsolutions.com/SU/HMeZuSH7vnURgKSyn06rcA==>

**Policy 4020: Drug And Alcohol-Free Workplace**

**Status:** ADOPTED

**Original Adopted Date:** 10/05/2010 | **Last Revised Date:** 12/11/2012 | **Last Reviewed Date:** 12/11/2012

The Governing Board believes that the maintenance of drug- and alcohol-free workplaces is essential to staff and student safety and to help ensure a productive and safe work and learning environment.

No employee shall unlawfully manufacture, distribute, dispense, possess, or use any alcoholic beverage, drug or controlled substance as defined in 21 USC 81 at any school district workplace. (Government Code 8355; 41 USC 701) Employees are prohibited from being under the influence of controlled substances or alcohol while on duty. For purposes of this policy, on duty means while an employee is on duty during both instructional and noninstructional time in the classroom or workplace, at extracurricular or cocurricular activities, or while transporting students or otherwise supervising them. Under the influence means that the employee's capabilities are adversely or negatively affected, impaired, or diminished to an extent that impacts the employee's ability to safely and effectively perform his/her job.

The Superintendent or designee shall notify employees of these prohibitions. (Government Code 8355; 41 USC 702)

An employee shall abide by the terms of this policy and notify the district, within five days, of any criminal drug or alcohol statute conviction which he/she receives for a violation occurring in the workplace. (41 USC 702)

The Superintendent or designee shall notify the appropriate federal granting or contracting agencies within 10 days after receiving notification, from an employee or otherwise, of any conviction for a violation occurring in the workplace. (41 USC 701)

The Board may not employ or retain in employment persons convicted of a controlled substance offense as defined in Education Code 44011. If any such conviction is reversed and the person acquitted in a new trial or the charges dismissed, his/her employment is no longer prohibited. A plea or verdict of guilty, a finding of guilt by a court in a trial without a jury, or a conviction following a plea of nolo contendere shall be deemed to be a conviction. (Education Code 44836, 45123)

A classified employee may be reemployed after conviction of such an offense if the Board determines, from the evidence presented, that the person has been rehabilitated for at least five years. (Education Code 45123)

The Board may take appropriate disciplinary action, up to and including termination, or require the employee to satisfactorily participate in and complete a drug assistance or rehabilitation program approved by a federal, state or local health, law enforcement or other appropriate agency.

The Superintendent or designee shall establish a drug- and alcohol-free awareness program to inform employees about: (Government Code 8355)

1. The dangers of drug and alcohol abuse in the workplace
2. The district policy of maintaining drug- and alcohol-free workplaces
3. Any available drug and alcohol counseling, rehabilitation, and employee assistance programs
4. The penalties that may be imposed on employees for drug and alcohol abuse violations

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

**State References**

Ed. Code 44011

Ed. Code 44425

Ed. Code 44836

Ed. Code 44940

Ed. Code 44940.5

**Description**

Controlled substance offense

Conviction of a sex or narcotic offense

Employment of certificated persons convicted of controlled substance offenses

Compulsory leave of absence for certificated persons

Procedures when employees are placed on compulsory leave of absence

Ed. Code 45123  
Ed. Code 45304  
Gov. Code 8350-8357

#### **Federal References**

20 USC 7111-7117  
21 CFR 1308.01-1308.49  
21 USC 812  
41 USC 8101-8106

#### **Management Resources References**

Court Decision  
Website

#### **Cross References**

3513.4  
4032  
4112  
4112.41  
4112.9  
4119.21  
4119.21-E(1)  
4212  
4212.41  
4212.9  
4219.21  
4219.21-E(1)  
4312.41  
4312.9  
4319.21  
4319.21-E(1)

Employment after conviction of controlled substance offense  
Compulsory leave of absence for classified persons  
Drug-free workplace

#### **Description**

Safe and Drug Free Schools and Communities Act  
Schedule of controlled substances  
Schedule of controlled substances  
Drug-Free Workplace Act

#### **Description**

A.M. v. Albertsons, LLC, (2009) Cal.App.4th 455  
AASA The School Superintendents Association -  
<https://simbli.eboardsolutions.com/SU/MOaF8AO8cslshSlfGc13QQoEQ==>

#### **Description**

Drug And Alcohol Free Schools -  
<https://simbli.eboardsolutions.com/SU/EglaLA3lnXkKgpulshjxrQ9g==>  
Reasonable Accommodation -  
<https://simbli.eboardsolutions.com/SU/xCU2Q3bo4lrdA5Kslsh5iqGslshA==>  
Appointment And Conditions Of Employment -  
<https://simbli.eboardsolutions.com/SU/8P7kCaAw8qzllunUQcqzrA==>  
Employee Drug Testing -  
<https://simbli.eboardsolutions.com/SU/slshxWc7zKEP9LhPljHzE6Oog==>  
Employee Notifications -  
<https://simbli.eboardsolutions.com/SU/Qz5Y9pFKIUz9yowJNByiOA==>  
Professional Standards -  
<https://simbli.eboardsolutions.com/SU/UTGFaZorlshLeTKDloySlofQ==>  
Professional Standards -  
<https://simbli.eboardsolutions.com/SU/mGplusvfwZSZeWEomplumBplusTJTg==>  
Appointment And Conditions Of Employment -  
<https://simbli.eboardsolutions.com/SU/2FhNDxwOQ6LaGbmeDKmSXA==>  
Employee Drug Testing -  
<https://simbli.eboardsolutions.com/SU/ONXwUHbIkplusdn8d0BHAtFfA==>  
Employee Notifications -  
<https://simbli.eboardsolutions.com/SU/0ZJclXM1TTrTf1O5E1AArg==>  
Professional Standards -  
<https://simbli.eboardsolutions.com/SU/cRQObj7EJcTiplushojXxDrvw==>  
Professional Standards - Code Of Ethics Classified Employees -  
<https://simbli.eboardsolutions.com/SU/Yn4FDSgBUNSbsWF3lvpkIQ==>  
Employee Drug Testing -  
<https://simbli.eboardsolutions.com/SU/0z43bunUpWERwRfDslsh1UBgw==>  
Employee Notifications -  
<https://simbli.eboardsolutions.com/SU/a1UsQLi9B3PWIEPE2MJvAQ==>  
Professional Standards -  
<https://simbli.eboardsolutions.com/SU/aVzvR2gnF6PxyE8OYijAPA==>  
Professional Standards -  
<https://simbli.eboardsolutions.com/SU/sVVtgfkApxmtRMQLsMRyQ==>

**Policy 4030: Nondiscrimination In Employment**

**Status:** ADOPTED

**Original Adopted Date:** 10/05/2010 | **Last Revised Date:** 05/18/2021 | **Last Reviewed Date:** 05/18/2021

The Governing Board is determined to provide a safe, positive environment where all district employees are assured of full and equal employment access and opportunities, protection from harassment and intimidation, and freedom from any fear of reprisal or retribution for asserting their employment rights in accordance with law. For purposes of this policy, employees include job applicants, interns, volunteers, and persons who contracted with the district to provide services, as applicable.

No district employee shall be discriminated against or harassed by any coworker, supervisor, manager, or other person with whom the employee comes in contact in the course of employment, on the basis of the employee's actual or perceived race, color, ancestry, national origin, age, religious creed, marital status, pregnancy, physical or mental disability, medical condition, genetic information, military and veteran status, sex, sexual orientation, gender, gender identity, gender expression, or association with a person or group with one or more of these actual or perceived characteristics.

The district shall not inquire into any employee's immigration status nor discriminate against an employee on the basis of immigration status, unless there is clear and convincing evidence that it is necessary to comply with federal immigration law. (2 CCR 11028)

Discrimination in employment based on the characteristics listed above is prohibited in all areas of employment and in all employment-related practices, including the following:

1. Discrimination in hiring, compensation, terms, conditions, and other privileges of employment
2. Taking of an adverse employment action, such as termination or the denial of employment, promotion, job assignment, or training
3. Unwelcome conduct, whether verbal, physical, or visual, that is so severe or pervasive as to adversely affect an employee's employment opportunities, or that has the purpose or effect of unreasonably interfering with the individual's work performance or creating an intimidating, hostile, or offensive work environment
4. Actions and practices identified as unlawful or discriminatory pursuant to Government Code 12940 or 2 CCR 11006-11086, such as:
  - a. Sex discrimination based on an employee's pregnancy, childbirth, breastfeeding, or any related medical condition or on an employee's gender, gender expression, or gender identity, including transgender status
  - b. Religious creed discrimination based on an employee's religious belief or observance, including religious dress or grooming practices, or based on the district's failure or refusal to use reasonable means to accommodate an employee's religious belief, observance, or practice which conflicts with an employment requirement
  - c. Requirement for a medical or psychological examination of a job applicant, or an inquiry into whether a job applicant has a mental or physical disability or a medical condition or as to the severity of any such disability or condition, without the showing of a job-related need or business necessity
  - d. Failure to make reasonable accommodation for the known physical or mental disability of an employee, or to engage in a timely, good faith, interactive process with an employee who has requested such accommodations in order to determine the effective reasonable accommodations, if any, to be provided to the employee

The Board also prohibits retaliation against any district employee who opposes any discriminatory employment practice by the district or its employees, agents, or representatives or who complains, testifies, assists, or in any way participates in the district's complaint process pursuant to this policy. No employee who requests an accommodation for any protected characteristic listed in this policy shall be subjected to any punishment or sanction, regardless of

whether the request was granted. (Government Code 12940; 2 CCR 11028)

No employee shall, in exchange for a raise or bonus or as a condition of employment or continued employment, be required to sign any document that releases the employee's right to file a claim against the district or to disclose information about harassment or other unlawful employment practices. (Government Code 12964.5)

Complaints concerning employment discrimination, harassment, or retaliation shall immediately be investigated in accordance with procedures specified in the accompanying administrative regulation.

Any supervisory or management employee who observes or has knowledge of an incident of prohibited discrimination or harassment, including harassment of an employee by a nonemployee, shall report the incident to the Superintendent or designated district coordinator as soon as practical after the incident. All other employees are encouraged to report such incidents to their supervisor immediately. The district shall protect any employee who reports such incidents from retaliation.

The Superintendent or designee shall use all appropriate means to reinforce the district's nondiscrimination policy, including providing training and information to employees about how to recognize harassment, discrimination, or other related conduct, how to respond appropriately, and components of the district's policies and regulations regarding discrimination. The Superintendent or designee shall regularly review the district's employment practices and, as necessary, shall take action to ensure district compliance with the nondiscrimination laws.

Any district employee who engages in prohibited discrimination, harassment, or retaliation or who aids, abets, incites, compels, or coerces another to engage or attempt to engage in such behavior in violation of this policy shall be subject to disciplinary action, up to and including dismissal.

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

#### **State References**

#### **Description**

2 CCR 11006-11086	Discrimination in employment - <a href="https://simbli.eboardsolutions.com/SU/jUNOUneBGplusu4fVMYTIWMKA==">https://simbli.eboardsolutions.com/SU/jUNOUneBGplusu4fVMYTIWMKA==</a>
2 CCR 11023	Harassment and discrimination prevention and correction - <a href="https://simbli.eboardsolutions.com/SU/haAgKnrQhVJbslsh34hY5zslsh5Q==">https://simbli.eboardsolutions.com/SU/haAgKnrQhVJbslsh34hY5zslsh5Q==</a>
2 CCR 11024	Required training and education on harassment based on sex, gender identity and expression, and sexual orientation - <a href="https://simbli.eboardsolutions.com/SU/WdslshVrKs4pluscfHplushNGLhCeQw==">https://simbli.eboardsolutions.com/SU/WdslshVrKs4pluscfHplushNGLhCeQw==</a>
2 CCR 11027-11028	National origin and ancestry discrimination - <a href="https://simbli.eboardsolutions.com/SU/SYk7u9LttH4epGWfUlfjdg==">https://simbli.eboardsolutions.com/SU/SYk7u9LttH4epGWfUlfjdg==</a>
5 CCR 4900-4965	Nondiscrimination in elementary and secondary education programs
Civ. Code 51.7	Freedom from violence or intimidation - <a href="https://simbli.eboardsolutions.com/SU/biK5w5xHjaslshApluscWXhrJ7ZQ==">https://simbli.eboardsolutions.com/SU/biK5w5xHjaslshApluscWXhrJ7ZQ==</a>
Ed. Code 200-262.4	Educational equity; prohibition of discrimination on the basis of sex - <a href="https://simbli.eboardsolutions.com/SU/ytTLslshoozWGUAbNL6kKkgxQ==">https://simbli.eboardsolutions.com/SU/ytTLslshoozWGUAbNL6kKkgxQ==</a>
Gov. Code 11135	Discrimination - <a href="https://simbli.eboardsolutions.com/SU/PcUFWeMcCJnzBrKAL0EtfQ==">https://simbli.eboardsolutions.com/SU/PcUFWeMcCJnzBrKAL0EtfQ==</a>
Gov. Code 11138	Rules and regulations
Gov. Code 12900-12996	Fair Employment and Housing Act
Gov. Code 12940-12952	Unlawful employment practices
Gov. Code 12960-12976	Unlawful employment practices; complaints
Pen. Code 422.56	Definitions, hate crimes

#### **Federal References**

#### **Description**

20 USC 1681-1688	Discrimination based on sex or blindness, Title IX
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28 CFR 35.101-35.190

29 USC 621-634

29 USC 794

34 CFR 100.6

34 CFR 104.7

34 CFR 104.8

34 CFR 106.8

34 CFR 106.9

34 CFR 110.1-110.39

42 USC 12101-12213

42 USC 2000d-2000d-7

42 USC 2000e-2000e-17

42 USC 2000ff-2000ff-11

42 USC 2000h-2-2000h-6

42 USC 6101-6107

Americans with Disabilities Act

Age Discrimination in Employment Act

Rehabilitation Act of 1973, Section 504

Compliance information

Designation of responsible employee for Section 504

Nondiscrimination

Designation of responsible employee and adoption of grievance procedures

Dissemination of policy

Nondiscrimination on the basis of age

Americans with Disabilities Act

Title VI, Civil Rights Act of 1964

Title VII, Civil Rights Act of 1964, as amended

Genetic Information Nondiscrimination Act of 2008

Title IX of the Civil Rights Act of 1964

Age Discrimination Act of 1975

### Management Resources References

CA Dept of Fair Employment and Housing  
Publication

Court Decision

U.S. DOE Office For Civil Rights Publication

U.S. Equal Employment Opportunity Comm  
Publication

Website

### Description

California Law Prohibits Workplace Discrimination and Harassment

A.M. v. Albertsons, LLC, (2009) Cal.App.4th 455

Dear Colleague Letter, May 26, 2011

EEOC Compliance Manual

AASA The School Superintendents Association -

<https://simbli.eboardsolutions.com/SU/MOaF8AO8cslshSlfGc13QQoEQ==>

### Cross References

0410

1113

1113

1113-E(1)

1114

1114

1240

1240

1312.1

1312.1

### Description

Nondiscrimination In District Programs And Activities -

<https://simbli.eboardsolutions.com/SU/FnDZ7yHITUVLmcPBwcYa4w==>

District And School Web Sites -

<https://simbli.eboardsolutions.com/SU/BzLslshM03JGp7plus8dzh1Fzc4Q==>

District And School Web Sites -

<https://simbli.eboardsolutions.com/SU/LkplusM8wFuCJcC9T99n32Hnw==>

District And School Web Sites -

<https://simbli.eboardsolutions.com/SU/fCje9zCXa1OFcXTUBQYRhw==>

District-Sponsored Social Media -

<https://simbli.eboardsolutions.com/SU/JfCojzMhplusqvfyCOp9Cgiw==>

District-Sponsored Social Media -

<https://simbli.eboardsolutions.com/SU/LnhNVipgssss47FWyv0docA==>

Volunteer Assistance -

<https://simbli.eboardsolutions.com/SU/s1kDPms91ZslshXvtuUxCKMdw==>

Volunteer Assistance -

<https://simbli.eboardsolutions.com/SU/KR2sg4KWAHgxai0qdzjyQA==>

Complaints Concerning District Employees -

<https://simbli.eboardsolutions.com/SU/JRoyWdC2lplusN7hd5lE0LP4g==>

Complaints Concerning District Employees -

<https://simbli.eboardsolutions.com/SU/3x1plusj0z5ZLMqRsshsEIT6Q==>

1312.1-E(1)	Complaints Concerning District Employees - <a href="https://simbli.eboardsolutions.com/SU/eAlz50x7oMx0vq3x9PJTplusg==">https://simbli.eboardsolutions.com/SU/eAlz50x7oMx0vq3x9PJTplusg==</a>
1312.3	Uniform Complaint Procedures - <a href="https://simbli.eboardsolutions.com/SU/jyKa60efBU85pBteBaMvhA==">https://simbli.eboardsolutions.com/SU/jyKa60efBU85pBteBaMvhA==</a>
1312.3	Uniform Complaint Procedures - <a href="https://simbli.eboardsolutions.com/SU/he5R6o3mKhZ8plus8KsNn26EQ==">https://simbli.eboardsolutions.com/SU/he5R6o3mKhZ8plus8KsNn26EQ==</a>
3312	Contracts - <a href="https://simbli.eboardsolutions.com/SU/RtEPentWF4fC8KdSsZuiQQ==">https://simbli.eboardsolutions.com/SU/RtEPentWF4fC8KdSsZuiQQ==</a>
3530	Risk Management/Insurance - <a href="https://simbli.eboardsolutions.com/SU/AwD0gWC1fp3vplus35CcotDig==">https://simbli.eboardsolutions.com/SU/AwD0gWC1fp3vplus35CcotDig==</a>
3530	Risk Management/Insurance - <a href="https://simbli.eboardsolutions.com/SU/usslshWhTtZbMepJAoA7BVd6g==">https://simbli.eboardsolutions.com/SU/usslshWhTtZbMepJAoA7BVd6g==</a>
3580	District Records - <a href="https://simbli.eboardsolutions.com/SU/slshum9iqFSJwslshMnliyP5FuWQ==">https://simbli.eboardsolutions.com/SU/slshum9iqFSJwslshMnliyP5FuWQ==</a>
3600	Consultants - <a href="https://simbli.eboardsolutions.com/SU/19Y2YhOrjiSGxS8QOUWGnA==">https://simbli.eboardsolutions.com/SU/19Y2YhOrjiSGxS8QOUWGnA==</a>
4000	Concepts And Roles - <a href="https://simbli.eboardsolutions.com/SU/OD2npGAZCiRik4Mzfor9zA==">https://simbli.eboardsolutions.com/SU/OD2npGAZCiRik4Mzfor9zA==</a>
4032	Reasonable Accommodation - <a href="https://simbli.eboardsolutions.com/SU/xCU2Q3bo4IrdA5Kslsh5iqGslshA==">https://simbli.eboardsolutions.com/SU/xCU2Q3bo4IrdA5Kslsh5iqGslshA==</a>
4033	Lactation Accommodation - <a href="https://simbli.eboardsolutions.com/SU/BCWG4ZmkOPFlvsishL6SHOGDA==">https://simbli.eboardsolutions.com/SU/BCWG4ZmkOPFlvsishL6SHOGDA==</a>
4111	Recruitment And Selection - <a href="https://simbli.eboardsolutions.com/SU/HeUlwNZQTFVbF6nplusNePaZQ==">https://simbli.eboardsolutions.com/SU/HeUlwNZQTFVbF6nplusNePaZQ==</a>
4111.2	Legal Status Requirement - <a href="https://simbli.eboardsolutions.com/SU/m3WslshNV7bzEWPHOtWVprGLw==">https://simbli.eboardsolutions.com/SU/m3WslshNV7bzEWPHOtWVprGLw==</a>
4112.4	Health Examinations - <a href="https://simbli.eboardsolutions.com/SU/nKXNuY4nuf6VtbFdt8BxXQ==">https://simbli.eboardsolutions.com/SU/nKXNuY4nuf6VtbFdt8BxXQ==</a>
4112.41	Employee Drug Testing - <a href="https://simbli.eboardsolutions.com/SU/slshxWc7zKEP9LhPljHzE6Oog==">https://simbli.eboardsolutions.com/SU/slshxWc7zKEP9LhPljHzE6Oog==</a>
4112.6	Personnel Files - <a href="https://simbli.eboardsolutions.com/SU/8rmeuQPjBjxnplusLHK6jENEA==">https://simbli.eboardsolutions.com/SU/8rmeuQPjBjxnplusLHK6jENEA==</a>
4112.9	Employee Notifications - <a href="https://simbli.eboardsolutions.com/SU/Qz5Y9pFKIUz9yowJNByiOA==">https://simbli.eboardsolutions.com/SU/Qz5Y9pFKIUz9yowJNByiOA==</a>
4119.1	Civil And Legal Rights - <a href="https://simbli.eboardsolutions.com/SU/24DUL3dM9A2IUAAoqbi3Og==">https://simbli.eboardsolutions.com/SU/24DUL3dM9A2IUAAoqbi3Og==</a>
4119.11	Sexual Harassment - <a href="https://simbli.eboardsolutions.com/SU/SlvMh9PMikAPEOLcsVldiQ==">https://simbli.eboardsolutions.com/SU/SlvMh9PMikAPEOLcsVldiQ==</a>
4119.11	Sexual Harassment - <a href="https://simbli.eboardsolutions.com/SU/BsxQhDtsvrsishROgWBslGoVg==">https://simbli.eboardsolutions.com/SU/BsxQhDtsvrsishROgWBslGoVg==</a>
4119.41	Employees With Infectious Disease - <a href="https://simbli.eboardsolutions.com/SU/UW7i21Bcj9ORkQ5ObHAUAQ==">https://simbli.eboardsolutions.com/SU/UW7i21Bcj9ORkQ5ObHAUAQ==</a>
4131	Staff Development - <a href="https://simbli.eboardsolutions.com/SU/y4QplusedaFgrVD8fr8wpCMqQ==">https://simbli.eboardsolutions.com/SU/y4QplusedaFgrVD8fr8wpCMqQ==</a>
4131	Staff Development - <a href="https://simbli.eboardsolutions.com/SU/xnIUHul4wamrtLwplus2OFxcA==">https://simbli.eboardsolutions.com/SU/xnIUHul4wamrtLwplus2OFxcA==</a>
4144	Complaints - <a href="https://simbli.eboardsolutions.com/SU/KyKD8LDxrB2PwRRY0z7CWA==">https://simbli.eboardsolutions.com/SU/KyKD8LDxrB2PwRRY0z7CWA==</a>
4151	Employee Compensation - <a href="https://simbli.eboardsolutions.com/SU/sKgclPNslshLxkivtjIWzWr7g==">https://simbli.eboardsolutions.com/SU/sKgclPNslshLxkivtjIWzWr7g==</a>



4154	Health And Welfare Benefits - <a href="https://simbli.eboardsolutions.com/SU/6R1sBLgslshYgDslshAd2SuZj7eA==">https://simbli.eboardsolutions.com/SU/6R1sBLgslshYgDslshAd2SuZj7eA==</a>
4154	Health And Welfare Benefits - <a href="https://simbli.eboardsolutions.com/SU/WNoCah873JGR0slshZyGCtZtQ==">https://simbli.eboardsolutions.com/SU/WNoCah873JGR0slshZyGCtZtQ==</a>
4161.8	Family Care And Medical Leave - <a href="https://simbli.eboardsolutions.com/SU/dkzM3sFaSMA9NvtdslshHt2slshw==">https://simbli.eboardsolutions.com/SU/dkzM3sFaSMA9NvtdslshHt2slshw==</a>
4211	Recruitment And Selection - <a href="https://simbli.eboardsolutions.com/SU/1QyhlSbz3gqFplusbhfpq4lEQ==">https://simbli.eboardsolutions.com/SU/1QyhlSbz3gqFplusbhfpq4lEQ==</a>
4211.2	Legal Status Requirement - <a href="https://simbli.eboardsolutions.com/SU/uNIWpQaABVr6aKaLg4OdpQ==">https://simbli.eboardsolutions.com/SU/uNIWpQaABVr6aKaLg4OdpQ==</a>
4212.4	Health Examinations - <a href="https://simbli.eboardsolutions.com/SU/rlyplusslshRZ4Csezcx5hVxJL6Q==">https://simbli.eboardsolutions.com/SU/rlyplusslshRZ4Csezcx5hVxJL6Q==</a>
4212.41	Employee Drug Testing - <a href="https://simbli.eboardsolutions.com/SU/ONXwUHbIkplusdn8d0BHAtFfA==">https://simbli.eboardsolutions.com/SU/ONXwUHbIkplusdn8d0BHAtFfA==</a>
4212.6	Personnel Files - <a href="https://simbli.eboardsolutions.com/SU/6Sms9Cslshckj3AxFvjilVLwg==">https://simbli.eboardsolutions.com/SU/6Sms9Cslshckj3AxFvjilVLwg==</a>
4212.9	Employee Notifications - <a href="https://simbli.eboardsolutions.com/SU/0ZJclXM1TTrTf1O5E1AArg==">https://simbli.eboardsolutions.com/SU/0ZJclXM1TTrTf1O5E1AArg==</a>
4219.1	Civil And Legal Rights - <a href="https://simbli.eboardsolutions.com/SU/NNHd7ATUG21WUZfMslshC2esw==">https://simbli.eboardsolutions.com/SU/NNHd7ATUG21WUZfMslshC2esw==</a>
4219.11	Sexual Harassment - <a href="https://simbli.eboardsolutions.com/SU/tANQtslshaLtnplusAwRY1FCqQjA==">https://simbli.eboardsolutions.com/SU/tANQtslshaLtnplusAwRY1FCqQjA==</a>
4219.11	Sexual Harassment - <a href="https://simbli.eboardsolutions.com/SU/sOKhv3nplusqEuVMf7plusON7wrw==">https://simbli.eboardsolutions.com/SU/sOKhv3nplusqEuVMf7plusON7wrw==</a>
4219.41	Employees With Infectious Disease - <a href="https://simbli.eboardsolutions.com/SU/NpZq3EcMaaBylSSsQZkUvw==">https://simbli.eboardsolutions.com/SU/NpZq3EcMaaBylSSsQZkUvw==</a>
4244	Complaints - <a href="https://simbli.eboardsolutions.com/SU/AG8XgRWjeslshpslshdhFTO2smwQ==">https://simbli.eboardsolutions.com/SU/AG8XgRWjeslshpslshdhFTO2smwQ==</a>
4251	Employee Compensation - <a href="https://simbli.eboardsolutions.com/SU/d2AjUqcSgcwKXQ9kF6ShYQ==">https://simbli.eboardsolutions.com/SU/d2AjUqcSgcwKXQ9kF6ShYQ==</a>
4254	Health And Welfare Benefits - <a href="https://simbli.eboardsolutions.com/SU/IOQxocnnxc7t0zO4gNslshEig==">https://simbli.eboardsolutions.com/SU/IOQxocnnxc7t0zO4gNslshEig==</a>
4254	Health And Welfare Benefits - <a href="https://simbli.eboardsolutions.com/SU/baiguAHICDz2MiTzMIQl0A==">https://simbli.eboardsolutions.com/SU/baiguAHICDz2MiTzMIQl0A==</a>
4261.8	Family Care And Medical Leave - <a href="https://simbli.eboardsolutions.com/SU/RxAOPGwtmmyMLo5slshskLOtA==">https://simbli.eboardsolutions.com/SU/RxAOPGwtmmyMLo5slshskLOtA==</a>
4311	Recruitment And Selection - <a href="https://simbli.eboardsolutions.com/SU/S1DtM6q4nxCUkFJdgUiurg==">https://simbli.eboardsolutions.com/SU/S1DtM6q4nxCUkFJdgUiurg==</a>
4311.2	Legal Status Requirement - <a href="https://simbli.eboardsolutions.com/SU/zLDFviZ9L41plusxZLZHO5JGw==">https://simbli.eboardsolutions.com/SU/zLDFviZ9L41plusxZLZHO5JGw==</a>
4312.4	Health Examinations - <a href="https://simbli.eboardsolutions.com/SU/bslshMGq1I2YgZP7pluspaahHXLeA==">https://simbli.eboardsolutions.com/SU/bslshMGq1I2YgZP7pluspaahHXLeA==</a>
4312.41	Employee Drug Testing - <a href="https://simbli.eboardsolutions.com/SU/Oz43bunUpWERwRfDslsh1UBgw==">https://simbli.eboardsolutions.com/SU/Oz43bunUpWERwRfDslsh1UBgw==</a>
4312.6	Personnel Files - <a href="https://simbli.eboardsolutions.com/SU/c66XSPEsGJAEqplus435ncEpw==">https://simbli.eboardsolutions.com/SU/c66XSPEsGJAEqplus435ncEpw==</a>
4312.9	Employee Notifications - <a href="https://simbli.eboardsolutions.com/SU/a1UsQLi9B3PWIEPE2MJvAQ==">https://simbli.eboardsolutions.com/SU/a1UsQLi9B3PWIEPE2MJvAQ==</a>
4319.1	Civil And Legal Rights - <a href="https://simbli.eboardsolutions.com/SU/S3pluswdN4h3ZfQGBHYZ4pWXg==">https://simbli.eboardsolutions.com/SU/S3pluswdN4h3ZfQGBHYZ4pWXg==</a>

4319.11	Sexual Harassment - <a href="https://simbli.eboardsolutions.com/SU/EX3wm6YlGO1llgpyhTruVw==">https://simbli.eboardsolutions.com/SU/EX3wm6YlGO1llgpyhTruVw==</a>
4319.11	Sexual Harassment - <a href="https://simbli.eboardsolutions.com/SU/afYPjOEJno5bLslshzEsWu4Xw==">https://simbli.eboardsolutions.com/SU/afYPjOEJno5bLslshzEsWu4Xw==</a>
4319.41	Employees With Infectious Disease - <a href="https://simbli.eboardsolutions.com/SU/U6X8VCGYePZQtETEvG6GyQ==">https://simbli.eboardsolutions.com/SU/U6X8VCGYePZQtETEvG6GyQ==</a>
4331	Staff Development - <a href="https://simbli.eboardsolutions.com/SU/mi31ZJfJZ6P6XlztQhGr3Q==">https://simbli.eboardsolutions.com/SU/mi31ZJfJZ6P6XlztQhGr3Q==</a>
4331	Staff Development - <a href="https://simbli.eboardsolutions.com/SU/hqxZRiEbEWMHD9ZdRfApig==">https://simbli.eboardsolutions.com/SU/hqxZRiEbEWMHD9ZdRfApig==</a>
4344	Complaints - <a href="https://simbli.eboardsolutions.com/SU/qGrsXimwkCHTw02tO8UC4Q==">https://simbli.eboardsolutions.com/SU/qGrsXimwkCHTw02tO8UC4Q==</a>
4351	Employee Compensation - <a href="https://simbli.eboardsolutions.com/SU/7ykiQpHAhelqH4DkAzNuTw==">https://simbli.eboardsolutions.com/SU/7ykiQpHAhelqH4DkAzNuTw==</a>
4354	Health And Welfare Benefits - <a href="https://simbli.eboardsolutions.com/SU/AUcC2pRXWApZWZErGjyJUg==">https://simbli.eboardsolutions.com/SU/AUcC2pRXWApZWZErGjyJUg==</a>
4354	Health And Welfare Benefits - <a href="https://simbli.eboardsolutions.com/SU/slsh0UxeGKSx3ebrYlspgSrg==">https://simbli.eboardsolutions.com/SU/slsh0UxeGKSx3ebrYlspgSrg==</a>
4361.8	Family Care And Medical Leave - <a href="https://simbli.eboardsolutions.com/SU/14pPp1TwlNK12lxOlrqSnw==">https://simbli.eboardsolutions.com/SU/14pPp1TwlNK12lxOlrqSnw==</a>
9000	Role Of The Board - <a href="https://simbli.eboardsolutions.com/SU/yCFHLIFLUDCtfgppluseQHTjg==">https://simbli.eboardsolutions.com/SU/yCFHLIFLUDCtfgppluseQHTjg==</a>
9321	Closed Session - <a href="https://simbli.eboardsolutions.com/SU/eQxvTE4sunzJru8wB8gc1g==">https://simbli.eboardsolutions.com/SU/eQxvTE4sunzJru8wB8gc1g==</a>

**Policy 4040: Employee Use Of Technology**

**Status:** ADOPTED

**Original Adopted Date:** 10/05/2010 | **Last Revised Date:** 05/15/2018 | **Last Reviewed Date:** 05/15/2018

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

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

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

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

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

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

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

The Superintendent or designee shall annually notify employees in writing that they have no reasonable expectation of privacy in the use of any equipment or other technological resources provided by or maintained by the district, including, but not limited to, computer files, email, text messages, instant messaging, and other electronic communications, even when provided their own password. To ensure proper use, the Superintendent or designee may monitor employee usage of district technology at any time without advance notice or consent and for any reason allowed by law.

In addition, employees shall be notified that records maintained on any personal device or messages sent or received on a personal device that is being used to conduct district business may be subject to disclosure, pursuant to a subpoena or other lawful request.

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

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

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

**State References**

Gov. Code 3543.1

**Description**

Rights of employee organizations

Gov. Code 6250-6270

Pen. Code 502

Pen. Code 632

Veh. Code 23123

Veh. Code 23123.5

Veh. Code 23125

California Public Records Act

Computer Crimes, remedies

Eavesdropping on or recording confidential communications

Wireless telephones in vehicles

Mobile communication devices; text messaging while driving

Wireless telephones in school buses

### **Federal References**

20 USC 7101-7122

20 USC 7131

47 CFR 54.520

### **Description**

Student Support and Academic Enrichment Grants

Internet Safety

Internet safety policy and technology protection measures, E-rate discounts

### **Management Resources References**

Court Decision

Website

### **Description**

A.M. v. Albertsons, LLC, (2009) Cal.App.4th 455

AASA The School Superintendents Association -

<https://simbli.eboardsolutions.com/SU/MOaF8AO8cslshSlfGc13QQoEQ==>

### **Cross References**

0410

Nondiscrimination In District Programs And Activities -

<https://simbli.eboardsolutions.com/SU/FnDZ7yHITUVLmcPBwcYa4w==>

0440

District Technology Plan -

<https://simbli.eboardsolutions.com/SU/ufpqEymurplusbMcY8BDBnRZQ==>

0440

District Technology Plan -

<https://simbli.eboardsolutions.com/SU/hioD0waOOJiByYNFpisbsQ==>

1100

Communication With The Public -

<https://simbli.eboardsolutions.com/SU/Hywu1plusUHmPznTnAojQejslshg==>

1113

District And School Web Sites -

<https://simbli.eboardsolutions.com/SU/BzLslshM03JGp7plus8dzh1Fzc4Q==>

1113

District And School Web Sites -

<https://simbli.eboardsolutions.com/SU/LkplusM8wFuCJcC9T99n32Hnw==>

1113-E(1)

District And School Web Sites -

<https://simbli.eboardsolutions.com/SU/fCje9zCXa1OFcXTUBQYRhW==>

1114

District-Sponsored Social Media -

<https://simbli.eboardsolutions.com/SU/JfCojzMhplusqvfyCOp9Cgiw==>

1114

District-Sponsored Social Media -

<https://simbli.eboardsolutions.com/SU/LnhNVipgsss47FWyv0docA==>

1340

Access To District Records -

<https://simbli.eboardsolutions.com/SU/Yd0OhypY8zlqBWetfgeDyQ==>

1340

Access To District Records -

<https://simbli.eboardsolutions.com/SU/3WHcNUN51FhE5p4Qq0Szwz==>

2121

Superintendent's Contract -

<https://simbli.eboardsolutions.com/SU/5eKslshdiBvHlzb6VIBRZK9w==>

3512

Equipment -

<https://simbli.eboardsolutions.com/SU/r1rNkRaXyrj10VEAVGfslsh9g==>

3512-E(1)

Equipment -

<https://simbli.eboardsolutions.com/SU/6RcqkwFE4ATq4nsbPZZJJg==>

3516.2

Bomb Threats -

<https://simbli.eboardsolutions.com/SU/qz0d6tsfAHzXebzeQw1MJg==>

3580	District Records - <a href="https://simbli.eboardsolutions.com/SU/slshum9iqFSJwslshMnliyP5FuWQ==">https://simbli.eboardsolutions.com/SU/slshum9iqFSJwslshMnliyP5FuWQ==</a>
4032	Reasonable Accommodation - <a href="https://simbli.eboardsolutions.com/SU/xCU2Q3bo4IrdA5Kslsh5iqGslshA==">https://simbli.eboardsolutions.com/SU/xCU2Q3bo4IrdA5Kslsh5iqGslshA==</a>
4119.1	Civil And Legal Rights - <a href="https://simbli.eboardsolutions.com/SU/24DUL3dM9A2IUAAoqbi3Og==">https://simbli.eboardsolutions.com/SU/24DUL3dM9A2IUAAoqbi3Og==</a>
4119.11	Sexual Harassment - <a href="https://simbli.eboardsolutions.com/SU/SlvMh9PMikAPEOLcsVldiQ==">https://simbli.eboardsolutions.com/SU/SlvMh9PMikAPEOLcsVldiQ==</a>
4119.11	Sexual Harassment - <a href="https://simbli.eboardsolutions.com/SU/BsxQhDtsvrsIshROgWBslGoVg==">https://simbli.eboardsolutions.com/SU/BsxQhDtsvrsIshROgWBslGoVg==</a>
4119.21	Professional Standards - <a href="https://simbli.eboardsolutions.com/SU/UTGFaZorslshLeTKDloySlofQ==">https://simbli.eboardsolutions.com/SU/UTGFaZorslshLeTKDloySlofQ==</a>
4119.21-E(1)	Professional Standards - <a href="https://simbli.eboardsolutions.com/SU/mGplusvfwZSZeWEomplusbBplusTJTg==">https://simbli.eboardsolutions.com/SU/mGplusvfwZSZeWEomplusbBplusTJTg==</a>
4119.25	Political Activities Of Employees - <a href="https://simbli.eboardsolutions.com/SU/UslshRGVNhjBEeEDNrko7psQg==">https://simbli.eboardsolutions.com/SU/UslshRGVNhjBEeEDNrko7psQg==</a>
4131	Staff Development - <a href="https://simbli.eboardsolutions.com/SU/y4QplusedaFgrVD8fr8wpCMqQ==">https://simbli.eboardsolutions.com/SU/y4QplusedaFgrVD8fr8wpCMqQ==</a>
4131	Staff Development - <a href="https://simbli.eboardsolutions.com/SU/xnIUHul4wamrtLwplus2OFxcA==">https://simbli.eboardsolutions.com/SU/xnIUHul4wamrtLwplus2OFxcA==</a>
4219.1	Civil And Legal Rights - <a href="https://simbli.eboardsolutions.com/SU/NNHd7ATUG21WUZfMslshC2esw==">https://simbli.eboardsolutions.com/SU/NNHd7ATUG21WUZfMslshC2esw==</a>
4219.11	Sexual Harassment - <a href="https://simbli.eboardsolutions.com/SU/tANQtslshaLtnplusAwRY1FCqQjA==">https://simbli.eboardsolutions.com/SU/tANQtslshaLtnplusAwRY1FCqQjA==</a>
4219.11	Sexual Harassment - <a href="https://simbli.eboardsolutions.com/SU/sOKhv3nplusqEuVMf7plusON7wrw==">https://simbli.eboardsolutions.com/SU/sOKhv3nplusqEuVMf7plusON7wrw==</a>
4219.21	Professional Standards - <a href="https://simbli.eboardsolutions.com/SU/cRQObj7EJcTiplushojXxDrvw==">https://simbli.eboardsolutions.com/SU/cRQObj7EJcTiplushojXxDrvw==</a>
4219.21-E(1)	Professional Standards - Code Of Ethics Classified Employees - <a href="https://simbli.eboardsolutions.com/SU/Yn4FDSgBUNSbsWF3lvpkIQ==">https://simbli.eboardsolutions.com/SU/Yn4FDSgBUNSbsWF3lvpkIQ==</a>
4219.25	Political Activities Of Employees - <a href="https://simbli.eboardsolutions.com/SU/seiEdh3poDGMpbcllNJXOQ==">https://simbli.eboardsolutions.com/SU/seiEdh3poDGMpbcllNJXOQ==</a>
4319.1	Civil And Legal Rights - <a href="https://simbli.eboardsolutions.com/SU/S3pluswdN4h3ZfGQBHYZ4pWXg==">https://simbli.eboardsolutions.com/SU/S3pluswdN4h3ZfGQBHYZ4pWXg==</a>
4319.11	Sexual Harassment - <a href="https://simbli.eboardsolutions.com/SU/EX3wm6YIGO1llgpyhTruVw==">https://simbli.eboardsolutions.com/SU/EX3wm6YIGO1llgpyhTruVw==</a>
4319.11	Sexual Harassment - <a href="https://simbli.eboardsolutions.com/SU/afYPjOEJno5bLslshzEsWu4Xw==">https://simbli.eboardsolutions.com/SU/afYPjOEJno5bLslshzEsWu4Xw==</a>
4319.21	Professional Standards - <a href="https://simbli.eboardsolutions.com/SU/aVzvR2gnF6PxyE8OYijAPA==">https://simbli.eboardsolutions.com/SU/aVzvR2gnF6PxyE8OYijAPA==</a>
4319.21-E(1)	Professional Standards - <a href="https://simbli.eboardsolutions.com/SU/sVVtgfkApxmtRMQLlsMRyQ==">https://simbli.eboardsolutions.com/SU/sVVtgfkApxmtRMQLlsMRyQ==</a>
4319.25	Political Activities Of Employees - <a href="https://simbli.eboardsolutions.com/SU/HslshFplusldcqDEuoellia0ZiA==">https://simbli.eboardsolutions.com/SU/HslshFplusldcqDEuoellia0ZiA==</a>
4331	Staff Development - <a href="https://simbli.eboardsolutions.com/SU/mi31ZJfJZ6P6XIztQhGr3Q==">https://simbli.eboardsolutions.com/SU/mi31ZJfJZ6P6XIztQhGr3Q==</a>
4331	Staff Development - <a href="https://simbli.eboardsolutions.com/SU/hqxZRIEbEWMHD9ZdRfApig==">https://simbli.eboardsolutions.com/SU/hqxZRIEbEWMHD9ZdRfApig==</a>
5125	Student Records - <a href="https://simbli.eboardsolutions.com/SU/tWHWUiPwslshr1YYPUpusvwMslshmQ==">https://simbli.eboardsolutions.com/SU/tWHWUiPwslshr1YYPUpusvwMslshmQ==</a>

5125	Student Records - <a href="https://simbli.eboardsolutions.com/SU/BVqShG6XWi846acAF21eCA==">https://simbli.eboardsolutions.com/SU/BVqShG6XWi846acAF21eCA==</a>
5125.1	Release Of Directory Information - <a href="https://simbli.eboardsolutions.com/SU/0gZNdnSk7slshO1pm7w6dgQMw==">https://simbli.eboardsolutions.com/SU/0gZNdnSk7slshO1pm7w6dgQMw==</a>
5125.1	Release Of Directory Information - <a href="https://simbli.eboardsolutions.com/SU/dcEuGdmEtIMdCslshRYKeLLrA==">https://simbli.eboardsolutions.com/SU/dcEuGdmEtIMdCslshRYKeLLrA==</a>
5125.1-E(1)	Release Of Directory Information - <a href="https://simbli.eboardsolutions.com/SU/OLSr2W5pluzBu048bHf3MxfQ==">https://simbli.eboardsolutions.com/SU/OLSr2W5pluzBu048bHf3MxfQ==</a>
6116	Classroom Interruptions - <a href="https://simbli.eboardsolutions.com/SU/zec48ZLVoeKiBHh64SwaXA==">https://simbli.eboardsolutions.com/SU/zec48ZLVoeKiBHh64SwaXA==</a>
6162.6	Use Of Copyrighted Materials - <a href="https://simbli.eboardsolutions.com/SU/3taLrSkI4GgyZmdSblW6lw==">https://simbli.eboardsolutions.com/SU/3taLrSkI4GgyZmdSblW6lw==</a>
6162.6	Use Of Copyrighted Materials - <a href="https://simbli.eboardsolutions.com/SU/Ulrd8rtCbBXH4slshn2kgoeAw==">https://simbli.eboardsolutions.com/SU/Ulrd8rtCbBXH4slshn2kgoeAw==</a>
6163.4	Student Use Of Technology - <a href="https://simbli.eboardsolutions.com/SU/xwmncaskhLLu0j71v8uU3g==">https://simbli.eboardsolutions.com/SU/xwmncaskhLLu0j71v8uU3g==</a>
6163.4-E(1)	Student Use Of Technology - <a href="https://simbli.eboardsolutions.com/SU/6rv0ZAjZh6iRtwPPy2v3Bw==">https://simbli.eboardsolutions.com/SU/6rv0ZAjZh6iRtwPPy2v3Bw==</a>

**Policy 4119.11: Sexual Harassment**

**Status:** ADOPTED

**Original Adopted Date:** 10/05/2010 | **Last Revised Date:** 02/20/2018 | **Last Reviewed Date:** 02/20/2018

The Governing Board prohibits sexual harassment of district employees. The Board also prohibits retaliatory behavior or action against district employees or other persons who complain, testify, or otherwise participate in the complaint process established pursuant to this policy and accompanying administrative regulation. This policy shall apply to all district employees and, when applicable, to interns, volunteers, and job applicants.

The Superintendent or designee shall take all actions necessary to ensure the prevention, investigation, and correction of sexual harassment, including but not limited to:

1. Providing training to employees in accordance with law and administrative regulation
2. Publicizing and disseminating the district's sexual harassment policy to staff
3. Ensuring prompt, thorough, and fair investigation of complaints
4. Taking timely and appropriate corrective/remedial action(s), which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments

All complaints and allegations of sexual harassment shall be kept confidential to the extent necessary to carry out the investigation or to take other subsequent necessary actions. (2 CCR 11023)

Any district employee who feels that he/she has been sexually harassed or who has knowledge of any incident of sexual harassment by or against another employee shall immediately report the incident to his/her supervisor, the principal, district administrator, or Superintendent.

A supervisor, principal, or other district administrator who receives a harassment complaint shall promptly notify the Superintendent or designee.

Complaints of sexual harassment shall be filed in accordance with AR 4030 - Nondiscrimination in Employment. An employee may bypass his/her supervisor in filing a complaint where the supervisor is the subject of the complaint.

Any district employee who engages or participates in sexual harassment or who aids, abets, incites, compels, or coerces another to commit sexual harassment in violation of this policy is subject to disciplinary action, up to and including dismissal.

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

State References	Description
2 CCR 11006-11086	Discrimination in employment - <a href="https://simbli.eboardsolutions.com/SU/jUNOUneBGplusu4fVMYTIWMKA==">https://simbli.eboardsolutions.com/SU/jUNOUneBGplusu4fVMYTIWMKA==</a>
2 CCR 11021	Discrimination in employment - retaliation - <a href="https://simbli.eboardsolutions.com/SU/iTztgujF38E1spcl6qvQZw==">https://simbli.eboardsolutions.com/SU/iTztgujF38E1spcl6qvQZw==</a>
2 CCR 11023	Harassment and discrimination prevention and correction - <a href="https://simbli.eboardsolutions.com/SU/haAgKnrQhVJbslsh34hY5zslsh5Q==">https://simbli.eboardsolutions.com/SU/haAgKnrQhVJbslsh34hY5zslsh5Q==</a>
2 CCR 11024	Required training and education on harassment based on sex, gender identity and expression, and sexual orientation - <a href="https://simbli.eboardsolutions.com/SU/WdslshVrKs4pluscfHplushNGLhCeQw==">https://simbli.eboardsolutions.com/SU/WdslshVrKs4pluscfHplushNGLhCeQw==</a>
2 CCR 11034	Terms, conditions, and privileges of employment - <a href="https://simbli.eboardsolutions.com/SU/jX8JHDplusuhtEPVPUCVlvsTA==">https://simbli.eboardsolutions.com/SU/jX8JHDplusuhtEPVPUCVlvsTA==</a>
5 CCR 4900-4965	Nondiscrimination in elementary and secondary education programs
Ed. Code 200-262.4	Educational equity; prohibition of discrimination on the basis of sex - <a href="https://simbli.eboardsolutions.com/SU/ytTLslshoozWGUAAbNL6kKkgxQ==">https://simbli.eboardsolutions.com/SU/ytTLslshoozWGUAAbNL6kKkgxQ==</a>
Gov. Code 12900-12996	Fair Employment and Housing Act

Gov. Code 12940	Unlawful discriminatory employment practices
Gov. Code 12950	Sexual harassment
Gov. Code 12950.1	Sexual harassment training
Lab. Code 1101	Political activities of employees
Lab. Code 1102.1	Discrimination: sexual orientation

### Federal References

20 USC 1681-1688	Discrimination based on sex or blindness, Title IX
34 CFR 106.1-106.9	Nondiscrimination on the basis of sex in education programs or activities
34 CFR 106.51-106.61	Nondiscrimination on the basis of sex in employment in education program or activities
42 USC 2000e-2000e-17	Title VII, Civil Rights Act of 1964, as amended

### Management Resources References

Court Decision	A.M. v. Albertsons, LLC, (2009) Cal.App.4th 455
U.S. Equal Employment Opportunity Com. Publication	Promising Practices for Preventing Harassment, November 2017
Website	AASA The School Superintendents Association - <a href="https://simbli.eboardsolutions.com/SU/MOaF8AO8cslshSlfGc13QQoEQ==">https://simbli.eboardsolutions.com/SU/MOaF8AO8cslshSlfGc13QQoEQ==</a>

### Cross References

0410	Nondiscrimination In District Programs And Activities - <a href="https://simbli.eboardsolutions.com/SU/FnDZ7yHITUVLmcPBwcYa4w==">https://simbli.eboardsolutions.com/SU/FnDZ7yHITUVLmcPBwcYa4w==</a>
0450	Comprehensive Safety Plan - <a href="https://simbli.eboardsolutions.com/SU/XVeModcEEplusmIKmIViNyG8g==">https://simbli.eboardsolutions.com/SU/XVeModcEEplusmIKmIViNyG8g==</a>
0450	Comprehensive Safety Plan - <a href="https://simbli.eboardsolutions.com/SU/vQZUWC8qslshfqZpV1MmtaRBg==">https://simbli.eboardsolutions.com/SU/vQZUWC8qslshfqZpV1MmtaRBg==</a>
1312.3	Uniform Complaint Procedures - <a href="https://simbli.eboardsolutions.com/SU/jyKa60efBU85pBteBaMvhA==">https://simbli.eboardsolutions.com/SU/jyKa60efBU85pBteBaMvhA==</a>
1312.3	Uniform Complaint Procedures - <a href="https://simbli.eboardsolutions.com/SU/he5R6o3mKhZ8plus8KsNn26EQ==">https://simbli.eboardsolutions.com/SU/he5R6o3mKhZ8plus8KsNn26EQ==</a>
3530	Risk Management/Insurance - <a href="https://simbli.eboardsolutions.com/SU/AwD0gWC1fp3vplus35CcotDig==">https://simbli.eboardsolutions.com/SU/AwD0gWC1fp3vplus35CcotDig==</a>
3530	Risk Management/Insurance - <a href="https://simbli.eboardsolutions.com/SU/usslshWhTtZbMepJAoA7BVD6g==">https://simbli.eboardsolutions.com/SU/usslshWhTtZbMepJAoA7BVD6g==</a>
3600	Consultants - <a href="https://simbli.eboardsolutions.com/SU/19Y2YhOrjiSGxS8QOUWGnA==">https://simbli.eboardsolutions.com/SU/19Y2YhOrjiSGxS8QOUWGnA==</a>
4030	Nondiscrimination In Employment - <a href="https://simbli.eboardsolutions.com/SU/jappluspF1fDZLwk4z1txs8TVw==">https://simbli.eboardsolutions.com/SU/jappluspF1fDZLwk4z1txs8TVw==</a>
4030	Nondiscrimination In Employment - <a href="https://simbli.eboardsolutions.com/SU/1hR1nwwQdqhZCpluslI91M7LA==">https://simbli.eboardsolutions.com/SU/1hR1nwwQdqhZCpluslI91M7LA==</a>
4040	Employee Use Of Technology - <a href="https://simbli.eboardsolutions.com/SU/pCyVFWHxjPMeq9hSFguPfw==">https://simbli.eboardsolutions.com/SU/pCyVFWHxjPMeq9hSFguPfw==</a>
4040-E(1)	Employee Use Of Technology - <a href="https://simbli.eboardsolutions.com/SU/SHiUEWDyslshNbm0aZ0gplusTpfw==">https://simbli.eboardsolutions.com/SU/SHiUEWDyslshNbm0aZ0gplusTpfw==</a>
4112.9	Employee Notifications - <a href="https://simbli.eboardsolutions.com/SU/Qz5Y9pFKIUz9yowJNByiOA==">https://simbli.eboardsolutions.com/SU/Qz5Y9pFKIUz9yowJNByiOA==</a>
4117.7	Employment Status Reports - <a href="https://simbli.eboardsolutions.com/SU/NHiicR0plusQplusLIV6uz4JtDzg==">https://simbli.eboardsolutions.com/SU/NHiicR0plusQplusLIV6uz4JtDzg==</a>



4119.21	Professional Standards - <a href="https://simbli.eboardsolutions.com/SU/UTGFaZorslshLeTKDloySlofQ==">https://simbli.eboardsolutions.com/SU/UTGFaZorslshLeTKDloySlofQ==</a>
4119.21-E(1)	Professional Standards - <a href="https://simbli.eboardsolutions.com/SU/mGplusvfwZSZeWEomplumBplusTJTg==">https://simbli.eboardsolutions.com/SU/mGplusvfwZSZeWEomplumBplusTJTg==</a>
4131	Staff Development - <a href="https://simbli.eboardsolutions.com/SU/y4QplusedaFgrVD8fr8wpCMqQ==">https://simbli.eboardsolutions.com/SU/y4QplusedaFgrVD8fr8wpCMqQ==</a>
4131	Staff Development - <a href="https://simbli.eboardsolutions.com/SU/xnIUHul4wamrtLwplus2OFxcA==">https://simbli.eboardsolutions.com/SU/xnIUHul4wamrtLwplus2OFxcA==</a>
4144	Complaints - <a href="https://simbli.eboardsolutions.com/SU/KyKD8LDxrB2PwRRY0z7CWA==">https://simbli.eboardsolutions.com/SU/KyKD8LDxrB2PwRRY0z7CWA==</a>
4212.9	Employee Notifications - <a href="https://simbli.eboardsolutions.com/SU/0ZJclXM1TTTrf1O5E1AArg==">https://simbli.eboardsolutions.com/SU/0ZJclXM1TTTrf1O5E1AArg==</a>
4219.21	Professional Standards - <a href="https://simbli.eboardsolutions.com/SU/cRQObj7EJcTiplushojXxDrvw==">https://simbli.eboardsolutions.com/SU/cRQObj7EJcTiplushojXxDrvw==</a>
4219.21-E(1)	Professional Standards - Code Of Ethics Classified Employees - <a href="https://simbli.eboardsolutions.com/SU/Yn4FDSgBUNSbsWF3lvplkIQ==">https://simbli.eboardsolutions.com/SU/Yn4FDSgBUNSbsWF3lvplkIQ==</a>
4244	Complaints - <a href="https://simbli.eboardsolutions.com/SU/AG8XgRWjeslshpslshdhFTO2smwQ==">https://simbli.eboardsolutions.com/SU/AG8XgRWjeslshpslshdhFTO2smwQ==</a>
4300	Administrative And Supervisory Personnel - <a href="https://simbli.eboardsolutions.com/SU/zuSelJPDQgilsglN1WCEbg==">https://simbli.eboardsolutions.com/SU/zuSelJPDQgilsglN1WCEbg==</a>
4312.9	Employee Notifications - <a href="https://simbli.eboardsolutions.com/SU/a1UsQLi9B3PWIEPE2MJvAQ==">https://simbli.eboardsolutions.com/SU/a1UsQLi9B3PWIEPE2MJvAQ==</a>
4319.21	Professional Standards - <a href="https://simbli.eboardsolutions.com/SU/aVzvR2gnF6PxyE8OYijAPA==">https://simbli.eboardsolutions.com/SU/aVzvR2gnF6PxyE8OYijAPA==</a>
4319.21-E(1)	Professional Standards - <a href="https://simbli.eboardsolutions.com/SU/sVVtgfkApxmtRMQLIsMRyQ==">https://simbli.eboardsolutions.com/SU/sVVtgfkApxmtRMQLIsMRyQ==</a>
4344	Complaints - <a href="https://simbli.eboardsolutions.com/SU/qGrsXimwkCHTw02tO8UC4Q==">https://simbli.eboardsolutions.com/SU/qGrsXimwkCHTw02tO8UC4Q==</a>
5145.7	Sexual Harassment - <a href="https://simbli.eboardsolutions.com/SU/Etnsl0vfjVFwtsfy7FGqYA==">https://simbli.eboardsolutions.com/SU/Etnsl0vfjVFwtsfy7FGqYA==</a>
5145.7	Sexual Harassment - <a href="https://simbli.eboardsolutions.com/SU/bVa5mPNAi4zf7b1zOFIT1Q==">https://simbli.eboardsolutions.com/SU/bVa5mPNAi4zf7b1zOFIT1Q==</a>

**Policy 4119.21: Professional Standards**

**Status:** ADOPTED

**Original Adopted Date:** 10/05/2010 | **Last Revised Date:** 12/13/2018 | **Last Reviewed Date:** 12/13/2018

The Governing Board expects district employees to maintain the highest ethical standards, behave professionally, follow district policies and regulations, abide by state and federal laws, and exercise good judgment when interacting with students and other members of the school community. Employees shall engage in conduct that enhances the integrity of the district, advances the goals of the district's educational programs, and contributes to a positive school climate.

The Board encourages district employees to accept as guiding principles the professional standards and codes of ethics adopted by educational or professional associations to which they may belong.

Each employee is expected to acquire the knowledge and skills necessary to fulfill his/her responsibilities and to contribute to the learning and achievement of district students.

**Inappropriate**

Inappropriate employee conduct includes, but is not limited to:

1. Engaging in any conduct that endangers students, staff, or others, including, but not limited to, physical violence, threats of violence, or possession of a firearm or other weapon
2. Engaging in harassing or discriminatory behavior towards students, parents/guardians, staff, or community members, or failing or refusing to intervene when an act of discrimination, harassment, intimidation, or bullying against a student is observed
3. Physically abusing, sexually abusing, neglecting, or otherwise willfully harming or injuring a child
4. Engaging in inappropriate socialization or fraternization with a student or soliciting, encouraging, or maintaining an inappropriate written, verbal, or physical relationship with a student
5. Possessing or viewing any pornography on school grounds, or possessing or viewing child pornography or other imagery portraying children in a sexualized manner at any time
6. Using profane, obscene, or abusive language against students, parents/guardians, staff, or community members
7. Willfully disrupting district or school operations by loud or unreasonable noise or other action
8. Using tobacco, alcohol, or an illegal or unauthorized substance, or possessing or distributing any controlled substance, while in the workplace, on district property, or at a school-sponsored activity
9. Being dishonest with students, parents/guardians, staff, or members of the public, including, but not limited to, falsifying information in employment records or other school records
10. Divulging confidential information about students, district employees, or district operations to persons or entities not authorized to receive the information
11. Using district equipment or other district resources for the employee's own commercial purposes or for political activities
12. Using district equipment or communications devices for personal purposes while on duty, except in an emergency, during scheduled work breaks, or for personal necessity

Employees shall be notified that computer files and all electronic communications, including, but not limited to, email and voice mail, are not private. To ensure proper use, the Superintendent or designee may monitor employee usage of district technological resources at any time without the employee's consent.

13. Causing damage to or engaging in theft of property belonging to students, staff, or the district
14. Wearing inappropriate attire

## Reports of Misconduct

An employee who observes or has evidence of another employee's inappropriate conduct shall immediately report such conduct to the principal or Superintendent or designee. An employee who has knowledge of or suspects child abuse or neglect shall file a report pursuant to the district's child abuse reporting procedures as detailed in AR 5141.4 - Child Abuse Prevention and Reporting.

Any reports of employee misconduct shall be promptly investigated. Any employee who is found to have engaged in inappropriate conduct in violation of law or Board policy shall be subject to disciplinary action and, in the case of a certificated employee, may be subject to a report to the Commission on Teacher Credentialing. The Superintendent or designee shall notify local law enforcement as appropriate.

An employee who has knowledge of but fails to report inappropriate employee conduct may also be subject to discipline.

The district prohibits retaliation against anyone who files a complaint against an employee or reports an employee's inappropriate conduct. Any employee who retaliates against any such complainant, reporter, or other participant in the district's complaint process shall be subject to discipline.

## Notifications

The section(s) of the district's employee code of conduct addressing interactions with students shall be provided to parents/guardians at the beginning of each school year and shall be posted on school and/or district web sites. (Education Code 44050)

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

### State References

	Description
5 CCR 80303	Reports of change in employment status, alleged misconduct
5 CCR 80331-80338	Rules of conduct for professional educators
Ed. Code 200-262.4	Prohibition of discrimination - <a href="https://simbli.eboardsolutions.com/SU/ytLslshoozWGUAAbNL6kKkgxQ==">https://simbli.eboardsolutions.com/SU/ytLslshoozWGUAAbNL6kKkgxQ==</a>
Ed. Code 44050	Employee code of conduct; interaction with students
Ed. Code 44242.5	Reports and review of alleged misconduct
Ed. Code 48980	Parent/Guardian notifications
Pen. Code 11164-11174.4	Child Abuse and Neglect Reporting Act

### Management Resources References

	Description
Commission on Teacher Credentialing Publication	California Professional Standards for Educational Leaders, February 2014
Commission on Teacher Credentialing Publication	California Standards for the Teaching Profession (CSTP), 2009
Council of Chief State School Officers Publication	Professional Standards for Educational Leaders, 2015
National Education Association Publication	Code of Ethics of the Education Profession, 1975
Website	Council of Chief State School Officers - <a href="https://simbli.eboardsolutions.com/SU/DQca6f2Jts6S9IUCF6yTKQ==">https://simbli.eboardsolutions.com/SU/DQca6f2Jts6S9IUCF6yTKQ==</a>
Website	California Federation of Teachers - <a href="https://simbli.eboardsolutions.com/SU/6TJlnbikoQhGwsWiH4ztXQ==">https://simbli.eboardsolutions.com/SU/6TJlnbikoQhGwsWiH4ztXQ==</a>
Website	California School Employees Association - <a href="https://simbli.eboardsolutions.com/SU/NOB1plusNOcLNRMHnggHE1slshjg==">https://simbli.eboardsolutions.com/SU/NOB1plusNOcLNRMHnggHE1slshjg==</a>

Website	California Teachers Association - <a href="https://simbli.eboardsolutions.com/SU/w58tUBBtGnaF0rMUPlwN0g==">https://simbli.eboardsolutions.com/SU/w58tUBBtGnaF0rMUPlwN0g==</a>
Website	Commission on Teacher Credentialing - <a href="https://simbli.eboardsolutions.com/SU/cxWNiQRUulsaq7efc7aH4Q==">https://simbli.eboardsolutions.com/SU/cxWNiQRUulsaq7efc7aH4Q==</a>
Website	WestEd - <a href="https://simbli.eboardsolutions.com/SU/T0pumukb4iozXYflh5opZA==">https://simbli.eboardsolutions.com/SU/T0pumukb4iozXYflh5opZA==</a>
Website	Association of California School Administrators - <a href="https://simbli.eboardsolutions.com/SU/DMWjqGR6N1ooUHxYbDPXeA==">https://simbli.eboardsolutions.com/SU/DMWjqGR6N1ooUHxYbDPXeA==</a>
Website	California Department of Education - <a href="https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==">https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==</a>
Website	CSBA - <a href="https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==">https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==</a>
WestEd Publication	Moving Leadership Standards into Everyday Work: Descriptions of Practice, 2003

## Cross References

0200	Goals For The School District - <a href="https://simbli.eboardsolutions.com/SU/S05O5v6npwslsh2SlXKYX8ZbA==">https://simbli.eboardsolutions.com/SU/S05O5v6npwslsh2SlXKYX8ZbA==</a>
0410	Nondiscrimination In District Programs And Activities - <a href="https://simbli.eboardsolutions.com/SU/FnDZ7yHITUVLmcPBwcYa4w==">https://simbli.eboardsolutions.com/SU/FnDZ7yHITUVLmcPBwcYa4w==</a>
1113	District And School Web Sites - <a href="https://simbli.eboardsolutions.com/SU/BzLslshM03JGp7plus8dzh1Fzc4Q==">https://simbli.eboardsolutions.com/SU/BzLslshM03JGp7plus8dzh1Fzc4Q==</a>
1113	District And School Web Sites - <a href="https://simbli.eboardsolutions.com/SU/LkplusM8wFuCJcC9T99n32Hnw==">https://simbli.eboardsolutions.com/SU/LkplusM8wFuCJcC9T99n32Hnw==</a>
1113-E PDF(1)	District And School Web Sites - <a href="https://simbli.eboardsolutions.com/SU/fCje9zCXa1OFcXTUBQYRhw==">https://simbli.eboardsolutions.com/SU/fCje9zCXa1OFcXTUBQYRhw==</a>
1114	District-Sponsored Social Media - <a href="https://simbli.eboardsolutions.com/SU/JfCojzMhplusqvfyECoP9Cgiw==">https://simbli.eboardsolutions.com/SU/JfCojzMhplusqvfyECoP9Cgiw==</a>
1114	District-Sponsored Social Media - <a href="https://simbli.eboardsolutions.com/SU/LnhNVipgsss47FWyv0docA==">https://simbli.eboardsolutions.com/SU/LnhNVipgsss47FWyv0docA==</a>
1312.1	Complaints Concerning District Employees - <a href="https://simbli.eboardsolutions.com/SU/UeCd2AJlxfBU7E37o1kmUg==">https://simbli.eboardsolutions.com/SU/UeCd2AJlxfBU7E37o1kmUg==</a>
1312.1	Complaints Concerning District Employees - <a href="https://simbli.eboardsolutions.com/SU/3x1plusj0z5ZLMqRsshsEIT6Q==">https://simbli.eboardsolutions.com/SU/3x1plusj0z5ZLMqRsshsEIT6Q==</a>
1312.1-E PDF(1)	Complaints Concerning District Employees - <a href="https://simbli.eboardsolutions.com/SU/eAlz5Ox7oMx0vq3x9PjTplusg==">https://simbli.eboardsolutions.com/SU/eAlz5Ox7oMx0vq3x9PjTplusg==</a>
1313	Civility - <a href="https://simbli.eboardsolutions.com/SU/yOa4hXbmytYls4p2JKUbNw==">https://simbli.eboardsolutions.com/SU/yOa4hXbmytYls4p2JKUbNw==</a>
2111	Superintendent Governance Standards - <a href="https://simbli.eboardsolutions.com/SU/ork2IEKnZ8rSKYIoJEUUnrQ==">https://simbli.eboardsolutions.com/SU/ork2IEKnZ8rSKYIoJEUUnrQ==</a>
3513.3	Tobacco-Free Schools - <a href="https://simbli.eboardsolutions.com/SU/LVtbcNpnXgQ4l3S1uk4oVg==">https://simbli.eboardsolutions.com/SU/LVtbcNpnXgQ4l3S1uk4oVg==</a>
3513.3	Tobacco-Free Schools - <a href="https://simbli.eboardsolutions.com/SU/r2bqvQEbcwEp8g54nBYYuQ==">https://simbli.eboardsolutions.com/SU/r2bqvQEbcwEp8g54nBYYuQ==</a>
3513.4	Drug And Alcohol Free Schools - <a href="https://simbli.eboardsolutions.com/SU/EglaLA3lnXkKgpulshjxrQ9g==">https://simbli.eboardsolutions.com/SU/EglaLA3lnXkKgpulshjxrQ9g==</a>
3515.2	Disruptions - <a href="https://simbli.eboardsolutions.com/SU/3zz1tI0X4ZIN7VAPLICn2w==">https://simbli.eboardsolutions.com/SU/3zz1tI0X4ZIN7VAPLICn2w==</a>
3515.2	Disruptions - <a href="https://simbli.eboardsolutions.com/SU/AuZ7CmtLr9yBgGvfKslshy3fw==">https://simbli.eboardsolutions.com/SU/AuZ7CmtLr9yBgGvfKslshy3fw==</a>

3580	District Records - <a href="https://simbli.eboardsolutions.com/SU/slshum9iqESJwslshMnliyP5FuWQ==">https://simbli.eboardsolutions.com/SU/slshum9iqESJwslshMnliyP5FuWQ==</a>
4020	Drug And Alcohol-Free Workplace - <a href="https://simbli.eboardsolutions.com/SU/WOMcSVOOgRfTXFRMNB8rZA==">https://simbli.eboardsolutions.com/SU/WOMcSVOOgRfTXFRMNB8rZA==</a>
4040	Employee Use Of Technology - <a href="https://simbli.eboardsolutions.com/SU/pCyVFWHxjPMeQ9hSFguPfw==">https://simbli.eboardsolutions.com/SU/pCyVFWHxjPMeQ9hSFguPfw==</a>
4040-E PDF(1)	Employee Use Of Technology - <a href="https://simbli.eboardsolutions.com/SU/SHiUEWDyslshNbm0aZ0gplusTpfw==">https://simbli.eboardsolutions.com/SU/SHiUEWDyslshNbm0aZ0gplusTpfw==</a>
4112.2	Certification - <a href="https://simbli.eboardsolutions.com/SU/pBrbutmrAaG9iACDiyMPYQ==">https://simbli.eboardsolutions.com/SU/pBrbutmrAaG9iACDiyMPYQ==</a>
4112.2	Certification - <a href="https://simbli.eboardsolutions.com/SU/paMav8h5DccUYGHCC4Z2sA==">https://simbli.eboardsolutions.com/SU/paMav8h5DccUYGHCC4Z2sA==</a>
4112.41	Employee Drug Testing - <a href="https://simbli.eboardsolutions.com/SU/slshxWc7zKFP9LhPljHzE6Oog==">https://simbli.eboardsolutions.com/SU/slshxWc7zKFP9LhPljHzE6Oog==</a>
4112.41	Employee Drug Testing - <a href="https://simbli.eboardsolutions.com/SU/WdEhMAREY52FewQdK0pSNQ==">https://simbli.eboardsolutions.com/SU/WdEhMAREY52FewQdK0pSNQ==</a>
4112.42	Drug And Alcohol Testing For School Bus Drivers - <a href="https://simbli.eboardsolutions.com/SU/x8sXygV8J5UslshmpimKs4osA==">https://simbli.eboardsolutions.com/SU/x8sXygV8J5UslshmpimKs4osA==</a>
4112.42	Drug And Alcohol Testing For School Bus Drivers - <a href="https://simbli.eboardsolutions.com/SU/vNtVvfMZsblOfaouJ74H0g==">https://simbli.eboardsolutions.com/SU/vNtVvfMZsblOfaouJ74H0g==</a>
4115	Evaluation/Supervision - <a href="https://simbli.eboardsolutions.com/SU/K13vNJ2xRPXslshg8qKWhKljw==">https://simbli.eboardsolutions.com/SU/K13vNJ2xRPXslshg8qKWhKljw==</a>
4115	Evaluation/Supervision - <a href="https://simbli.eboardsolutions.com/SU/TgIGPP2slshE6zp6AAKq663BQ==">https://simbli.eboardsolutions.com/SU/TgIGPP2slshE6zp6AAKq663BQ==</a>
4117.7	Employment Status Reports - <a href="https://simbli.eboardsolutions.com/SU/NHiicR0plusQplusLIV6uz4JtDzg==">https://simbli.eboardsolutions.com/SU/NHiicR0plusQplusLIV6uz4JtDzg==</a>
4118	Dismissal/Suspension/Disciplinary Action - <a href="https://simbli.eboardsolutions.com/SU/rOKplusxHxHkrEBT6aplusTWhislshQ==">https://simbli.eboardsolutions.com/SU/rOKplusxHxHkrEBT6aplusTWhislshQ==</a>
4119.1	Civil And Legal Rights - <a href="https://simbli.eboardsolutions.com/SU/24DUL3dM9A2IUAAoqbi3Og==">https://simbli.eboardsolutions.com/SU/24DUL3dM9A2IUAAoqbi3Og==</a>
4119.11	Sexual Harassment - <a href="https://simbli.eboardsolutions.com/SU/SlvMh9PMikAPEOLcsVldiQ==">https://simbli.eboardsolutions.com/SU/SlvMh9PMikAPEOLcsVldiQ==</a>
4119.11	Sexual Harassment - <a href="https://simbli.eboardsolutions.com/SU/BsxQhDtsvrsIslshROgWBslGoVg==">https://simbli.eboardsolutions.com/SU/BsxQhDtsvrsIslshROgWBslGoVg==</a>
4119.25	Political Activities Of Employees - <a href="https://simbli.eboardsolutions.com/SU/UsIslshRGVNhJBFeEDNrko7psQg==">https://simbli.eboardsolutions.com/SU/UsIslshRGVNhJBFeEDNrko7psQg==</a>
4131	Staff Development - <a href="https://simbli.eboardsolutions.com/SU/qM93MntQ08IXE19SqyYgzA==">https://simbli.eboardsolutions.com/SU/qM93MntQ08IXE19SqyYgzA==</a>
4131	Staff Development - <a href="https://simbli.eboardsolutions.com/SU/xnlUHul4wamrtLwplus2OFxcA==">https://simbli.eboardsolutions.com/SU/xnlUHul4wamrtLwplus2OFxcA==</a>
4158	Employee Security - <a href="https://simbli.eboardsolutions.com/SU/NKJ0gbceQH90dq6IFUplus5tQ==">https://simbli.eboardsolutions.com/SU/NKJ0gbceQH90dq6IFUplus5tQ==</a>
4158	Employee Security - <a href="https://simbli.eboardsolutions.com/SU/jVIXyG8eRmdszhOgitD39Q==">https://simbli.eboardsolutions.com/SU/jVIXyG8eRmdszhOgitD39Q==</a>
4212.41	Employee Drug Testing - <a href="https://simbli.eboardsolutions.com/SU/ONXwUHblKplusdn8d0BHAtFfA==">https://simbli.eboardsolutions.com/SU/ONXwUHblKplusdn8d0BHAtFfA==</a>
4212.42	Drug And Alcohol Testing For School Bus Drivers - <a href="https://simbli.eboardsolutions.com/SU/JwrEm3toQqx4wVyDcBm6Bw==">https://simbli.eboardsolutions.com/SU/JwrEm3toQqx4wVyDcBm6Bw==</a>
4212.42	Drug And Alcohol Testing For School Bus Drivers - <a href="https://simbli.eboardsolutions.com/SU/w6JNlrrt2PSYipX7plus9i1UQ==">https://simbli.eboardsolutions.com/SU/w6JNlrrt2PSYipX7plus9i1UQ==</a>

4215	Evaluation/Supervision - <a href="https://simbli.eboardsolutions.com/SU/SmPx6fVdmXLplusZ5guHYvd3g==">https://simbli.eboardsolutions.com/SU/SmPx6fVdmXLplusZ5guHYvd3g==</a>
4218	Dismissal/Suspension/Disciplinary Action - <a href="https://simbli.eboardsolutions.com/SU/9plusE9V6WiAoDtbVijXcJb8Q==">https://simbli.eboardsolutions.com/SU/9plusE9V6WiAoDtbVijXcJb8Q==</a>
4218	Dismissal/Suspension/Disciplinary Action - <a href="https://simbli.eboardsolutions.com/SU/WSdW3plusnjP9wlvJpaJpqnSA==">https://simbli.eboardsolutions.com/SU/WSdW3plusnjP9wlvJpaJpqnSA==</a>
4219.1	Civil And Legal Rights - <a href="https://simbli.eboardsolutions.com/SU/NNHd7ATUG21WUZfMslshC2esw==">https://simbli.eboardsolutions.com/SU/NNHd7ATUG21WUZfMslshC2esw==</a>
4219.11	Sexual Harassment - <a href="https://simbli.eboardsolutions.com/SU/tANOtshlaLtnplusAwRY1FCqQjA==">https://simbli.eboardsolutions.com/SU/tANOtshlaLtnplusAwRY1FCqQjA==</a>
4219.11	Sexual Harassment - <a href="https://simbli.eboardsolutions.com/SU/sOKhv3nplusqEuVMf7plusON7wrw==">https://simbli.eboardsolutions.com/SU/sOKhv3nplusqEuVMf7plusON7wrw==</a>
4219.25	Political Activities Of Employees - <a href="https://simbli.eboardsolutions.com/SU/seiEdh3poDGMpbcllNJXOQ==">https://simbli.eboardsolutions.com/SU/seiEdh3poDGMpbcllNJXOQ==</a>
4258	Employee Security - <a href="https://simbli.eboardsolutions.com/SU/l328lb63xslshLEHOplusHgt9TA==">https://simbli.eboardsolutions.com/SU/l328lb63xslshLEHOplusHgt9TA==</a>
4258	Employee Security - <a href="https://simbli.eboardsolutions.com/SU/0UbvzplusKzjlWxh2CPHfPslsh8A==">https://simbli.eboardsolutions.com/SU/0UbvzplusKzjlWxh2CPHfPslsh8A==</a>
4312.41	Employee Drug Testing - <a href="https://simbli.eboardsolutions.com/SU/0z43bunUpWERwRfDslsh1UBgw==">https://simbli.eboardsolutions.com/SU/0z43bunUpWERwRfDslsh1UBgw==</a>
4312.42	Drug And Alcohol Testing For School Bus Drivers - <a href="https://simbli.eboardsolutions.com/SU/bjHLFe6dTslshJctTxXirH31Q==">https://simbli.eboardsolutions.com/SU/bjHLFe6dTslshJctTxXirH31Q==</a>
4312.42	Drug And Alcohol Testing For School Bus Drivers - <a href="https://simbli.eboardsolutions.com/SU/np6PFoVoqPCIBtz2ZLlg==">https://simbli.eboardsolutions.com/SU/np6PFoVoqPCIBtz2ZLlg==</a>
4315	Evaluation/Supervision - <a href="https://simbli.eboardsolutions.com/SU/NYMw7pGPZmw6d2o7vwnww==">https://simbli.eboardsolutions.com/SU/NYMw7pGPZmw6d2o7vwnww==</a>
4319.1	Civil And Legal Rights - <a href="https://simbli.eboardsolutions.com/SU/S3pluswdN4h3ZfGQBHYZ4pWXg==">https://simbli.eboardsolutions.com/SU/S3pluswdN4h3ZfGQBHYZ4pWXg==</a>
4319.11	Sexual Harassment - <a href="https://simbli.eboardsolutions.com/SU/EX3wm6YIGO1llgpyhTruVw==">https://simbli.eboardsolutions.com/SU/EX3wm6YIGO1llgpyhTruVw==</a>
4319.11	Sexual Harassment - <a href="https://simbli.eboardsolutions.com/SU/afYPjOEJno5bLslshzEsWu4Xw==">https://simbli.eboardsolutions.com/SU/afYPjOEJno5bLslshzEsWu4Xw==</a>
4319.25	Political Activities Of Employees - <a href="https://simbli.eboardsolutions.com/SU/HslshFplusldczqDEuoeLLia0ZiA==">https://simbli.eboardsolutions.com/SU/HslshFplusldczqDEuoeLLia0ZiA==</a>
4331	Staff Development - <a href="https://simbli.eboardsolutions.com/SU/mi31ZJfJZ6P6XlztQhGr3Q==">https://simbli.eboardsolutions.com/SU/mi31ZJfJZ6P6XlztQhGr3Q==</a>
4331	Staff Development - <a href="https://simbli.eboardsolutions.com/SU/hqxZRiEbEWMHD9ZdRfApig==">https://simbli.eboardsolutions.com/SU/hqxZRiEbEWMHD9ZdRfApig==</a>
4358	Employee Security - <a href="https://simbli.eboardsolutions.com/SU/GCLlslshdWyIslshTslshf5SyRDaxw==">https://simbli.eboardsolutions.com/SU/GCLlslshdWyIslshTslshf5SyRDaxw==</a>
4358	Employee Security - <a href="https://simbli.eboardsolutions.com/SU/jVDlinrb9XSM3NqmaoQUYw==">https://simbli.eboardsolutions.com/SU/jVDlinrb9XSM3NqmaoQUYw==</a>
5141.4	Child Abuse Prevention And Reporting - <a href="https://simbli.eboardsolutions.com/SU/tfJUzIZ5Ik5USth1slshchO1g==">https://simbli.eboardsolutions.com/SU/tfJUzIZ5Ik5USth1slshchO1g==</a>
5141.4	Child Abuse Prevention And Reporting - <a href="https://simbli.eboardsolutions.com/SU/gYslshHHnEDM0tHaXoDoUSGsw==">https://simbli.eboardsolutions.com/SU/gYslshHHnEDM0tHaXoDoUSGsw==</a>
5145.3	Nondiscrimination/Harassment - <a href="https://simbli.eboardsolutions.com/SU/Xtm3uqHMol1KAP4CIBOS3g==">https://simbli.eboardsolutions.com/SU/Xtm3uqHMol1KAP4CIBOS3g==</a>
5145.3	Nondiscrimination/Harassment - <a href="https://simbli.eboardsolutions.com/SU/Rx7eYWCQJQxyhVGfnTMQBQ==">https://simbli.eboardsolutions.com/SU/Rx7eYWCQJQxyhVGfnTMQBQ==</a>

6162.54

Test Integrity/Test Preparation -

<https://simbli.eboardsolutions.com/SU/ybi0FO4ySxf8h42GwRfDLw==>

6162.6

Use Of Copyrighted Materials -

<https://simbli.eboardsolutions.com/SU/3taLrSkI4GgyZmdSblW6lw==>

6162.6

Use Of Copyrighted Materials -

<https://simbli.eboardsolutions.com/SU/Ulrd8rtCbBXH4slshn2kgoeAw==>



# Azusa Unified School District

Office of the Assistant Superintendent of Human Resources

## MEMORANDUM

To: All Employees  
From: Jorge A. Ronquillo  
Date: August 15, 2022  
RE: Child Abuse Reporting Information Sheet

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### Child Abuse Reporting Information Sheet

#### What Must be Reported:

Any of the acts below involving anyone under the age of 18:

- Physical Abuse
- Sexual Abuse
- Emotional Abuse
- Neglect

The mandated reporter must only have **reasonable suspicion** that a child has been mistreated. No evidence or proof is required prior to making a report. The case will be further investigated by law enforcement and/or child protection services. If I observe, or become aware of suspected child abuse by an AUSD employee, I must report the suspected child abuse **and** I must report the employee's suspected behavior to an administrator.

#### How to Report:

1. Obtain the information requested on the Suspected Child Abuse Report (DOJ SS 8572). Copies of the Suspected Child Abuse Report are available online ([Report Child Abuse](#)) and at each school site.
2. Call the Child Protection Hotline at **1-800-540-4000** and file a verbal report. Be sure that you receive and record a referral number. Retain the referral number for the next step in the process and for your personal records. If you reported to law enforcement, you will need the name of the official who took the report.
3. **Within 36 hours** of making the initial verbal report to the Child Protection Hotline or to an approved law enforcement agency, a written report must be filed. The *Suspected Child Abuse Report* may be filed on-line at: [Report Child Abuse](#). Under *Resources*, click on *For Mandated Reporters (Complete your written report on-line)* Link. You will need the referral number issued to you by the Child Protection Hotline to submit your report on-line. If you reported to law enforcement, you will need the name of the official who took the report. If you do not wish to submit your report online, it can be faxed to (213) 745-1727; (213) 745-1728; or (213) 745-1730. The completed *Suspected Child Abuse Report* can also be mailed to:

DCFS  
1933 South Broadway-5<sup>th</sup> Floor  
Los Angeles, CA 90007  
Attn: Child Protection Hotline

#### Other information:

- The Child Abuse and Neglect Reporting Act (CANRA) states that the name of the mandated reporter is strictly confidential, although it is provided to investigative parties working on the case.
- Under state law, mandated reporters cannot be held liable in civil or criminal court when reporting as required; however, under federal law mandated reporters only have immunity for reports made in good faith.
- Failure to report concerns of child abuse or neglect is considered a misdemeanor and is punishable in California by six months in jail and/or up to a \$1,000 fine.
- For the complete law refer to California Penal Codes 11164-11174.3.

For assistance, please consult with an administrator or the Director of Student Support Services, at 626-858-6168.





**Azusa Unified School District**  
Office of the Assistant Superintendent of Human Resources

**MEMORANDUM**

To: All Employees  
From: Jorge A. Ronquillo  
Date: August 15, 2022  
RE: Employee Acknowledgement of Legal Requirement to Report Child Abuse

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**EMPLOYEE ACKNOWLEDGEMENT AND CERTIFICATION  
OF LEGAL REQUIREMENT TO REPORT CHILD ABUSE**

1. I have been fully informed of my legal obligation to report suspected child abuse as specified in the Child Abuse and Neglect Reporting Act (California Penal Code sections 11164 et seq.).
2. I have received training on child abuse laws, child abuse reporting procedures and my duties as a mandated reporter.
3. I have been provided a copy of the AUSD Child Abuse Reporting Information Sheet which summarizes my child abuse reporting obligations and procedures as an AUSD employee.
4. I understand that reporting suspected child abuse is my individual obligation and that my failure to comply with child abuse reporting laws and/or AUSD reporting procedures may subject me to professional, civil, and/or criminal liability. A mandated reporter who fails to make a required report is guilty of a misdemeanor punishable by up to six months in jail, a fine of \$1000, or both. [PC § 11166(b)].
5. I understand that if I observe, or become aware of suspected child abuse by an AUSD employee, I must report the suspected child abuse **and** I must report the employee's suspected behavior to an administrator.
6. I understand that, persons legally mandated to report suspected child abuse have immunity from criminal or civil liability for reporting as required or authorized by law. [PC § 11172(a)]. The identity of a mandated reporter is confidential and disclosed only among agencies receiving or investigating reports, and other designated agencies. [PC § 11167(d)(1)]. Reports are confidential and may be disclosed only to specified persons and agencies. Any violation of confidentiality is a misdemeanor punishable by imprisonment, fine, or both. [PC § 11167.5(a)-(b)].
7. I hereby certify I have knowledge of my legal responsibility to report known or suspected child abuse in compliance with Penal Code section 11166. [PC § 11166.5(a)], of the AUSD reporting procedures, and that I will comply with them.

Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
(Please Print)

School/Office Location: \_\_\_\_\_ Position: \_\_\_\_\_

**Please check:**

**Classified Employee:** \_\_\_\_\_ **Certificated Employee (Teacher):** \_\_\_\_\_

**PLEASE PROVIDE A COPY TO YOUR SUPERVISOR.**

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

**Status:** ADOPTED

**Original Adopted Date:** 05/18/2021 | **Last Reviewed Date:** 05/18/2021

*See PDF on the next page.*

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

Note: The following Exhibit presents a sample Acceptable Use Agreement outlining obligations and responsibilities of employees using the district's technological resources. The district is encouraged to consult legal counsel in the development of such an agreement.

Districts using an Acceptable Use Agreement should require all employees who use district technology to sign the agreement as an acknowledgment that they have read and understood its contents; see the accompanying Board policy. As appropriate, the district may also require contractors and affiliated third parties to sign the Acceptable Use Agreement.

For a sample Acceptable Use Agreement for students, see E 6163.4 - Student Use of Technology.

The Azusa Unified School District authorizes district employees to use technology owned or otherwise provided by the district as necessary to fulfill the requirements of their position. The use of district technology is a privilege permitted at the district's discretion and is subject to the conditions and restrictions set forth in applicable Board policies, administrative regulations, and this Acceptable Use Agreement. The district reserves the right to suspend access at any time, without notice, for any reason.

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

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

Each employee who is authorized to use district technology shall sign this Acceptable Use Agreement as an indication that he/she has read and understands the agreement.

**Definitions**

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

## **Employee Obligations and Responsibilities**

Employees are expected to use district technology safely, responsibly, and primarily for work-related purposes. Any incidental personal use of district technology shall not interfere with district business and operations, the work and productivity of any district employee, or the safety and security of district technology. The district is not responsible for any loss or damage incurred by an employee as a result of his/her personal use of district technology.

The employee in whose name district technology is issued is responsible for its proper use at all times. Employees shall not share their assigned online services account information, passwords, or other information used for identification and authorization purposes, and shall use the system only under the account to which they have been assigned. Employees shall not gain unauthorized access to the files or equipment of others, access electronic resources by using another person's name or electronic identification, or send anonymous electronic communications. Furthermore, employees shall not attempt to access any data, documents, emails, or programs in the district's system for which they do not have authorization.

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

1. Access, post, display, or otherwise use material that is discriminatory, defamatory, obscene, sexually explicit, harassing, intimidating, threatening, or disruptive
2. Disclose or in any way cause to be disclosed confidential or sensitive district, employee, or student information without prior authorization from a supervisor
3. Engage in personal commercial or other for-profit activities without permission of the Superintendent or designee
4. Engage in unlawful use of district technology for political lobbying
5. Infringe on copyright, license, trademark, patent, or other intellectual property rights
6. Intentionally disrupt or harm district technology or other district operations (such as destroying district equipment, placing a virus on district computers, adding or removing a computer program without permission, changing settings on shared computers)
7. Install unauthorized software
8. Engage in or promote unethical practices or violate any law or Board policy, administrative regulation, or district practice

## **Privacy**

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

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

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

### **Personally Owned Devices**

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

### **Records**

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

### **Reporting**

If an employee becomes aware of any security problem (such as any compromise of the confidentiality of any login or account information) or misuse of district technology, he/she shall immediately report such information to the Superintendent or designee.

### **Consequences for Violation**

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

### **Employee Acknowledgment**

I have received, read, understand, and agree to abide by this Acceptable Use Agreement, BP4040 - Employee Use of Technology, and other applicable laws and district policies and

regulations governing the use of district technology. I understand that there is no expectation of privacy when using district technology or when my personal electronic devices use district technology. I further understand that any violation may result in revocation of user privileges, disciplinary action, and/or appropriate legal action.

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

Name: \_\_\_\_\_ Position: \_\_\_\_\_  
(Please print)

School/Work Site: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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

### State References

	Description
Gov. Code 3543.1	Rights of employee organizations
Gov. Code 6250-6270	California Public Records Act
Pen. Code 502	Computer Crimes, remedies
Pen. Code 632	Eavesdropping on or recording confidential communications
Veh. Code 23123	Wireless telephones in vehicles
Veh. Code 23123.5	Mobile communication devices; text messaging while driving
Veh. Code 23125	Wireless telephones in school buses

### Federal References

	Description
20 USC 7101-7122	Student Support and Academic Enrichment Grants
20 USC 7131	Internet Safety
47 CFR 54.520	Internet safety policy and technology protection measures, E-rate discounts

### Management Resources References

	Description
Court Decision	A.M. v. Albertsons, LLC, (2009) Cal.App.4th 455
Website	AASA The School Superintendents Association - <a href="https://simbli.eboardsolutions.com/SU/MOaF8AO8cslshSlfGc13QQoEQ==">https://simbli.eboardsolutions.com/SU/MOaF8AO8cslshSlfGc13QQoEQ==</a>

### Cross References

	Description
0410	Nondiscrimination In District Programs And Activities - <a href="https://simbli.eboardsolutions.com/SU/FnDZ7yHITUVLmcPBwcYa4w==">https://simbli.eboardsolutions.com/SU/FnDZ7yHITUVLmcPBwcYa4w==</a>
0440	District Technology Plan - <a href="https://simbli.eboardsolutions.com/SU/ufpqEymurplusbMcY8BDBnRZQ==">https://simbli.eboardsolutions.com/SU/ufpqEymurplusbMcY8BDBnRZQ==</a>
0440	District Technology Plan - <a href="https://simbli.eboardsolutions.com/SU/hioD0waOOJiByYNFpisbsQ==">https://simbli.eboardsolutions.com/SU/hioD0waOOJiByYNFpisbsQ==</a>
1100	Communication With The Public - <a href="https://simbli.eboardsolutions.com/SU/Hywu1plusUHmPznTnAojQejslshg==">https://simbli.eboardsolutions.com/SU/Hywu1plusUHmPznTnAojQejslshg==</a>
1113	District And School Web Sites - <a href="https://simbli.eboardsolutions.com/SU/BzLslshM03JGp7plus8dzh1Fzc4Q==">https://simbli.eboardsolutions.com/SU/BzLslshM03JGp7plus8dzh1Fzc4Q==</a>
1113	District And School Web Sites - <a href="https://simbli.eboardsolutions.com/SU/LkplusM8wFuCJc9T99n32Hnw==">https://simbli.eboardsolutions.com/SU/LkplusM8wFuCJc9T99n32Hnw==</a>
1113-E(1)	District And School Web Sites - <a href="https://simbli.eboardsolutions.com/SU/fCje9zCXa1OFcXTUBQYRhW==">https://simbli.eboardsolutions.com/SU/fCje9zCXa1OFcXTUBQYRhW==</a>
1114	District-Sponsored Social Media - <a href="https://simbli.eboardsolutions.com/SU/JfCojzMhplusqvFEyCOp9Cgiw==">https://simbli.eboardsolutions.com/SU/JfCojzMhplusqvFEyCOp9Cgiw==</a>
1114	District-Sponsored Social Media - <a href="https://simbli.eboardsolutions.com/SU/LnhNVipgsss47FWyv0docA==">https://simbli.eboardsolutions.com/SU/LnhNVipgsss47FWyv0docA==</a>

1340	Access To District Records - <a href="https://simbli.eboardsolutions.com/SU/Yd0OhypY8zlqBWetfqeDyQ==">https://simbli.eboardsolutions.com/SU/Yd0OhypY8zlqBWetfqeDyQ==</a>
1340	Access To District Records - <a href="https://simbli.eboardsolutions.com/SU/3WHcNUN51FhE5p4Qq0Swzw==">https://simbli.eboardsolutions.com/SU/3WHcNUN51FhE5p4Qq0Swzw==</a>
2121	Superintendent's Contract - <a href="https://simbli.eboardsolutions.com/SU/5eKslshdiBvHlZib6VIBRZK9w==">https://simbli.eboardsolutions.com/SU/5eKslshdiBvHlZib6VIBRZK9w==</a>
3512	Equipment - <a href="https://simbli.eboardsolutions.com/SU/r1rNkRaXyrj10VEAVGfslsh9g==">https://simbli.eboardsolutions.com/SU/r1rNkRaXyrj10VEAVGfslsh9g==</a>
3512-E(1)	Equipment - <a href="https://simbli.eboardsolutions.com/SU/6RcqkwFE4ATq4nsbPZZJJg==">https://simbli.eboardsolutions.com/SU/6RcqkwFE4ATq4nsbPZZJJg==</a>
3516.2	Bomb Threats - <a href="https://simbli.eboardsolutions.com/SU/qz0d6tsfAHzXebzeQw1MJg==">https://simbli.eboardsolutions.com/SU/qz0d6tsfAHzXebzeQw1MJg==</a>
3580	District Records - <a href="https://simbli.eboardsolutions.com/SU/slshum9iqFSJwslshMnliyP5FuWQ==">https://simbli.eboardsolutions.com/SU/slshum9iqFSJwslshMnliyP5FuWQ==</a>
4032	Reasonable Accommodation - <a href="https://simbli.eboardsolutions.com/SU/xCU2Q3bo4IrdA5Kslsh5iqGslshA==">https://simbli.eboardsolutions.com/SU/xCU2Q3bo4IrdA5Kslsh5iqGslshA==</a>
4119.1	Civil And Legal Rights - <a href="https://simbli.eboardsolutions.com/SU/24DUL3dM9A2IUAAoqbi3Og==">https://simbli.eboardsolutions.com/SU/24DUL3dM9A2IUAAoqbi3Og==</a>
4119.11	Sexual Harassment - <a href="https://simbli.eboardsolutions.com/SU/SlvMh9PMikAPEOLcsVldiQ==">https://simbli.eboardsolutions.com/SU/SlvMh9PMikAPEOLcsVldiQ==</a>
4119.11	Sexual Harassment - <a href="https://simbli.eboardsolutions.com/SU/BsxQhDtsvrslshROgWBslGoVg==">https://simbli.eboardsolutions.com/SU/BsxQhDtsvrslshROgWBslGoVg==</a>
4119.21	Professional Standards - <a href="https://simbli.eboardsolutions.com/SU/UTGFaZorslshLeTKDloySlofQ==">https://simbli.eboardsolutions.com/SU/UTGFaZorslshLeTKDloySlofQ==</a>
4119.21-E(1)	Professional Standards - <a href="https://simbli.eboardsolutions.com/SU/mGplusvfwZSZeWEomplumBplusTJTg==">https://simbli.eboardsolutions.com/SU/mGplusvfwZSZeWEomplumBplusTJTg==</a>
4119.25	Political Activities Of Employees - <a href="https://simbli.eboardsolutions.com/SU/UslshRGVNhjBEEEDNrko7psQg==">https://simbli.eboardsolutions.com/SU/UslshRGVNhjBEEEDNrko7psQg==</a>
4131	Staff Development - <a href="https://simbli.eboardsolutions.com/SU/y4QplusedaFgrVD8fr8wpCMqQ==">https://simbli.eboardsolutions.com/SU/y4QplusedaFgrVD8fr8wpCMqQ==</a>
4131	Staff Development - <a href="https://simbli.eboardsolutions.com/SU/xnIUHul4wamrtLwplus2OFxcA==">https://simbli.eboardsolutions.com/SU/xnIUHul4wamrtLwplus2OFxcA==</a>
4219.1	Civil And Legal Rights - <a href="https://simbli.eboardsolutions.com/SU/NNHd7ATUG21WUZfMslshC2esw==">https://simbli.eboardsolutions.com/SU/NNHd7ATUG21WUZfMslshC2esw==</a>
4219.11	Sexual Harassment - <a href="https://simbli.eboardsolutions.com/SU/tANQtslshaLtnplusAwRY1FCqQjA==">https://simbli.eboardsolutions.com/SU/tANQtslshaLtnplusAwRY1FCqQjA==</a>
4219.11	Sexual Harassment - <a href="https://simbli.eboardsolutions.com/SU/sOKhv3nplusqEuVMf7plusON7wrw==">https://simbli.eboardsolutions.com/SU/sOKhv3nplusqEuVMf7plusON7wrw==</a>
4219.21	Professional Standards - <a href="https://simbli.eboardsolutions.com/SU/cRQObj7EJcTiplushojXxDrvw==">https://simbli.eboardsolutions.com/SU/cRQObj7EJcTiplushojXxDrvw==</a>
4219.21-E(1)	Professional Standards - Code Of Ethics Classified Employees - <a href="https://simbli.eboardsolutions.com/SU/Yn4FDSgBUNSbsWF3lvpkIQ==">https://simbli.eboardsolutions.com/SU/Yn4FDSgBUNSbsWF3lvpkIQ==</a>
4219.25	Political Activities Of Employees - <a href="https://simbli.eboardsolutions.com/SU/seiEdh3poDGMpbclINJXOQ==">https://simbli.eboardsolutions.com/SU/seiEdh3poDGMpbclINJXOQ==</a>
4319.1	Civil And Legal Rights - <a href="https://simbli.eboardsolutions.com/SU/S3pluswdN4h3ZfGQBHYZ4pWXg==">https://simbli.eboardsolutions.com/SU/S3pluswdN4h3ZfGQBHYZ4pWXg==</a>



4319.11	Sexual Harassment - <a href="https://simbli.eboardsolutions.com/SU/EX3wm6YIGO1llgpyhTruVw==">https://simbli.eboardsolutions.com/SU/EX3wm6YIGO1llgpyhTruVw==</a>
4319.11	Sexual Harassment - <a href="https://simbli.eboardsolutions.com/SU/afYPjOEJno5bLslshzEsWu4Xw==">https://simbli.eboardsolutions.com/SU/afYPjOEJno5bLslshzEsWu4Xw==</a>
4319.21	Professional Standards - <a href="https://simbli.eboardsolutions.com/SU/aVzvR2gnF6PxyE8OYijAPA==">https://simbli.eboardsolutions.com/SU/aVzvR2gnF6PxyE8OYijAPA==</a>
4319.21-E(1)	Professional Standards - <a href="https://simbli.eboardsolutions.com/SU/sVVtgfkApxmtRMQLIsMRyQ==">https://simbli.eboardsolutions.com/SU/sVVtgfkApxmtRMQLIsMRyQ==</a>
4319.25	Political Activities Of Employees - <a href="https://simbli.eboardsolutions.com/SU/HslshFplusldczqDEuoeLLia0ZiA==">https://simbli.eboardsolutions.com/SU/HslshFplusldczqDEuoeLLia0ZiA==</a>
4331	Staff Development - <a href="https://simbli.eboardsolutions.com/SU/mi31ZJfJZ6P6XlztQhGr3Q==">https://simbli.eboardsolutions.com/SU/mi31ZJfJZ6P6XlztQhGr3Q==</a>
4331	Staff Development - <a href="https://simbli.eboardsolutions.com/SU/hqxZRiEbEWMHD9ZdRfApig==">https://simbli.eboardsolutions.com/SU/hqxZRiEbEWMHD9ZdRfApig==</a>
5125	Student Records - <a href="https://simbli.eboardsolutions.com/SU/tWHWUiPwslshr1YYPUplusvwMslshmQ==">https://simbli.eboardsolutions.com/SU/tWHWUiPwslshr1YYPUplusvwMslshmQ==</a>
5125	Student Records - <a href="https://simbli.eboardsolutions.com/SU/BVqShG6XWi846acAF21eCA==">https://simbli.eboardsolutions.com/SU/BVqShG6XWi846acAF21eCA==</a>
5125.1	Release Of Directory Information - <a href="https://simbli.eboardsolutions.com/SU/0gZNdnsk7slshO1pm7w6dgQMw==">https://simbli.eboardsolutions.com/SU/0gZNdnsk7slshO1pm7w6dgQMw==</a>
5125.1	Release Of Directory Information - <a href="https://simbli.eboardsolutions.com/SU/dcEuGdmEtIMdCslshRYKeLLrA==">https://simbli.eboardsolutions.com/SU/dcEuGdmEtIMdCslshRYKeLLrA==</a>
5125.1-E(1)	Release Of Directory Information - <a href="https://simbli.eboardsolutions.com/SU/OLSr2W5pluszBu048bHf3MxfQ==">https://simbli.eboardsolutions.com/SU/OLSr2W5pluszBu048bHf3MxfQ==</a>
6116	Classroom Interruptions - <a href="https://simbli.eboardsolutions.com/SU/zec48ZLVoekiBHh64SwaXA==">https://simbli.eboardsolutions.com/SU/zec48ZLVoekiBHh64SwaXA==</a>
6162.6	Use Of Copyrighted Materials - <a href="https://simbli.eboardsolutions.com/SU/3taLrSkI4GgyZmdSblW6lw==">https://simbli.eboardsolutions.com/SU/3taLrSkI4GgyZmdSblW6lw==</a>
6162.6	Use Of Copyrighted Materials - <a href="https://simbli.eboardsolutions.com/SU/Ulrd8rtCbBXH4slshn2kgoeAw==">https://simbli.eboardsolutions.com/SU/Ulrd8rtCbBXH4slshn2kgoeAw==</a>
6163.4	Student Use Of Technology - <a href="https://simbli.eboardsolutions.com/SU/xwmncaskhLLu0j71v8uU3g==">https://simbli.eboardsolutions.com/SU/xwmncaskhLLu0j71v8uU3g==</a>
6163.4-E(1)	Student Use Of Technology - <a href="https://simbli.eboardsolutions.com/SU/6rv0ZAJZh6iRtwPPy2v3Bw==">https://simbli.eboardsolutions.com/SU/6rv0ZAJZh6iRtwPPy2v3Bw==</a>

### **III**

## **BUSINESS SERVICES**

## **PURCHASE OF SUPPLIES**

The district will pay for supplies purchased for school use only when such items are approved by the Principal and adequately submitted through the Purchase Order process. All requests for supplies should be made through the Principal or department head. Employees will not be reimbursed if they purchase merchandise and submit a bill to the district. Only the Purchasing Department may issue Purchase Orders to vendors; no other person or department can commit the district for payment for merchandise and/or services.

## **USE OF TELEPHONES**

Telephones are placed in the offices and the schools to facilitate the transaction of school business and proper contact with parents. Sound judgment would seem to dictate the use of discretion in the number and the length of personal calls by employees.

Toll charges (including those for message units) for personal calls are not a legal charge against public funds. Therefore, employees are not permitted to use telephones to make personal toll calls except in an emergency.

## **SCHOOL KEYS**

Keys will be checked out by the principal in August to teachers and shall be checked in again after the close of school in June. Each key must be accounted for, or a charge will be levied for replacement. Duplicate key requests shall be authorized only by the Director of MOT.

## **USE OF SCHOOL EQUIPMENT AND SUPPLIES**

School equipment and supplies are for school use only. No employee shall remove any piece of equipment or any supplies from school premises or use them for personal use. One exception is micro-computers, and a procedure is available from your principal. No employee shall loan any school property to any individual or organization. Only the Board of Education may arrange for the rental or use of buildings and equipment.

## **CARE OF SCHOOL PLANT AND EQUIPMENT**

The people of our community have provided the students with beautiful school buildings which are adequately equipped and comfortably furnished. It is important that all physical equipment and buildings be properly cared for to preserve them for future use and to keep maintenance costs to a minimum. Money saved in this area can more properly be spent on instruction. Developing good habits and attitudes in this area is an important part of a student's education. Good housekeeping and proper maintenance of buildings and equipment are not the responsibility of the custodian alone, but rather a cooperative responsibility shared by the custodian, teacher, and pupils.

## **BORROWING OF FURNITURE AND EQUIPMENT FROM COMMUNITY SOURCES**

Before any piece of furniture or equipment is borrowed from any community business, industry, or individual for school instructional or student activity use, clearance must be obtained from the Business Office. This is necessary because of insurance and liability implications.

## **CALIFORNIA STATE MEAL MANDATE**

*EC* Section 49550 requires school districts and county offices of education (COE) to provide nutritionally adequate FREE meals to any student that requests a meal during the school day.

*EC* Section 49550(c) defines a **school day** as any day that pupils in kindergarten or grades 1 to 12, inclusive, are attending school for purposes of classroom instruction, including, but not limited to, pupil attendance at minimum days, state-funded preschool, transitional kindergarten, summer school including incoming kindergarten pupils, extended school year days, and Saturday school sessions.

A nutritionally adequate meal (breakfast and lunch) must meet the federal meal pattern requirements and is defined in *EC* Section 49531 as the following:

Nutritionally adequate **breakfast** is one that qualifies for reimbursement under the most current meal pattern requirement for the federal School Breakfast Program, as defined in *7CFR*, Section 220.8. A nutritionally adequate **lunch** is one that qualifies for reimbursement under the most current meal pattern for the federal National School Lunch Program, as defined in *7CFR*, Section 210.10.

## **FIELD TRIP LUNCHES**

Lunch must be available to ALL students on ALL school days, including field trip days. Students must be informed that a nutritionally adequate free meal will be available. Regardless if sack lunches are needed, schools must notify the Nutrition Services department when students go on a field trip. It is also important to notify the Cafeteria Lead Worker in advance of the field trip so that the number of hot meals produced for the day can be decreased. Your cooperation will help us prevent unnecessary food waste.

### **Instructions for Completing Field Trip Sack Lunch Request:**

Complete & return the "Field Trip Sack Lunch Order Form" at least 5 days prior to the event. Nutrition Services needs sufficient time to order food and supplies, and to prepare sack lunches. You may return the form to the Cafeteria Lead at the school site.

**Federal regulations require a record of all students served a sack lunch.**

Classes going on a field trip must follow the meal counting method listed below:

1. A day before the field trip, the cafeteria staff will give the classroom teacher a roster with the students' names.
2. On the day of the field trip, the teacher must mark the students on the roster who have received a sack lunch as sack lunches are distributed. Please keep the food and milk in the bins/coolers provided to you until the start of the meal service.
3. Please return the following items to the cafeteria by the end of the day: Roster, any money received for adult meals, any bins and/or coolers borrowed from the cafeteria, and any leftover food or milk.

NOTE: In the event that meals are not picked up due to an error on the school/teacher's part, and Nutrition Services is not notified in a timely manner, classes originally scheduled to attend the field trip will be served sack lunches.

**CLASSROOM CELEBRATIONS**

In an effort to reduce food waste, Nutrition Services should be informed 2-3 days in advance about any planned classroom parties.

**LOCAL SCHOOL WELLNESS POLICY**

(Section 204, Public Law 08-265): Not later than the beginning of the 2006-2007 school year, school districts participating in USDA's school meal program shall establish a local "school wellness policy" that, at a minimum:

- Includes goals for nutrition education, physical activity, and other school-based activities designed to promote student wellness in a manner that the district determines appropriate;
- Includes nutrition guidelines for all foods available on the school campus during the school day, with the objectives of promoting student health and reducing childhood obesity;
- Provides an assurance that guidelines for school meals are not less restrictive than those issued by USDA;
- Establishes a plan for measuring implementation of the local wellness policy, including the designation of one or more persons within the district or at each school, as appropriate, charged with operational responsibility for ensuring that the school meets the local wellness policy; and
- Involves parents, students, school food service representatives, the school board, school administrators, teachers, and the public in development of the local wellness policy.