



Chico Unified School District
1163 East Seventh Street, Chico, CA 95928-5999
(530) 891-3000

Board Policy: #0520.1

Section: 0000 Philosophy/Goals/
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BP/AR deleted because the state is no longer funding improvement efforts for new cohorts of schools through the High Priority Schools Grant Program. In addition, NEW LAW (sb 70, 2011) DELETES THIS PROGRAM FROM THE LIST OF CATEGORICAL PROGRAMS SUBJECT TO Tier 3 flexibility.

HIGH PRIORITY SCHOOLS GRANT PROGRAM

The Governing Board recognizes that schools demonstrating the lowest performance on state indicators of student achievement need to develop and implement a comprehensive approach to school improvement.

(cf. 0400—Comprehensive Plans)
(cf. 0500—Accountability)
(cf. 9000—Role of the Board)

Whenever the Superintendent of Public Instruction invites any district school to participate in the High Priority Schools Grant Program, the Board shall hold a public hearing at a regularly scheduled meeting to discuss whether or not to apply for participation and how to address the needs of the school and its students. If it is determined that the school will not accept the invitation to participate, the Board shall hold a public hearing at a regularly scheduled meeting to discuss the reasons and rationale for the decision and to explain how the district intends to address the needs of the school and its students. Neither of these discussions shall be placed on the consent calendar. (Education Code 52055.615)

(cf. 9322—Agenda/Meeting Materials)

When the Board holds any public hearing required for this program, written notice shall be sent to representative parent organizations, including the parent teacher association, parent teacher clubs, and school site councils, and may be sent directly to parents/guardians in accordance with Education Code 48985. Notice also shall be sent to all local major media outlets, the local mayor, all members of the city council, all members of the county board of supervisors, the county superintendent of schools, and the county board of education. (Education Code 52055.615)

The Board shall, at a regularly scheduled meeting, approve an action plan for each participating school and certify that it contains all the essential components specified in Education Code 52055.625. (Education Code 52055.630)

(cf. 9322—Agenda/Meeting Materials)

In reviewing the proposed school action plan, the Board shall consider, at a minimum, the resources necessary to implement the plan.

(cf. 3100—Budget)
(cf. 4141/4241—Collective Bargaining Agreement)
(cf. 6171—Title I Programs)

The Superintendent or designee shall coordinate school improvement efforts.

(cf. 0420—School Plans/Site Councils)
(cf. 0520—Intervention for Underperforming Schools)
(cf. 0520.2—Title I Program Improvement Schools)
(cf. 0520.3—Title I Program Improvement Districts)

Policy Adopted: July 18, 2007



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~~(cf. 0520.4 - Quality Education Investment Schools)~~
~~(cf. 6020 - Parent Involvement)~~

Legal Reference:

EDUCATION CODE

~~17014 - Facilities maintenance~~
~~17032.5 - Facilities maintenance~~
~~17070.75 - Facilities maintenance~~
~~17089 - Facilities maintenance~~
~~33126 - School accountability report card~~
~~33400-33407 - CDE evaluation of district programs~~
~~41507 - Single plan, Pupil Retention-Block Grant~~
~~41572 - Single plan, School and Library Improvement-Block Grant~~
~~44510-44517 - Principal Training Program~~
~~45125.1 - Criminal background checks for contractors~~
~~49085 - Parental notifications, languages other than English~~
~~51041 - Evaluation of the educational program~~
~~51101 - Rights of parents/guardians~~
~~52050-52059 - Public Schools Accountability Act, especially:~~
~~52053-52055.55 - Immediate Intervention/Underperforming Schools Program~~
~~52055.600-52055.662 - High Priority Schools Grant Program~~
~~52055.700-52055.770 - Quality Education Investment Act~~
~~52070-52075 - High School Pupil Success Act~~
~~60119 - Sufficiency of textbooks and instructional materials~~
~~60640 - Standardized Testing and Reporting Program~~
~~60810 - English language development test~~
~~64001 - Single plan for student achievement~~
~~99220-99227 - California Professional Development Institutes~~
~~99230-99242 - Mathematics and Reading Professional Development Program~~
CODE OF REGULATIONS, TITLE 5
~~1030.7-1030.8 - Determination of significant academic growth~~
UNITED STATES CODE, TITLE 20
~~6301-6578 - Academic achievement of the disadvantaged, including:~~
~~6318 - Parent involvement~~
~~6319 - Qualifications of highly qualified teachers~~
~~6511-6518 - Comprehensive School Reform program~~

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

~~Cohort 2 HPSGP: Questions and Answers~~

~~High Priority Schools Grant Program: Guidance and Application~~

~~A Guide and Template for the Single Plan for Student Achievement: A Handbook for School Site Councils, November 2006~~

WEB SITES

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

~~California Department of Education, HPSG: <http://www.cde.ca.gov/ta/lp/hp>~~



DISTRICT AND SCHOOL WEB SITES

To enhance communication with students, parents/guardians, staff, community members and the public at large, the Board of Education encourages the development and ongoing maintenance of district and school web sites on the Internet. Web sites shall support the educational mission of the district.

~~(cf. 0000 – Vision)~~
~~(cf. 0200 – Goals for the School District)~~
~~(cf. 0440 – District Technology Plan)~~
~~(cf. 0440.1 – Internet Acceptable Use Policy)~~
~~(cf. 1100 – Communication with the Public)~~
~~(cf. 1112 – Media Relations)~~
~~(cf. 3312 – Contracts)~~
~~(cf. 4040 – Employee Use of Technology)~~
~~(cf. 5124 – Communication with Parents/Guardians)~~
~~(cf. 5145.2 – Freedom of Speech/Expression)~~
~~(cf. 6010 – Goals and Objectives)~~
~~(cf. 6145.5 – Student Organization and Equal Access)~~
~~(cf. 6162.7 – Use of Technology in Instruction)~~
~~(cf. 6163.4 – Student Use of Technology)~~

District and school web sites shall not include content which is obscene, libelous or slanderous, or which creates a clear and present danger of inciting students to commit unlawful acts, violate school rules or substantially disrupt the school's orderly operation.

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

Content

The Superintendent or designee shall ensure that web site content protects the privacy rights of students, parents/guardians, staff, Board members and other individuals.

No personal information about students or their parents/guardians, including phone numbers, home addresses or e-mail addresses, shall be published on a district or school web page.

~~(cf. 1340 – Access to District Records)~~
~~(cf. 4119.23/4219.23/4319.23 – Unauthorized Release of Confidential/Privileged Information)~~
~~(cf. 5022 – Student and Family Privacy Rights)~~
~~(cf. 5125 – Student Records)~~
~~(cf. 5125.1 – Release of Directory Information)~~

Home addresses or telephone numbers of staff members shall not be posted.

District and school web sites shall not post the home address or telephone number of any elected or appointed official without the prior written permission of that individual. (Government Code 6254.21)

~~(cf. 1100 – Communication with the Public)~~

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



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(cf. 3515.3 – District Police/Security Department)

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

Legal Reference:

EDUCATION CODE

35182.5 Contracts for advertising
35258 Internet access to school accountability report cards
48907 Exercise of free expression; rules and regulations
48950 Speech and other communication
49073 Release of directory information
60048 Commercial brand names, contracts or logos

GOVERNMENT CODE

3307.5 Publishing identity of public safety officers
6254.21 Publishing addresses and phone numbers of board members

UNITED STATES CODE, TITLE 17

101-1101 Federal copyright law

UNITED STATES CODE, TITLE 20

1232g Federal Family Educational Rights and Privacy Act (FERPA)

CODE OF FEDERAL REGULATIONS, TITLE 16

312.1-312.11 Children's Online Privacy

COURT DECISIONS

Aaris v. Las Virgenes Unified School District, (1998) 64 Cal.App.4th 1112
Perry Education Association v. Perry Local Educators' Association, (1983) 460 U.S. 37
Board of Education, Island Trees Union Free School District, et.al. v. Pico, (1982) 457 U.S. 853

To enhance communication with students, parents/guardians, staff, and community members, the Governing Board encourages the development and ongoing maintenance of District and school web sites. Web sites shall be aligned with the District's plans for communications and media relations.

(cf. 0000 – Vision)

(cf. 0440 – District Technology Plan)

(cf. 1100 – Communication with the Public)

(cf. 1112 – Media Relations)

(cf. 1230 – School-Connected Organizations)

(cf. 1260 – Educational Foundation)

(cf. 4040 – Employee Use of Technology)

(cf. 6020 – Parent Involvement)

District sponsored web sites are defined as:

1. Any internet web site established by District employees or students on behalf of the District, any school within the District, or any school club or organization within the District, and
2. Any web site established through the use of District equipment or the District's access to the Internet

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



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Content

The Superintendent or designee shall develop content guidelines for District sponsored web sites. These guidelines shall be consistent with law, Board policy, and administrative regulation.

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

Any links to external web sites shall support the educational mission of the District and shall follow the same guidelines applicable to District sponsored web sites. The District is not responsible for the content of external web sites.

Commercial advertising, political and/or personal use of the District sponsored web sites is strictly prohibited, unless authorized by the Superintendent or designee.

All District sponsored web sites shall be closed forums for expression. This means that the District has control over what may be published on District sponsored web sites and is not required to allow students, faculty, or others to publish material which the District determines is inappropriate.

Privacy Rights

The Superintendent or designee shall ensure that web site content protects the privacy rights of students, parents/guardians, staff, Board members, and other individuals.

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

Phone numbers, home addresses, and email addresses of students and/or their parents/guardians shall not be published on a District or school sponsored web page without the individuals' written permission.

(cf. 5125.1 – Release of Directory Information)

Because of the wide accessibility of the Internet and potential risk to students, photographs and/or video of individual students shall not be posted with names or other personally identifiable information without the permission of the students' parent/ guardian. Photographs and/or video of groups of students at a school activity or event may be posted without parent/guardian permission, provided that individual students are not identifiable and students' names are not included.

Student work may be published on District sponsored web sites but it shall not include the student's name, unless it is part of a publication such as a newspaper or newsletter published in printed form.

Legal Reference:

EDUCATION CODE

35182.5 Contracts for advertising
35258 Internet access to school accountability report cards
48907 Exercise of free expression; rules and regulations
48950 Speech and other communication
49061 Definitions, directory information
49073 Release of directory information
60048 Commercial brand names, contracts or logos



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GOVERNMENT CODE

3307.5 Publishing identity of public safety officers

6254.21 Publishing addresses and phone numbers of officials

6254.24 Definition of public safety official

UNITED STATES CODE, TITLE 17

101-1101 Federal copyright law

UNITED STATES CODE, TITLE 20

1232g Federal Family Educational Rights and Privacy Act (FERPA) CODE OF

FEDERAL REGULATIONS, TITLE 16

312.1-312.12 Children's Online Privacy

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy

COURT DECISIONS

Aaris v. Las Virgenes Unified School District, (1998) 64 Cal.App.4th 1112

Perry Education Association v. Perry Local Educators' Association, (1983) 460 U.S. 37

Board of Education, Island Trees Union Free School District, et.al. v. Pico, (1982) 457 U.S. 853

Management Resources:

CSBA PUBLICATIONS

Maximizing School Board Governance: Community Leadership, 1996

WEB SITES

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

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

National School Public Relations Association: <http://www.nspr.org>



NEW BOARD POLICY

SOCIAL MEDIA USE

The Governing Board supports the expansion of technology systems to effectively meet student and staff needs in the 21st century. The Governing Board recognizes the value of social media and networking sites and emerging platforms for online collaboration and interaction to enhance communication; strengthen connections with students, parents/guardians, staff, and community members; and support student learning and staff development. The use of social media shall support the district's goals and focus areas and be coordinated with other district communication strategies.

(cf. 0200(a) – Goals/Focus Areas for the School District)

(cf. 1100 – Communication with the Public)

(cf. 1112 – Media Relations)

(cf. 1230 – Community Service Organizations)

(cf. 6020 – Parent Involvement)

(cf. 4131 – Staff Development)

Standards and Guidelines

The Superintendent or designee may establish standards and guidelines for the use of official district and district-sponsored social media to ensure the appropriate and responsible use of these tools and resources and compliance with law, Board policies and procedures.

(cf. 1100 – Communication with the Public)

(cf. 4040 – Employee Use of Technology)

(cf. 6020 – Parent Involvement)

Official school, district or department and district-sponsored online platform presences shall be authorized by the Superintendent or designee.

Content

The Superintendent or designee shall develop content guidelines for official district and district-sponsored online platform presences in accordance with the law and Board policy.

Official district and district-sponsored online platform presences shall not contain content that is obscene, libelous, slanderous, defamatory or proprietary, that constitutes bullying or that creates a clear and present danger of inciting students to commit unlawful acts, violate school rules, or substantially disrupt the school's orderly operation.

Appropriate Use of Social Media and Networking Sites

Users of official district and district-sponsored online platform presences, including employees, shall conduct themselves in a respectful manner and adhere to standards of civility.

All users of official district and district-sponsored online platform presences are responsible for their communications and actions.

Employees and students shall comply with all policies, procedures and practices established by the Board in connection with the use of official district and district-sponsored online platform presences. Use of online platforms in violation of the law or Board policies may result in disciplinary action.



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(cf. 4040 – Employee Use of Technology)
(cf. 6163.4 – Student Use of Technology)
(cf. 4119.21 and 4139.21 – Code of Ethics)
(cf. 5144.1 – Suspension and Expulsion/Due Process)
(cf. 5145.2 – Freedom of Speech/Expression)

Privacy

The Superintendent or designee shall ensure that official district and district-sponsored online platform presence content protects the privacy rights of students, parents/guardians, staff, Board members, and other individuals, as required by law.

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

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

(cf. 4119.23 – Unauthorized Release of Confidential/Privileged Information)
(cf. 5125 – Student Records: Confidentiality)

Phone numbers, home addresses, and/or email addresses of students and/or staff shall not be posted online without prior permission.

(cf. 5125.1 – Release of Directory Information)

Because of the wide accessibility of the Internet and potential risk to students, photographs and/or video of individual students shall not be published with names or other personally identifiable information without the permission of the students' parent/guardian. Photographs and/or video of groups of students at a school activity or event may be posted without parent/guardian permission, provided that individual students are not identifiable and students' names are not included.

Legal Reference:

EDUCATION CODE

48907 Exercise of free expression; rules and regulations

49073 Release of directory information

GOVERNMENT CODE

6254.21 Publishing addresses and phone numbers of officials

UNITED STATES CODE, TITLE 17

101-1101 Federal copyright law

UNITED STATES CODE, TITLE 20

1232g Federal Family Educational Rights and Privacy Act (FERPA)

UNITED STATES CODE, TITLE 29

157 Employee Rights to engage in concerted, protected activity

CODE OF FEDERAL REGULATIONS, TITLE 16

312.1-312.12 Children's Online Privacy

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy



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POLITICAL PROCESSES

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

(cf. 0000 - Vision)
(cf. 0200 - Goals for the School District)
(cf. 9000 - Role of the Board)
(cf. 9010 - Public Statements)

~~The Board may establish reasonable regulations related to Board members and employees engaging in political activity during working hours and on district premises. (Education Code 7055)~~

(cf. 4119.25/4219.25/4319.25 - Political Activities of Employees)

Ballot Measures/Candidates

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

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

(cf. 9320 - Meetings and Notices)

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

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

(cf. 1100 - Communication with the Public)

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

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

(cf. 1325 - Advertising and Promotion)

Policy Adopted: November 7, 2007



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

1. The Superintendent or designee may research, draft and prepare a bond measure or other initiative for the ballot, but shall not use district resources to ~~secure signatures in order to qualify the measure for the ballot.~~ **to influence voters or otherwise campaign for the measure.**
2. Upon request, Board members and district administrators may appear at any time before a citizens' group to explain why the Board called for an election on a bond measure and to answer questions. (Education Code 7054.1)

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

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

~~For informational purposes, the Superintendent or designee may conduct a poll related to a ballot issue. Such a poll shall not advocate a particular position on the issue.~~

Legislation

The Board's responsibility as an advocate for the district may include lobbying **and outreach** at the state, national, **and local** levels. ~~Because local governments also make decisions which impact the district's schools,~~ The Board and the Superintendent or designee shall work to establish **and maintain** ongoing relationships with ~~city and county~~ **elected officials, community leaders, and the media in order to communicate district positions and concerns.** ~~agencies, and shall inform them of the potential effect of local issues on the schools.~~

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 7131 - Relations with Local Agencies)

The Board may identify issues that will affect its schools and the children in its community, establish goals and priorities for legislative advocacy, solicit community input and adopt legislative positions.

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

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

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

Legal Advocacy

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

Policy Adopted: November 7, 2007



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(cf. 9124 - Attorney)

Political Forums

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

(cf. 1330 - Use of School Facilities)

Legal Reference:

EDUCATION CODE

7054 Use of district property

7054.1 Requested appearance

7055 Local rules

7056 Soliciting or receiving political funds

7058 Use of forum

35160 Authority of governing boards

35172 Promotional activities

GOVERNMENT CODE

50023 Attending legislature to support or oppose legislation

53060.5 Attendance at legislative body; expenses

54953.5 Right to record proceedings

54953.6 Broadcasts of proceedings

81000-91015 Political Reform Act

COURT DECISIONS

Stanson v. Mott, (1976) 17 Cal. 3d 206

Miller v. Miller, (1978) 87 Cal.App.3d 762

League of Women Voters v. Countywide Criminal Justice Coordination Committee, (1988) 203 Cal.App.3d 529, 250 Cal. Rptr. 161, rev.den.

Choice-in-Education League et al v. Los Angeles Unified School District, (1993) 17 Cal.App.4th 415

Yes on Measure A v. City of Lake Forest, (1997) 60 Cal.App.4th 620

Scherer v. Buchanan, First Appellate District, Civil No. A076648

ATTORNEY GENERAL OPINIONS

73 Ops.Cal.Atty.Gen. 255 (1990)

Management Resources:

OFFICE OF LEGISLATIVE COUNSEL

Advice letter #7837, March 18, 1996 (use of public funds to publicize board positions)

FAIR POLITICAL PRACTICES COMMISSION

FPPC No. 93/345 (1996)

CSBA PUBLICATIONS

Political Activities of School Districts: Legal Issues, 1998

Maximizing School Board Leadership: Community Leadership, 1996



USE OF SCHOOL FACILITIES

The Board of Education recognizes that district facilities and grounds are a community resource and authorizes their use by community groups for purposes provided for in the Civic Center Act when such use does not interfere with educational use school activities.

(cf. 6145.5 - Student Organizations and Equal Access)

All school-related activities shall be given priority in the use of facilities and grounds under the Civic Center Act. Thereafter, the use shall be on a first-come, first-served basis.

The Superintendent or designee shall maintain procedures and regulations for the use of school facilities and grounds that: (Education Code 38133)

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

Fees

The Board shall grant the use of school facilities or grounds without charge to Chico Unified School District **Schools** ~~affiliated organizations whose activities are directly related to the benefit of Chico Unified Schools~~ provided that those activities are scheduled on regular school days during hours not to exceed one hour before the start of school until one hour after school, or when district employees are normally working.

If Chico Unified School District **Schools** ~~affiliated organizations~~ **scheduled** activities for times other than those stated above and/or admission fees are collected or donations solicited, the Chico Unified School District affiliated organization shall be charged at least direct costs.

Activities oriented towards community youth that are sponsored by non-profit organizations that are directly affiliated with the school/district and other community activities sponsored by recognized non-profit organizations or public agencies ~~School-sponsored programs, including student body activities and meetings, parent/teachers' associations, parent booster clubs, school employee organizations and school advisory councils may use district facilities at no charge except for the cost of other employees (custodial, food services, or other) who might be needed during that organization's use.~~ **for direct costs only if needed during that organization's use.**

Activities and events that are sponsored by for-profit organizations will be charged fair rental value when using school facilities and grounds. The Board shall grant District staff the right to negotiate promotional contract terms and agreements as necessary.

The use of Chico Unified School District facilities and grounds are non-exclusive and open to the public. Regardless, the Board believes that use of school facilities or grounds should not result in costs to the district.

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

Legal Reference:

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Policy Adopted: 11/07/07; 10/29/08; 09/01/10



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10900-10914.5 Community recreation programs
38130-38138 Civic Center Act: use of school property for public purposes
BUSINESS AND PROFESSIONS CODE
25608 Alcoholic beverage on school premises
UNITED STATES CODE, TITLE 20
7905 Equal access to public school facilities
COURT DECISIONS
Good New Club v. Milford Central School, (2001) 533 U.S. 98
Lamb's Chapel v. Center Moriches Union Free School District, (1993) 508 U.S. 384
Cole v. Richardson, (1972) 405 U.S. 676
Connell v. Higgenbotham, (1971) 403 U.S. 207
ACLU of So. Calif. v. Board of Education of Los Angeles, (1961) 55 Cal. 2d 167
Ellis v. Board of Education, (1945) 27 Cal. 2d 322
ATTORNEY GENERAL OPINIONS
82 Ops. Cal. AttyGen. 90 (1999)
79 Ops. Cal. Atty. Gen. 248 (1996)

Management Resources:

CDE LEGAL ADVISORIES
1101.89 School District Liability and "Hold Harmless" Agreements, LO: 4-89



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**Section: 3000 Business and Non
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BUDGET

The Governing Board recognizes its critical responsibility for adopting a sound budget for each fiscal year which is aligned with the district's vision, goals, and priorities. The district budget shall guide administrative decisions and actions throughout the year and shall serve as a tool for monitoring the fiscal health of the district.

(cf. 0000 - Vision)
(cf. 3000 - Concepts and Roles)
(cf. 3300 - Expenditures and Purchases)
(cf. 3460 - Financial Reports and Accountability)
(cf. 9000 - Role of the Board)

The district budget shall show a complete plan and itemized statement of all proposed expenditures and all estimated revenues for the following fiscal year, together with a comparison of revenues and expenditures for the current fiscal year. The budget shall also include the appropriations limit and the total annual appropriations subject to limitation as determined pursuant to Government Code 7900-7914. (Education Code 42122)

Budget Development and Adoption Process

The Superintendent or designee shall establish an annual budget development process and calendar in accordance with the single budget adoption process described in Education Code 42127(i). He/she shall annually notify the County Superintendent of Schools of the district's decision to use the single budget adoption process in the subsequent year.

In order to provide guidance in the development of the budget, the Board shall annually establish budget priorities based on identified district needs and goals and on realistic projections of available funds.

The Superintendent or designee shall oversee the preparation of a proposed district budget for approval by the Board and shall involve appropriate staff in the development of budget projections.

The Board encourages public input in the budget development process and shall hold public hearings and meetings in accordance with Education Code 42103 and 42127.

(cf. 9320 - Meetings and Notices)
(cf. 9322 - Agenda/Meeting Materials)
(cf. 9323 - Meeting Conduct)

The budget that is formally adopted by the Board shall be in the format prescribed by the Superintendent of Public Instruction. The Superintendent or designee may supplement this format with additional information as necessary to effectively communicate the budget to the Board, staff, and public.

Budget Criteria and Standards

In developing the district budget, the Superintendent or designee shall analyze criteria and standards adopted by the State Board of Education (SBE) which address estimation of funded average daily attendance (ADA), projected enrollment, ratio of ADA to enrollment, projected revenue limit, salaries and benefits, other revenues and expenditures, facilities maintenance, deficit spending, fund balance, and reserves. The budget review shall also identify supplemental information regarding contingent liabilities, use of one-time revenues for ongoing expenditures, use of ongoing revenues for one-time expenditures, contingent revenues, contributions, long-term commitments, unfunded liabilities, and the status of labor agreements. (Education Code 33127, 33128, 33129; 5 CCR 15440-15451)

~~It is the goal of the Board to establish and maintain a reserve level of 5%, which is 2% more than the State's requirement of 3% (5 CCR 15450).~~

Policy Adopted: 10/14/09; 05/04/11



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The Board may establish and maintain a general fund reserve for economic uncertainty that meets or exceeds the requirements of law. (Education Code 33128.3; 5 CCR 15450)

The Board may establish other budget assumptions or parameters which may take into consideration the stability of funding sources, legal requirements and constraints on the use of funds, anticipated increases and/or decreases in the cost of services and supplies, categorical program requirements, and any other factors necessary to ensure that the budget is a realistic plan for district revenues and expenditures.

(cf. 2210 – Administrative Leeway in Absence of Board Policy)

Fund Balance

The ~~district~~ Board shall ~~adopt~~ **classify fund balances in compliance with** a formal resolution that provides for classification of fund balances in the general fund and is compliant with Governmental Accounting Standards Board (GASB) Statement 54. ~~The resolution also shall~~ **as follows:**

- ~~1. Establish specific steps for committing funds that cannot be used for any other purpose unless the Board takes action to remove or change the constraint~~
 - ~~2. Express the authority of the Board and/or delegate authority to other person(s) to identify intended uses of assigned funds~~
 - ~~3. Establish the order in which fund balances will be spent when multiple fund balance types are available for an expenditure~~
 - ~~4. Address the minimum fund balance in the general fund by establishing an appropriate level of unrestricted fund balance that will be maintained in the general fund, the circumstances under which the unrestricted fund balance can be spent down, and the procedure for replenishing deficiencies~~
- 1. Nonspendable fund balance includes amounts that are not expected to be converted to cash, such as resources that are not in a spendable form (e.g., inventories and prepaid) or that are legally or contractually required to be maintained intact.**
 - 2. Restricted fund balance includes amounts constrained to specific purposes by their providers or by law.**
 - 3. Committed fund balance includes amount constrained to specific purposes by the Board.**
 - 4. Assigned fund balance includes amounts which the Board or its designee intends to use for a specific purpose.**

The Board delegates authority to assign funds to the assigned fund balance to the Superintendent or designee and authorizes the assignment of such funds to be made any time prior to the issuance of the financial statements.

- 5. Unassigned fund balance includes amounts that are available for any purpose.**

~~The Board reserves the authority to review and amend this resolution as needed to reflect changing circumstances and district needs.~~ **When multiple types of funds are available for an expenditure, the district shall first utilize funds from the restricted fund balance as appropriate, then from the committed fund balance, then from the unassigned fund balance, and lastly from the assigned fund balance.**



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It is the goal of the Board to establish and maintain a reserve level of 5%, which is 2% more than the State's requirement of 3%. (Education Code 33128.3; 5 CCR 15450)

If the unassigned fund balance falls below this level due to an emergency situation, unexpected expenditures, or revenue shortfalls, the Board shall develop a plan to recover the fund balance which may include dedicating new unrestricted revenues, reducing expenditures, and/or increasing revenues or pursuing other funding sources.

Long-Term Financial Obligations

The district's current-year budget and multi-year projections shall include adequate provisions for addressing the district's long-term financial obligations, including, but not limited to, long-term obligations resulting from collective bargaining agreements, financing of facilities projects, unfunded or future liability for retiree benefits, and accrued workers' compensation claims.

(cf. 4141/4241 - Collective Bargaining Agreement)
(cf. 4143/4243 - Negotiations/Consultation)
(cf. 4154/4254/4354 - Health and Welfare Benefits)
(cf. 7210 - Facilities Financing)
(cf. 9250 - Remuneration, Reimbursement and Other Benefits)

The Board shall approve a plan for meeting the district's long-term obligations to fund nonpension, other postemployment benefits (OPEBs). This plan shall include a specific funding strategy and the method that will be used to finance the district's annual fiscal obligations for such benefits in a manner that continually reduces the deficit to the district to the extent possible. The Board reserves the authority to review and amend the funding strategy as necessary to ensure that it continues to serve the best interests of the district and maintains flexibility to adjust for changing budgetary considerations.

When the Superintendent or designee presents a report to the Board on the estimated accrued but unfunded cost of OPEBs, the Board shall disclose, as a separate agenda item at the same meeting, whether or not it will reserve a sufficient amount of money in its budget to fund the present value of the benefits of existing retirees and/or the future cost of employees who are eligible for benefits in the current fiscal year. (Education Code 42140)

When the Superintendent or designee presents a report to the Board on the estimated accrued but unfunded cost of workers' compensation claims, the Board shall disclose, as a separate agenda item at the same meeting, whether or not it will reserve in the budget sufficient amounts to fund the present value of accrued but unfunded workers' compensation claims or if it is otherwise decreasing the amount in its workers' compensation reserve fund. The Board shall annually certify to the County Superintendent the amount, if any, that it has decided to reserve in the budget for these costs. The Board shall submit to the County Superintendent any budget revisions that may be necessary to account for this budget reserve. (Education Code 42141)

Budget Amendments

Whenever revenues and expenditures change significantly throughout the year, the Superintendent or designee shall recommend budget amendments to ensure accurate projections of the district's net ending balance. When final figures for the prior-year budget are available, this information shall be used as soon as possible to update the current-year budget's beginning balance and projected revenues and expenditures.

In addition, budget amendments shall be submitted for Board approval when the state budget is adopted, collective bargaining agreements are accepted, district income declines, increased revenues or unanticipated savings are made available to the district, program proposals are significantly different from those approved during budget adoption, interfund transfers are needed to meet actual program expenditures, and/or other significant changes occur that impact budget projections.

Policy Adopted: 10/14/09; 05/04/11



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Legal Reference:

EDUCATION CODE

1240 Duties of county superintendent of schools
33127-33131 Standards and criteria for local budgets and expenditures
35035 Powers and duties of superintendent
35161 Powers and duties, generally, of governing boards
42103 Public hearing on proposed budget; requirements for content of proposed budget
42122-42129 Budget requirements
42130-42134 Financial certifications
42140-42141 Disclosure of fiscal obligations
42602 Use of unbudgeted funds
42605 Tier 3 categorical flexibility
42610 Appropriation of excess funds and limitation thereon
44518-44519.2 Chief business officer training program
45253 Annual budget of personnel commission
45254 First year budget of personnel commission
GOVERNMENT CODE
7900-7914 Appropriations limit
CODE OF REGULATIONS, TITLE 5
15060 Standardized account code structure
15440-15451 Criteria and standards for school district budgets

Management Resources:

CSBA PUBLICATIONS

Maximizing School Board Governance: Budget Planning and Adoption, 2006
Maximizing School Board Governance: Understanding District Budgets, 2006
School Finance CD-ROM, 2005

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California School Accounting Manual

FISCAL CRISIS AND MANAGEMENT ASSISTANCE TEAM PUBLICATIONS

Fiscal Oversight Guide for AB 1200, AB 2756 and Subsequent Related Legislation, September 2006

GOVERNMENT FINANCE OFFICERS ASSOCIATION

Best Practice: Appropriate Level of Unrestricted Fund Balance in the General Fund, 2009

GOVERNMENTAL ACCOUNTING STANDARDS BOARD STATEMENTS

Statement 54, Fund Balance Reporting and Governmental Fund Type Definitions, March 2009

Statement 45, Accounting and Financial Reporting by Employers for Post-employment Benefits Other Than Pensions, June 2004

Statement 34, Basic Financial Statements and Management's Discussion and Analysis - For State and Local Governments, June 1999

WEB SITES

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

Association of California School Administrators: <http://www.acsa.org>

California Department of Education, Finance and Grants: <http://www.cde.ca.gov/fg>

California Department of Finance: <http://www.dof.ca.gov>

Fiscal Crisis and Management Assistance Team: <http://www.fcmat.org>

Government Finance Officers Association: <http://www.gfoa.org>

Governmental Accounting Standards Board: <http://www.gasb.org>

Legislative Analyst's Office: <http://www.lao.ca.gov>

School Services of California, Inc.: <http://www.sscal.com>



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SALE, LEASE, RENTAL OF DISTRICT-OWNED REAL PROPERTY

The Governing Board believes that the district should utilize its facilities and resources in the most economical and practical manner. The Superintendent or designee shall periodically study the current and projected use of all district facilities in order to ensure the efficient utilization of space and the effective delivery of instruction in order to maximize student learning.

(cf. 1330 - Use of School Facilities)
(cf. 7110 - Facilities Master Plan)

Upon determination that district property is no longer needed or may not be needed until some future time, the Board shall offer to sell or lease district-owned real property in accordance with priorities and procedures specified in law, including, but not limited to, Education Code 17230, 17464, 17485-17500, and Government Code 54222.

(cf. 5148.2 - Before/After School Programs)

When required by law, the Board shall appoint a district advisory committee to advise the Board in the development of policies and procedures governing the use or disposition of schools or school building space which is not needed for school purposes. (Education Code 17388)

(cf. 1220 – Citizen Advisory Committees)

Before ordering the sale or lease of any real property, the Board shall adopt a resolution by a two-thirds vote of all of its members at a regular, open meeting. The resolution shall describe the property proposed to be sold or leased in such a manner as to identify it, specify the minimum price or rent, describe the terms upon which it will be sold or leased, and specify the commission or rate, if any, which the Board will pay to a licensed real estate broker out of the minimum price or rent. The resolution shall fix a time, not less than three weeks thereafter, for a public meeting, held at the Board's regular meeting place, at which sealed proposals to purchase or lease will be received and considered. (Education Code 17466)

(cf. 9323.2 - Actions by the Board)

The Superintendent or designee shall provide notice of the adoption of the resolution and of the time and place of the meeting that will be held to consider bids by posting copies of the resolution, signed by the Board, in three public places not less than 15 days before the date of the meeting. In addition, the notice shall be published at least once a week for three successive weeks before the meeting, in a newspaper of general circulation published in the county in which the district is located, if such a paper exists. (Education Code 17469)

The Superintendent or designee shall take reasonable steps to provide notification to the former owners of the property of the district's intent to sell it in accordance with Education Code 17470.

Acceptance/Rejection of Bids

At the public meeting specified in the resolution, the Board shall open, examine, and declare all sealed bids. Before accepting any written proposal, the Board shall call for oral bids in accordance with law. (Education Code 17472, 17473)

The Board may reject any and all bids, either written or oral, and withdraw the properties from sale when the Board determines that rejection is in the best public interest. If no proposals are submitted or the submitted proposals do not conform to all the terms and conditions specified in the resolution of intention to lease, the Board



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may lease the property in accordance with Education Code 17477. (Education Code 17476, 17477)

Of the proposals submitted by responsible bidders which conform to all terms and conditions specified in the resolution of intention to sell or lease, the Board shall finally accept the highest bid after deducting the commission, if any, to be paid to a licensed real estate broker, unless the Board accepts a higher oral bid or rejects all bids. (Education Code 17472)

The final acceptance of the bid may be made either at the same meeting specified in the resolution or at any adjourned/continued meeting held within 10 days. Upon acceptance of the bid, the Board may adopt a resolution of acceptance that directs the Board president, or any other Board member, to execute the deed or lease and to deliver the document upon performance and compliance by the successful bidder of all of the terms and conditions of the contract. (Education Code 17475-17478)

(cf. 1431 - Waivers)
(cf. 9320 - Meetings and Notices)

The Superintendent or designee shall ensure that proceeds from the sale or lease with an option to purchase of district surplus property are used in accordance with law. (Education Code 17462; 2 CCR 1700)

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

Until January 1, ~~2012~~, 2014, the district may expend proceeds from the sale of surplus real property, along with the proceeds from any personal property located on that real property, for any one-time general fund purpose(s). Prior to exercising this authority, the Board shall certify to the State Allocation Board that: (Education Code 17463.7)

1. The district has no major deferred maintenance requirements not covered by existing capital outlay resources.

(cf. 3111 - Deferred Maintenance Funds)

2. The sale of real property pursuant to Education Code 17463.7 does not violate the provisions of a local bond act.

(cf. 7214 - General Obligation Bonds)

3. The real property is not suitable to meet projected school construction needs for the next 10 years.

Prior to exercising this authority, the Superintendent or designee shall present to the Board, at a regularly scheduled meeting, a plan for expending these one-time resources. The plan shall identify the source and use of the funds and shall describe the reasons that the expenditure shall not result in ongoing fiscal obligations for the district. (Education Code 17463.7)

Legal Reference:

EDUCATION CODE
17219-17224 *Acquisition of property not utilized as school site; nonuse payments; exemptions*
17230-17234 *Surplus property*
17385 *Conveyances to and from school districts*
17387-17391 *Advisory committees for use of excess school facilities*
17400-17429 *Leasing property*

Policy Adopted: 01/17/07; 10/14/09; 09/01/10



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17430-17447 Leasing facilities
17453 Lease of surplus district property
17455-17484 Sale or lease of real property
17463.7 Proceeds for general fund purposes
17485-17500 Surplus school playground (Naylor Act)
17515-17526 Joint occupancy
17527-17535 Joint use of district facilities
33050 Request for waiver
38130-38139 Civic Center Act
GOVERNMENT CODE
54220-54232 Surplus land
54222 Offer to sell or lease property
54950-54963 Brown Act, especially:
54952 Legislative body, definition
PUBLIC RESOURCES CODE
21000-21177 California Environmental Quality Act
CODE OF REGULATIONS, TITLE 2
1700 Definitions related to surplus property
COURT DECISIONS
San Lorenzo Valley Community Advocates for Responsible Education v. San Lorenzo Valley Unified School District,
(2006) 139 Cal.App. 4th 1356

Management Resources:

CSBA PUBLICATIONS

Maximizing Opportunities for Physical Activity Through Joint Use of Facilities, Policy Brief, September 2009

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Closing a School Best Practices Guide

OFFICE OF PUBLIC SCHOOL CONSTRUCTION PUBLICATIONS

Unused Site Program Handbook, May 2008

WEB SITES

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

California Department of Education, School Facilities Planning Division: <http://www.cde.ca.gov/ls/fa>

Coalition for Adequate School Housing: <http://www.cashnet.org>

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



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GIFTS, GRANTS AND BEQUESTS

The Board of Education may accept **any gift, grant or bequest or gift of money, or property or service to the district from any individual, private agency or organization, or other public agency that desires to support the district's educational program on behalf of the district.** While greatly appreciating suitable donations, the Board discourages any gifts which may directly or indirectly impair its commitment to providing equal educational opportunities for all district students.

(cf. 0100 – Philosophy)

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

Before accepting a gift, **grant or bequest**, the Board shall consider ~~whether the gift:~~ **any conditions or restrictions imposed by the donor to ensure their consistency with the district's vision, philosophy, and operations. If the Board believes the district will be unable to fully satisfy the donor's conditions, the gift shall not be accepted.**

In addition, the Board will ensure that acceptance of the gift, grant or bequest does not:

1. ~~Has a purpose consistent with the district's vision and philosophy~~ **Involve creation of a program which the Board would be unable to sustain when the donation is exhausted.**
2. Begins a program which the Board would be unable to continue when the donated funds are exhausted
3. Entails undesirable or excessive costs
4. ~~Implies endorsement of any business or product~~ **Promote the use of violence, drugs, tobacco, or alcohol or the violation of any law or district policy.**
5. **Imply endorsement of any business or product or unduly commercialize or politicize the school environment.**

(cf. 1325 - Advertising and Promotion)

All gifts, grants and bequests shall become district property. At the Superintendent's or designee's discretion, a gift may be used at a particular school.

~~The Board shall carefully evaluate any conditions or restrictions imposed by the donor in light of district philosophy and operations. If the Board feels the district will be unable to fully satisfy the donor's conditions, the gift shall not be accepted.~~

Gift books and instructional materials shall be accepted only if they meet regular district criteria.

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

When any gift of money received by the district is not immediately used, the Superintendent or designee will place it in the county treasury in accordance with law. (Education Code 41030-41031)

The Superintendent or designee shall provide reports to the Board indicating the gifts, grants, and/or bequests received on behalf of the district.

(cf. 3440 – Inventories)

(cf. 7310 – Financial Reports and Accountability)

Policy Adopted: January 17, 2007



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Appreciation

The Board may show appreciation for any donation to the district in any manner it deems appropriate. Such appreciation may take the form of letters of recognition or Board resolutions; plaques, commendations, or awards; planting of commemorative trees or gardens; or naming or renaming of buildings, grounds, or facilities. Conferment of any such honor shall be in accordance with applicable Board policy.

(cf. 1150 - Commendations and Awards)
(cf. 7310 - Naming of Facility)

Corporate Sponsorship

The Board may enter into an agreement or arrangement with an outside entity for the sponsorship of an educational, athletic, or other program or activity. When appropriate, the agreement may allow the outside entity to advertise or promote its business, product, or service in district publications or on district property or web sites.

(cf. 1113 - District and School Web Sites)
(cf. 1700 - Relations Between Private Industry and the Schools)
(cf. 3312 - Contracts)

Every sponsorship agreement shall be in writing and shall be approved by the Board. The Board shall ensure that the district's relationship and arrangement with the sponsor are consistent with the district's mission, values, and goals. Any advertising or promotional message, image, or other depiction to be used by the sponsor shall meet the standards set for commercial advertising on district property and in district-sponsored publications. No message, image, or other depiction that promotes the use of obscene language, pornography, alcohol, tobacco, or prohibited drugs or that advocates unlawful discrimination, use of violence, or the violation of law or district policy shall be allowed.

Each sponsorship agreement shall contain statements including, but not limited to:

1. The purpose of the relationship with the sponsor, details of the benefits to the district, and how the benefits will be distributed.
2. The duration of the agreement and the roles, expectations, rights, and responsibilities of the district and the sponsor, including whether and to what extent the sponsor is allowed to advertise or promote its products and/or services.
3. The authority of the Board to retain exclusive right over the use of the district's name, logo, and other proprietary information. The sponsor's use of such information shall require prior approval of the Board.
4. The authority of the Board to terminate the agreement without any penalty or sanction to the district if the sponsor's message, business, or product becomes inconsistent with district vision, mission, or goals or the sponsor engages in any prohibited activity.

(cf. 5022 - Student and Family Privacy Rights)
(cf. 5125 - Student Records)

Legal Reference:

EDUCATION CODE
1834 Acquisition of materials and apparatus
35160 Powers and duties

Policy Adopted: January 17, 2007



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- 35162 Power to sue, be sued, hold and convey property
 - 41030 School district may invest surplus monies from bequest or gifts
 - 41031 Special fund or account in county treasury
 - 41032 Authority of school board to accept gift or bequest; investments; gift of land requirements
 - 41035 Advisory committee
 - 41036 Function of advisory committee
 - 41037 Rules and regulations
 - 41038 Applicability of other provisions of chapter

Management Resources:

WEB SITES

California Consortium of Education Foundations: <http://www.cceffink.org>

Legal Reference:

EDUCATION CODE

- 1834 Acquisition of materials and apparatus
- 35162 Power to sue, be sued, hold and convey property
- 41030 School district may invest surplus monies from bequest or gifts
- 41031 Special fund or account in county treasury
- 41032 Authority of school board to accept gift or bequest; investments; gift of land requirements
- 41035 Advisory committee
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Tobacco-Free Schools

The Governing Board recognizes the health hazards associated with smoking and the use of tobacco products, including the breathing of second-hand smoke and desires to provide a healthy environment for students and staff.

(cf. 3514 - Environmental Safety)
(cf. 4159/4259/4359 - Employee Assistance Programs)
(cf. 5030 - Student Wellness)
(cf. 5131.62 - Tobacco)
(cf. 5141.23 - Asthma Management)
(cf. 6142.8 - Comprehensive Health Education)
(cf. 6143 - Courses of Study)

The Board prohibits the use of tobacco products at any time in district-owned or leased buildings, on district property and in district vehicles. (Health and Safety Code 104420; Labor Code 6404.5; 20 USC 6083)

This prohibition applies to all employees, students and visitors at any instructional program, activity or athletic event. **Any written joint use agreement governing community use of district facilities or grounds shall include notice of the district's tobacco-free schools policy and consequences for violations of the policy.**

(cf. 1330 - Use of School Facilities)
(cf. 1330.1 - Joint Use Agreements)

Smoking or use of any tobacco-related products and disposal of any tobacco-related waste are prohibited within 25 feet of any playground, except on a public sidewalk located within 25 feet of the playground. (Health and Safety Code 104495)

Legal Reference:

EDUCATION CODE

48900 Grounds for suspension/expulsion
48901 Prohibition against tobacco use by students

HEALTH AND SAFETY CODE

39002 Control of air pollution from nonvehicular sources
104350-104495 Tobacco use prevention, especially:
104495 Prohibition of smoking and tobacco waste on playgrounds
119405 Unlawful to sell or furnish electronic cigarettes to minors

LABOR CODE

3300 Employer, definition
6304 Safe and healthful workplace
6404.5 Occupational safety and health: use of tobacco products

UNITED STATES CODE, TITLE 20

6083 Nonsmoking policy for children's services
7111-7117 Safe and Drug Free Schools and Communities Act

CODE OF FEDERAL REGULATIONS, TITLE 21

1140.1-1140.34 Unlawful sale of cigarettes and smokeless tobacco to minors

PERB RULINGS

Eureka Teachers Assn v. Eureka City School District (1992) PERB Order #955 (16 PERC 23168)
CSEA #506 and Associated Teachers of Metropolitan Riverside v. Riverside Unified School District (1989) PERB Order #750 (13 PERC 20147)

Policy Adopted: October 29, 2008



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Management Resources:

WEB SITES

CDE: <http://www.cde.ca.gov>

CDE Tobacco-Free School District Certification: <http://www.cde.ca.gov>

California Department of Health Services: <http://www.dhs.ca.gov>

Occupational Safety and Health Standards Board: <http://www.dir.ca.gov/OSHSB/oshsb.html>

U.S. Environmental Protection Agency: <http://www.epa.gov>



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Food Service/Child Nutrition Program

~~The Governing Board recognizes that students need adequate, nourishing food in order to grow, learn, and maintain good health.~~

The Governing Board recognizes that adequate, nourishing food is essential to student health, development, and ability to learn. The Superintendent or designee shall develop strategies to increase students' access to the district's food service programs and to maximize their participation in available programs.

Foods and beverages available through the district's food service program shall:

1. Be carefully selected so as to contribute to students' nutritional well-being and the prevention of disease
(cf. 5141.27 - Food Allergies/Special Dietary Needs)
2. Meet or exceed nutritional standards specified in law and administrative regulation
(cf. 3552 – Summer Meal Program)
(cf. 3554 - Other Food Sales)
(cf. 5030 - Student Wellness)
(cf. 5148 - Child Care and Development)
(cf. 5148.2 - Before/After School Programs)
(cf. 5148.3 – Preschool/Early Childhood Education)
3. Be prepared in ways that will appeal to students, retain nutritive quality, and foster lifelong healthful eating habits
4. Be served in age-appropriate portions
5. Be available to students who meet federal eligibility criteria at no cost or at reduced prices, and to other students at reasonable prices.

(cf. 3551 – Food Service Operations/Cafeteria Fund)
(cf. 3553 – Free and Reduced Price Meals)

The district's food service program shall give priority to serving **unprocessed foods and** fresh fruits and vegetables ~~that are not deep fried.~~

District schools are encouraged to establish school gardens and/or farm-to-school projects to increase the availability of safe, fresh, seasonal fruits and vegetables for school means and to support the district's nutrition education program.

(cf. 6142.8 – Comprehensive Health Education)

To encourage student participation in school meal programs, schools may offer multiple choices of food items within a meal service, provided all food items meet nutrition standards and all students are given an opportunity to select any food item.

The Superintendent or designee shall encourage the participation of students and parents/guardians in the selection of foods of good nutritional quality for school menus.

The Board desires to provide students with adequate time and space to eat meals. To the extent possible, school, recess, and transportation schedules shall be designed to encourage participation in school meal programs.

Policy Adopted: October 29, 2008



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The Superintendent or designee shall periodically review the adequacy of school facilities for cafeteria eating and food preparation.

(cf. 1312.4 - Williams Uniform Complaint Procedures)
(cf. 3517- Facilities Inspection)
(cf. 7110 - Facilities Master Plan)

In accordance with law, the Superintendent or designee shall develop and maintain a food safety program in order to reduce the risk of foodborne hazards at each step of the food preparation process, from receiving to service.

The Superintendent or designee shall annually report to the Board ~~regarding the district's compliance with~~ on student participation in the district's nutrition programs and the extent to which the district's food services program meets state and federal nutritional standards for foods and beverages.

(cf. 0500 - Accountability)
(cf 3555 -- Nutrition Program Compliance)

Legal Reference:

EDUCATION CODE

35182.5 Contracts, non-nutritious beverages
38080-38103 Cafeteria, establishment and use
45103.5 Contracts for management consulting services; restrictions
49430-49436 Pupil Nutrition, Health, and Achievement Act of 2001
49490-49494 School breakfast and lunch programs
49500-49505 School meals
49510-49520 Nutrition
49530-49536 Child Nutrition Act
49540-49546 Child care food program
49547-49548.3 Comprehensive nutrition services
49550-49562 Meals for needy students
49570 National School Lunch Act
51795-51797 School gardens

HEALTH AND SAFETY CODE

113700-114437 California Retail Food Code
CODE OF REGULATIONS, TITLE 5
15510 Mandatory meals for needy students
15530-15535 Nutrition education
15550-15565 School lunch and breakfast programs
15575-15578 Requirements for foods and beverages outside federal meal programs

UNITED STATES CODE, TITLE 42

1751-1769j National School Lunch Program, including:
1758b Local wellness policy
1761 Summer Food Service Program and Seamless Summer Feeding Option
1769a Fresh Fruit and Vegetable Program
1771-1793 Child nutrition, especially:
1772 Special Milk Program
1773 National School Breakfast Program
CODE OF FEDERAL REGULATIONS, TITLE 7
210.1-210.31 National School Lunch Program
215.1-215.18 Special Milk Program
220.1-220.21 National School Breakfast Program
245.1-245.13 Eligibility for free and reduced-price meals and free milk



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Board Policy: #3550

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Management Resources:

CSBA PUBLICATIONS

Building Healthy Communities: A School Leader's Guide to Collaboration and Community Engagement, 2009

Nutrition Standards for Schools: Implications for Student Wellness, Policy Brief, rev. October 2007

Monitoring for Success: Student Wellness Policy Implementation Monitoring Report and Guide, 2007

Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, rev. April 2006

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

School Meals Initiative Summary

Healthy Children Ready to Learn, January 2005

CALIFORNIA PROJECT LEAN PUBLICATIONS

Policy in Action: A Guide to Implementing Your Local School Wellness Policy, October 2006

U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS

School Breakfast Toolkit

Fresh Fruit and Vegetable Program: Handbook for Schools, December 2010

Food Buying Guide for Child Nutrition Programs, December 2007

Civil Rights Compliance and Enforcement - Nutrition Programs and Activities, FNS Instruction 113-1, November 2005

Guidance for School Food Authorities: Developing a School Food Safety Program Based on the Process Approach to HACCP Principles, June 2005

Dietary Guidelines for Americans, 2005

WEB SITES

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

California Department of Education, Nutrition Services Division: <http://www.cde.ca.gov/ls/nu>

California Department of Public Health: <http://www.cdph.ca.gov>

California Farm Bureau Federation: <http://www.cfbf.com>

California Food Policy Advocates: <http://www.cfpa.net>

California Healthy Kids Resource Center: <http://www.californiahealthykids.org>

California Project LEAN (Leaders Encouraging Activity and Nutrition): <http://www.californiaprojectlean.org>

California School Nutrition Association: <http://www.calsna.org>

Centers for Disease Control and Prevention: <http://www.cdc.gov>

National Alliance for Nutrition and Activity: <http://www.cspinet.org/nutritionpolicy/nana.html>

U.S. Department of Agriculture, Food and Nutrition Service: <http://www.fns.usda.gov/fns>



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Food Service Operations/Cafeteria Fund

The Governing Board intends that, insofar as possible, school food services shall be a self-supporting, nonprofit program. To increase cost effectiveness, the Superintendent or designee shall centralize and direct the purchasing of food and supplies, the planning of menus, and the auditing of all food service accounts for the district.

(cf. 3100 - Budget)
(cf. 3300 - Expenditures and Purchases)
(cf. 3311 - Bids)
(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 3552 - Summer Meal Program)

The Superintendent or designee shall ensure that all food services administrators and personnel possess appropriate qualifications and receive ongoing professional development related to the effective management and implementation of the district's food services program.

(cf. 4231, 4331 - Staff Development)

Meal Sales

Meals may be sold to students, district employees, Board members, and employees or members of the fund or association maintaining the cafeteria. (Education Code 38082)

In addition, meals may be sold to other individuals and organizations who are on campus during meal times for a legitimate purpose, such as classroom volunteers, parents/guardians, or student siblings.

The Superintendent or designee shall recommend meal prices, based on the costs of providing food services and consistent with Education Code 38084 and 42 USC 1760, for students and nonstudents for approval by the Board. Students who are enrolled in the free or reduced-price meal programs shall receive meals free of charge or at a reduced price in accordance with law, Board policy, and administrative regulation.

(cf. 3553 - Free and Reduced Price Meals)

Any meals served to nonstudents shall not be subsidized by federal or state reimbursements, food service revenues, or U.S. Department of Agriculture commodities.

Program financial reports shall be presented regularly to the Board.

(cf. 3460 - Financial Reports and Accountability)

Cafeteria Fund

The Superintendent or designee shall establish a cafeteria fund independent of the district's general fund.

The wages, salaries, and benefits of food service employees shall be paid from the district's general fund. At any time, the Board may order reimbursement from the district's cafeteria fund for these payments in amounts prescribed by the Board and not exceeding the costs actually incurred. (Education Code 38103)

The Superintendent or designee shall ensure that state and federal funds provided through school meal programs are allocated only for purposes related to the operation or improvement of food services and reasonable and necessary indirect program costs as allowed by law. Program financial reports shall be presented regularly to the Board.



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(cf. 3400 – Management of District Assets/Accounts)
(cf. 3460 – Financial Reports and Accountability)

Contracts with Outside Services/Providers

~~With Board approval, the district may enter into a contract for management consulting services related to food service.~~

~~*(cf. 3600 – Consultants)*~~

~~With Board approval, the district may enter into a contract with a private company that enables a school to operate a franchise offering food items for sale to students. The franchise agreement and food purchases shall be subject to the competitive-bidding requirements of the National School Lunch and School Breakfast Programs. for food service consulting services or food service management services in one or more district schools (Education Code 45103.5; 42 USC 1758; 7 CFR 210.16)~~

~~*(cf. 3312 – Contracts)*~~
~~*(cf. 3600 – Consultants)*~~

Legal Reference:

EDUCATION CODE

38080-38085 Cafeteria, establishment and use
38090-38095 Cafeterias, funds and accounts
38100-38103 Cafeterias, allocation of charges
42646 Alternate payroll procedure
45103.5 Contracts for management consulting services; restrictions
49490-49493 School breakfast and lunch programs
49500-49505 School meals

HEALTH AND SAFETY CODE

113700-114437 California Retail Food Code

UNITED STATES CODE, TITLE 42

1751-1769h School lunch programs
1771-1791 Child nutrition, including:
1773 School breakfast program

CODE OF FEDERAL REGULATIONS, TITLE 7

210.1-210.31 National School Lunch Program
220.1-220.21 National School Breakfast Program

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION MANAGEMENT ADVISORIES

0701.00 Adult and Sibling Meals in the National School Lunch and School Breakfast Programs, No. 00-111

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California School Accounting Manual

WEB SITES

California Department of Education, Nutrition Services Division: <http://www.cde.ca.gov/ls/nu>

California School Nutrition Association: <http://www.calsna.org>

U.S. Department of Agriculture, Food and Nutrition Service: <http://www.fns.usda.gov/cnd>



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Free And Reduced Price Meals

The Governing Board recognizes that adequate nutrition is essential to the development, health, and learning of all students ~~and that some families may be unable to provide breakfast and lunch for their child(ren).~~ The Superintendent or designee shall facilitate and encourage the participation of students from low-income families in the district's food service program.

The district shall provide at least one nutritionally adequate meal each school day, free of charge or at a reduced price, for students whose families meet federal eligibility criteria. (Education Code 49550, 49552)

(cf. 3551 - Food Service Operations/Cafeteria Fund)
(cf. 3552 – Summer Meal Program)
(cf. 5030 – Student Wellness)
(cf. 5148 - Child Care and Development)
(cf. 5148.2 - Before/After School Programs)
(cf. 6177 - Summer School)

The Superintendent or designee shall ensure that meals provided through the free and reduced-price meal program meet applicable state and/or federal nutritional standards in accordance with law, Board policy, and administrative regulation.

(cf. 3550 - Food Service/Child Nutrition Program)

Schools participating in the Special Milk Program pursuant to 42 USC 1772 shall provide milk at no charge to students who meet federal eligibility criteria for free or reduced-price meals.

The Board shall approve, and shall submit to the California Department of Education for approval, a plan that ensures that students eligible to receive free or reduced-price meals and milk are not treated differently from other students. (Education Code 49557)

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 3555 – Nutrition Program Compliance)
(cf. 5145.3 - Nondiscrimination/Harassment)

Confidentiality/Release of Records

All applications and records related to eligibility for the free and reduced-price meal program shall be confidential except as provided by law. (Education Code 49558)

If a student transfers from the district to another district or to a private school, the Superintendent or designee may release the student's eligibility status or a copy of his/her free and reduced-price meal application to the other district or school to assist in the continuation of the student's meal benefits.

The Board authorizes designated employees to use individual records pertaining to student eligibility for any free and reduced-price meal program for the purposes of: (Education Code 49558)

1. Disaggregation of academic achievement data

Policy Adopted: October 29, 2008



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2. In any school identified for program improvement under Title I of the No Child Left Behind Act, identification of students eligible for school choice and supplemental educational services

(cf. 0520.2 - Title I Program Improvement Schools)
(cf. 5125 - Student Records)
(cf. 6162.51 - Standardized Testing and Reporting Program)
(cf. 6171 - Title I Programs)

The Board further authorizes the release of information on the school lunch program application to the local agency that determines Medi-Cal program eligibility, provided that the student is approved for free meals and the parent/guardian consents to the sharing of information as provided by Education Code 49557.2.

(cf. 5141.6 - Student Health and Social Services)

Legal Reference:

EDUCATION CODE
48980 Notice at beginning of term
49430-49436 Pupil Nutrition, Health, and Achievement Act of 2001
49490-49494 School breakfast and lunch programs
49500-49505 School meals
49510-49520 Nutrition
49530-49536 Child Nutrition Act of 1974
49547-49548.3 Comprehensive nutrition service
49550-49562 Meals for needy students
CODE OF REGULATIONS, TITLE 5
15510 Mandatory meals for needy students
15530-15535 Nutrition education
15550-15565 School lunch and breakfast programs
UNITED STATES CODE, TITLE 20
1232g Federal Educational Rights and Privacy Act
6301-6514 Title I programs
UNITED STATES CODE, TITLE 42
1751-1769j School lunch program
1771-1791 Child nutrition, especially:
1773 School breakfast program
CODE OF FEDERAL REGULATIONS, TITLE 7
210.1-210.31 National School Lunch Program
220.10-220.21 National School Breakfast Program
245.1-245.13 Determination of eligibility for free and reduced-price meals and free milk

Management Resources:

CSBA PUBLICATIONS
Monitoring for Success: Student Wellness Policy Implementation Monitoring Report and Guide, 2007
Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, rev. April 2006
CALIFORNIA DEPARTMENT OF EDUCATION MANAGEMENT BULLETINS
USDA-SNP-07-2010 Change in Free and Reduced-Price Meal Application Approval Process, September 2010
NSD-SNP-12-2010 Clarification Regarding the Ability to Share Student Meal Program Eligibility Information Between School Food Authorities, April 2010
04-103 Implementation of Final Rule on Verification of Applications for Free and Reduced-Price Meals, August 2004
98-101 Confidentiality of Free and Reduced-Price Eligibility Information, February 1998
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Feed More Kids, Improve Program Participation
Direct Certification Implementation Checklist, May 2008
U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS

Policy Adopted: October 29, 2008



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Eligibility Manual for School Meals: Federal Policy for Determining and Verifying Eligibility, January 2008
Provision 2 Guidance: National School Lunch and School Breakfast Programs, Summer 2002

WEB SITES

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

California Department of Education, Nutrition Services Division: <http://www.cde.ca.gov/ls/nu>

California Healthy Kids Resource Center: <http://www.californiahealthykids.org>

California Project LEAN (Leaders Encouraging Activity and Nutrition): <http://www.californiaprojectlean.org>

U.S. Department of Agriculture, Food and Nutrition Service: <http://www.fns.usda.gov/cnd>



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NEW BOARD POLICY

Lactation Accommodation

The Governing Board recognizes the immediate and long-term health advantages of breastfeeding for infants and mothers and desires to provide a supportive environment for any district employee to express milk for her infant child upon her return to work following the birth of the child. The Board prohibits discrimination, harassment, and/or retaliation against any district employee who chooses to express breast milk for her infant child while at work.

(cf. 4030 - Nondiscrimination in Employment)
(cf. 4031 - Complaints Concerning Discrimination in Employment)

The district shall provide a reasonable amount of break time to accommodate an employee each time she has a need to express breast milk for her infant child. (Labor Code 1030)

To the extent possible, such break time shall run concurrently with the break time already provided to the employee. Any additional break time used by a non-exempt employee for this purpose shall be unpaid. (Labor Code 1030; 29 USC 207)

The employee shall be provided a private location, other than a restroom, which is in close proximity to her work area and meets the requirements of Labor Code 1031 and 29 USC 207, as applicable.

Employees are encouraged to notify their supervisor or other appropriate personnel in advance of their intent to make use of the accommodations offered for employees who are nursing mothers. As needed, the supervisor shall work with the employee to address arrangements and scheduling in order to ensure that the employees' essential job duties are covered during the break time.

Lactation accommodations may be denied only in limited circumstances in accordance with law. (Labor Code 1032; 29 USC 207)

Before an employee's supervisor makes a determination to deny lactation accommodations, he/she shall consult the Superintendent or designee. In any case in which lactation accommodations are denied, the Superintendent or designee shall document the options that were considered and the reasons for denying the accommodations.

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

CIVIL CODE

43.3 Right of mothers to breastfeed in any public or private location

GOVERNMENT CODE

12940 Discriminatory employment practices

12945 Discrimination based on pregnancy, childbirth, or related medical conditions

LABOR CODE

1030-1033 Lactation accommodation

CODE OF REGULATIONS, TITLE 2

7291.2-7291.16 Sex discrimination; pregnancy and related medical conditions

UNITED STATES CODE, TITLE 29

207 Fair Labor Standards Act; lactation accommodation

FAIR EMPLOYMENT AND HOUSING COMMISSION DECISIONS

Department of Fair Employment and Housing v. Acosta Tacos (Chavez), FEHC Precedential Decision 09-03P, 2009



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Management Resources:

CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS PUBLICATIONS

Rest Periods/Lactation Accommodation, Frequently Asked Questions

CALIFORNIA DEPARTMENT OF PUBLIC HEALTH PUBLICATIONS

Minimum Requirements of the California Lactation Accommodation Law

CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS

Lactation Support Program Toolkit

FEDERAL REGISTER

Reasonable Break Time for Nursing Mothers, December 21, 2010, Vol. 75, No. 244, pages 80073-80079

OFFICE OF THE SURGEON GENERAL PUBLICATIONS

The Surgeon General's Call to Action to Support Breastfeeding, 2011

HEALTH RESOURCES AND SERVICES ADMINISTRATION PUBLICATIONS

The Business Case for Breastfeeding: Steps for Creating a Breastfeeding Friendly Worksite, Toolkit, 2008

U.S. DEPARTMENT OF LABOR, WAGE AND HOUR DIVISION, PUBLICATIONS

Fact Sheet #3: Break Time for Nursing Mothers under the FLSA, rev. December 2010

WEB SITES

California Department of Industrial Relations, Division of Labor and Standards Enforcement:

<http://www.dir.ca.gov/dlse>

California Department of Public Health: <http://www.cdph.ca.gov>

California Women, Infants and Children: <http://www.wicworks.ca.gov>

Centers for Disease Control and Prevention: <http://www.cdc.gov>

Health Resources and Services Administration: <http://www.hrsa.gov>

Office of the Surgeon General: <http://www.surgeongeneral.gov>

U.S. Department of Labor, Wage and Hour Division, Break Time for Nursing Mothers:

<http://www.dol.gov/whd/nursingmothers>



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All Personnel

EMPLOYEE SECURITY

The Board of Education desires to provide a safe, orderly working environment for all employees. As part of the district's comprehensive school safety plan, the Superintendent or designee shall develop strategies for protecting employees from potentially dangerous persons and situations and for assisting them in the event of an emergency situation.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 3515 - Campus Security)
(cf. 5131.4 - Campus Disturbances)

Any employee against whom violence or any threat of violence has been directed in the workplace shall notify the Superintendent or designee immediately. The Superintendent or designee shall initiate legal and security measures to protect the employee and others in the workplace. In addition, the Superintendent or designee may initiate legal proceedings against any individual to recover damages for injury caused by the willful misconduct of that individual to the person or property of an employee or another person on district premises.

(cf. 3320 - Claims and Actions Against the District)
(cf. 3515.4 - Recovery for Property Loss or Damage)

The Superintendent or designee shall ensure that employees are trained in crisis prevention and intervention techniques in order to protect themselves and students. Staff development may include training in classroom management, effective communication techniques and crisis resolution.

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

The Superintendent or designee shall ensure that employees are informed, in accordance with law, regarding crimes and offenses by students who may pose a danger in the classroom.

The Board recognizes that access to two-way communications devices allows employees to call for assistance from their supervisor or law enforcement in the event of a threat of violence or medical emergency. The district shall provide such communications devices in classrooms to the extent possible.

(cf. 5141 - Health Care and Emergencies)

~~When violence is directed against an employee by any individual and the employee so notifies the Superintendent or designee, the Superintendent or designee shall take steps to ensure that appropriate legal measures are instituted. When the employee notifies the Superintendent or designee of a threat of bodily harm, the district shall take appropriate measures to enable the employee to request assistance if a threat occurs on school grounds.~~

Use of Pepper Spray

Employees may not carry or possess pepper spray on school property or at school activities. On a case-by-case basis, however, the Superintendent or designee may allow an employee to possess pepper spray that meets the requirements of Penal Code 12403.7 when justified by unusual dangerous circumstances. Any employee who is negligent or careless in the possession or handling of pepper spray shall be subject to appropriate disciplinary measures.



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(cf. 4118 – Suspension/Disciplinary Action)
(cf. 4218 – Dismissal/Suspension/Disciplinary Action)

Reporting of Injurious Objects

The Board requires school employees to take immediate action upon being made aware that any person is in possession of an **unauthorized** injurious object on school grounds or at a school-related or school-sponsored activity. The employee shall use his/her own judgment as to the dangerousness of the situation and, based upon this analysis, shall do one of the following:

1. Confiscate the object and deliver it to the principal immediately
2. Immediately notify the principal, who shall take appropriate action
3. Immediately ~~notify the local law enforcement agency~~ **call 911** and the principal

(cf. 5131.7 - Weapons and Dangerous Instruments)
(cf. 5144. - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

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

Legal Reference:

EDUCATION CODE

32210-32212 Willful disturbance, public schools or meetings
32225-32226 Communication devices
35204 Contract with attorney in private practice or use of administrative advisor
35205 Contract for legal services
35208 Liability insurance
35213 Reimbursement for loss, destruction or damage of school property
44014 Report of assault by pupil against school employee
44807 Duty concerning conduct of students
48201 Transfer of student records
48900-48926 Suspension or expulsion Grounds for suspension or expulsion
49079 Notification to teacher; student who has engaged in acts constituting grounds for suspension or expulsion
49330-49335 Injurious objects

CIVIL CODE

51.7 Freedom from violence or intimidation

CODE OF CIVIL PROCEDURE

527.8 Workplace violence safety act

GOVERNMENT CODE

995-996.4 Defense of public employees

3543.2 Scope of representation

PENAL CODE

71 Threatening public officers and employees and school officials

240 Definition of assault

241.2 Assault on school or park property against any person

241.3 Assault against school bus drivers

241.6 Assault on school employee includes board member

242 Definition of battery

243 Battery; definition of "injury" and "serious bodily injury"

243.2 Battery on school or park property against any person

243.3 Battery against school bus drivers



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- 243.6 Battery against school employee includes board member
 - 245.5 Assault with deadly weapon; school employee includes board member
 - 290 Registration of sex offenders
 - 601 Trespass by person making credible threat
 - 626.9 Gun-Free School Zone Act of 1995
 - 626.10 Exceptions to bringing weapons on school grounds
 - 646.9 Stalking
 - 12403.7 Weapons approved for self defense
 - WELFARE AND INSTITUTIONS CODE
 - 827 Juvenile court proceedings; reports; confidentiality
 - 828.1 District police or security department, disclosure of juvenile records

Management Resources:

CDE CORRESPONDENCE

0401.01 Protecting Student Identification in Reporting Injurious Objects

WEB SITES

CDE, Safe Schools and Violence Prevention Office: <http://www.cde.ca.gov/spbranch/safety/safetyhome>

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



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STUDENT AND FAMILY PRIVACY RIGHTS

The Board of Education believes that personal information concerning district students and their families should be kept private in accordance with law.

~~(cf. 0000 - Vision)~~
~~(cf. 0100 - Philosophy)~~
~~(cf. 0200 - Goals for the School District)~~
~~(cf. 5020 - Parent Rights and Responsibilities)~~
~~(cf. 5021 - Noncustodial Parents)~~
~~(cf. 5125 - Student Records)~~
~~(cf. 5125.1 - Release of Directory Information)~~
~~(cf. 6000 - Concepts and Roles)~~
~~(cf. 6162.8 - Research)~~

Collection of Personal Information for Marketing Purposes

The Board prohibits district staff from administering or distributing to students survey instruments that are designed for the purpose of collecting personal information for marketing or for selling that information.

Legal Reference:

EDUCATION CODE
~~49450-49457 Physical examinations~~
~~49602 Confidentiality of pupil information~~
~~51513 Personal beliefs~~
UNITED STATES CODE, TITLE 20
~~1232g Family Educational Rights and Privacy Act~~
~~1232h Protection of pupil rights~~

Management Resources:

WEB SITES
~~CSBA: <http://www.csba.org>~~
~~CDE: <http://www.cde.ca.gov>~~
~~USDOE, Family Policy Compliance Office: <http://www.ed.gov/offices/OM/fpco/>~~

The Governing Board respects the rights of district students and their parents/guardians with regard to the privacy of their personal beliefs and the confidentiality of their personal information. The Superintendent or designee shall develop regulations to ensure compliance with law when the district requests, retains, discloses, or otherwise uses the personal information of its students and their families.

~~(cf. 5020 - Parent Rights and Responsibilities)~~
~~(cf. 5021 - Noncustodial Parents)~~
~~(cf. 5125 - Student Records)~~
~~(cf. 5125.1 - Release of Directory Information)~~
~~(cf. 6162.8 - Research)~~

The regulations shall, at a minimum, address the following: (20 USC 1232h)

1. Whether the district may collect the personal information of students for marketing or sale
2. How the district will administer surveys that may request information about the personal beliefs and practices of students and their families
3. The rights of parents/guardians to inspect:

Policy Adopted: 02-21-07



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- a. Survey instruments requesting information about their personal beliefs and practices or those of their children
 - b. Instructional materials used as part of their children's educational curriculum
4. Whether the district may administer any nonemergency invasive physical examination or screening
 5. Notifications that the district will provide to students and parents/guardians with respect to their privacy rights

The Superintendent or designee shall consult with parents/guardians regarding the development of the procedures. (20 USC 1232h)

(cf. 0420 - School Plans/Site Councils)
(cf. 1220 - Citizen Advisory Committee)
(cf. 1230 - School-Connected Organizations)

Legal Reference:

EDUCATION CODE
49450-49458 *Physical examinations*
49602 *Confidentiality of personal information received during counseling*
51101 *Parents Rights Act of 2002*
51513 *Test, questionnaire, survey, or examination concerning personal beliefs*
51938 *Sexual Health and HIV/AIDS Prevention Education Act; notice and parental excuse*
UNITED STATES CODE, TITLE 20
1232g *Family Educational Rights and Privacy Act*
1232h *Protection of pupil rights*

Management Resources:

WEB SITES
CSBA: <http://www.csba.org>
California Department of Education: <http://www.cde.ca.gov>
U.S. Department of Education, Family Policy Compliance Office: <http://www.ed.gov/offices/OM/fpc>



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Students

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INTRADISTRICT OPEN ENROLLMENT

The Board of Education desires to provide enrollment options that meet the diverse needs and interests of district students and parents/guardians, while also balancing enrollment in order to maximize the efficient use of district facilities. The Superintendent or designee shall establish procedures for the selection and transfer of students among district schools in accordance with law, Board policy, and administrative regulation. The Board establishes an attendance area for each school in the district, including the boundaries of the area to be served and determines the capacity of the district's schools to accept transfers. The purpose of these attendance areas is to maintain a balance in enrollment and a balanced class size among all schools while avoiding excessive traffic hazards and walking distances.

(cf. 5117 - Interdistrict Attendance)

While the majority of students attend the schools serving the area in which they live, the district does recognize that this may create a hardship on families for various reasons. Therefore, the district allows parents to request that their child attend schools outside of their attendance area that may better meet the parents' preferences regarding educational program, emotional well-being, child care needs or other reasons.

The parents/guardians of any student who resides within district boundaries may apply to enroll their child in any district school, regardless of the location of residence within the district. (Education Code 35160.5)

(cf. 5111.1 - District Residency)

(cf. 5111.12 - Residency Based on Parent/Guardian Employment)

(cf. 5111.13 - Residency for Homeless Children)

The Board shall annually review this policy. (Education Code 35160.5, 48980)

The student selection process for intra-district attendance will be random and unbiased when a school receives admission requests that are in excess of the school's capacity and will be based on established priorities.

1. If a district school receiving Title I funds is identified for program improvement, corrective action, or restructuring, all students enrolled in that school shall be provided an option to transfer to another district school or charter school. (20 USC 6316)
2. If while on school grounds, a student becomes the victim of a violent criminal offense, as defined by the State Board of Education, or attends a school designated by the California Department of Education as persistently dangerous, he/she shall be provided an option to transfer to another district school or charter school.
3. Priority may be given to siblings of students already in attendance in that school.
4. Priority may be given to students whose parent/guardian is assigned to that school as his/her primary place of employment.
5. Enrollment decisions shall not be based on a student's academic or athletic performance except that existing entrance criteria for specialized schools or programs may be used provided that the criteria are uniformly applied to all applicants. Academic performance may be used to determine eligibility for, or placement in, programs for gifted and talented students.

Enrollment Priorities

No student currently residing within a school's attendance area shall be displaced by another student transferring from outside the attendance area. (Education Code 35160.5)

Policy Adopted: 02-21-07



(cf. 5116 - School Attendance Boundaries)

The Superintendent or designee shall grant priority to any district student to attend another district school, including a charter school, outside of his/her attendance area as follows:

1. Any student enrolled in a district school that has been identified on the state's Open Enrollment List. (Education Code 48354)

(cf. 5118 - Open Enrollment Act Transfers)

2. Any student enrolled in a district school receiving Title I funds that has been identified for program improvement (PI), corrective action, or restructuring. (20 USC 6316)

(cf. 0420.4 - Charter Schools)

(cf. 0520.2 - Title I Program Improvement Schools)

(cf. 6171 - Title I Programs)

3. Any student enrolled in a district school designated by the California Department of Education as "persistently dangerous." (20 USC 7912; 5 CCR 11992)

(cf. 0450 - Comprehensive Safety Plan)

4. Any student who is a victim of a violent crime while on school grounds. (20 USC 7912)
5. Upon a finding that special circumstances exist that might be harmful or dangerous to the student in the current attendance area. Special circumstances, include, but are not limited to, threats of bodily harm or threats to the emotional stability of the student. Any such student may transfer to a district school that is at capacity and otherwise closed to transfers.

To grant priority under these circumstances, the Superintendent or designee must have received either: (Education Code 35160.5)

- a. A written statement from a representative of an appropriate state or local agency, such as a law enforcement official, social worker, or a properly licensed or registered professional, such as a psychiatrist, psychologist, or marriage and family therapist
 - b. A court order, including a temporary restraining order and injunction
6. Any sibling of a student already in attendance in that school.

Application and Selection Process

In order to ensure that priorities for enrollment in district schools are implemented in accordance with law, applications for intradistrict open enrollment shall be submitted between the months of December and February of the school year preceding the school year for which the transfer is requested.

The Superintendent or designee shall calculate each school's capacity in a nonarbitrary manner using student enrollment and available space. (Education Code 35160.5)

Except for priorities listed above, the Superintendent or designee shall use a random, unbiased selection process to determine who shall be admitted whenever the school receives admission requests that are in excess of the school's capacity. (Education Code 35160.5)



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Enrollment decisions shall not be based on a student's academic or athletic performance, except that existing entrance criteria for specialized schools or programs may be used provided that the criteria are uniformly applied to all applicants. Academic performance may be used to determine eligibility for, or placement in, programs for gifted and talented students. (Education Code 35160.5)

(cf. 6172 - Gifted and Talented Student Program)

Transportation

Except as required by 20 USC 6316 for transfers out of Title I PI schools, the district shall not be obligated to provide transportation for students who attend school outside their attendance area.

(cf. 3250 - Transportation Fees)

(cf. 3540 - Transportation)

~~The Superintendent or designee shall establish procedures for the selection and transfer of students among district schools in accordance with law, Board policy, and administrative regulation.~~

Legal Reference:

EDUCATION CODE

200 Prohibition against discrimination

35160.5 District policies; rules and regulations

35291 Rules

35351 Assignment of students to particular schools

46600-46611 Interdistrict attendance agreements

48200 Compulsory attendance

48204 Residency requirements for school attendance

48300-48316 Student attendance alternatives, school district of choice program

48350-48361 Open Enrollment Act

48980 Notice at beginning of term

CODE OF REGULATIONS, TITLE 5

11992-11994 Definition of persistently dangerous schools

UNITED STATES CODE, TITLE 20

6316 Transfers from program improvement schools

7912 Transfers from persistently dangerous schools

CODE OF FEDERAL REGULATIONS, TITLE 34

200.36 Dissemination of information

200.37 Notice of program improvement status, option to transfer

200.39 Program improvement, transfer option

200.42 Corrective action, transfer option

200.43 Restructuring, transfer option

200.44 Public school choice, program improvement schools

200.48 Transportation funding for public school choice

COURT DECISIONS

Crawford v. Huntington Beach Union High School District, (2002) 98 Cal.App.4th 1275

ATTORNEY GENERAL OPINIONS

85 Ops.Cal.Atty.Gen. 95 (2002)

Management Resources:

Policy Adopted: 02-21-07



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U.S. DEPARTMENT OF EDUCATION NONREGULATORY GUIDANCE

Public School Choice, January 2009

Unsafe School Choice Option, May 2004

WEB SITES

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

California Department of Education, Unsafe School Choice Option:

<http://www.cde.ca.gov/ls/ss/se/usco.asp>

U.S. Department of Education, No Child Left Behind: <http://www.nclb.gov>



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Board Policy: #5131.62

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TOBACCO

The Board of Education recognizes that tobacco use presents serious health risks and desires to provide support and assistance in the prevention and intervention of tobacco use among youth.

(cf. 5131.6 - Alcohol and Other Drugs)
(cf. 5141.23 - Asthma Management)

Prohibition Against Tobacco Use

Students shall not **possess**, smoke or use tobacco, or any product containing tobacco or nicotine, while on campus, while attending school-sponsored activities, or while under the supervision and control of district employees. **Prohibited products include, but are not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel.** (Education Code 48901)

(cf. 3513.3 - Tobacco-Free Schools)
(cf. 5131 - Conduct)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

Students' possession or use of nicotine delivery devices, such as electronic cigarettes, is also prohibited.

These prohibitions do not apply to a student's possession or use of his/her own prescription products. (Education Code 48900, 48901)

Prevention Instruction

The district shall provide developmentally appropriate tobacco use prevention instruction for students **at selected grade levels** ~~from in grades~~ kindergarten through 12. Such instruction shall be aligned with state content standards and the state curriculum framework for health education and with any requirements of state and/or federal grant programs in which the district participates.

(cf. 6142.8 - Comprehensive Health Education)
(cf. 6143 - Courses of Study)

Intervention/Cessation Services

The district may refer students to counseling, intensive education, and other intervention services to assist in the cessation of tobacco use. When appropriate, such intervention services may be provided as an alternative to suspension for tobacco possession.

(cf. 1020 - Youth Services)
(cf. 5146 - Married/Pregnant/Parenting Students)
(cf. 5141.6 - School Health Services)
(cf. 6164.2 - Guidance/Counseling Services)

~~Information about smoking cessation programs shall be made available and encouraged for students and staff. (Health and Safety Code 104420)~~

~~*(cf. 4159/4259/4359 - Employee Assistance Programs)*~~



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Legal Reference:

EDUCATION CODE

48900 Suspension or expulsion (grounds)
48900.5 Suspension, limitation on imposition; exception
48901 Smoking or use of tobacco prohibited
51202 Instruction in personal and public health and safety

HEALTH AND SAFETY CODE

104350-104495 Tobacco use prevention education

PENAL CODE

308 Minimum age for tobacco possession

UNITED STATES CODE, TITLE 20

7111-7117 Safe and Drug-Free Schools and Communities Act

Management Resources:

CDE PUBLICATIONS

Getting Results: Developing Safe and Healthy Kids, 1998-99

CENTERS FOR DISEASE CONTROL PUBLICATIONS

Guidelines Related to School Health Programs to Prevent Tobacco Use and Addiction, 1994

NATIONAL ASSOCIATION OF STATE BOARDS OF EDUCATION PUBLICATIONS

Fit, Healthy, and Ready to Learn: A School Health Policy Guide, 2000

WEB SITES

CDE: <http://www.cde.ca.gov>

California Department of Health Services: <http://www.dhs.ca.gov>

U.S. Department of Education: <http://www.ed.gov>

U.S. Surgeon General: <http://www.surgeongeneral.gov>

Centers for Disease Control and Prevention: <http://www.cdc.gov>

National Association of State Boards of Education: <http://www.nasbe.org>



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BOARD POLICY DELETED – INFORMATION ADDED TO ADMINISTRATIVE REGULATION

IDENTIFICATION AND REPORTING OF MISSING CHILDREN

District personnel, including but not limited to teachers, administrators, school aides, school playground workers and school bus drivers, are encouraged to report missing children to a law enforcement agency in a timely manner in order to provide those children a necessary level of protection.

Legal Reference:

EDUCATION CODE

32390 – Voluntary program for fingerprinting students

38139 – Posting of information about missing children

48980 – Parental notification of district programs, rights and responsibilities

49068.5-49068.6 – Missing children; transfers

49370 – Legislative intent re: reporting of missing children

CODE OF REGULATIONS, TITLE 5

640-641 – Student fingerprinting program

Management Resources:

WEB SITES

Department of Justice/Attorney General's Office: <http://www.caag.state.ca.us/app>



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DISCIPLINE

The Board of Education desires to prepare students for responsible citizenship by fostering self-discipline and personal responsibility. The Board believes that high expectations for student behavior, effective classroom management and parent involvement can minimize the need for discipline. Staff shall use preventative measures and positive conflict resolution techniques whenever possible.

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 5137 - Positive School Climate)

(cf. 5138 – Conflict Resolution/Peer Mediation)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

(cf. 6020 - Parent Involvement)

Each school shall develop disciplinary rules to meet the school's particular needs.

At all times, the safety of students and staff and the maintenance of an orderly school environment shall be priorities in determining appropriate discipline. When misconduct occurs, staff shall attempt to identify the causes of the student's behavior and implement appropriate discipline. Persistently disruptive students may be assigned to alternative programs or removed from school in accordance with law, Board policy, and administrative regulation.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3515 - Campus Security)

(cf. 3515.3 - District Police/Security Department)

(cf. 4158/4258/4358 - Employee Security)

(cf. 5136 - Gangs)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

(cf. 6159.4 - Behavioral Interventions for Special Education Students)

(cf. 6164.5 - Student Success Teams)

(cf. 6184 - Continuation Education)

(cf. 6185 - Community Day School)

Staff shall enforce disciplinary rules fairly, consistently and **without discrimination in accordance with the district's nondiscrimination policies.**

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

(cf. 5145.3 - Nondiscrimination/Harassment)

~~The Superintendent or designee shall provide professional development as necessary to assist staff in developing classroom management skills, and implementing effective disciplinary techniques.~~

~~(cf. 4131 – Staff Development)~~

~~(cf. 4231 – Staff Development)~~

~~(cf. 4331 – Staff Development)~~

Legal Reference:

EDUCATION CODE

32280-32288 School safety plans

35146 Closed sessions

35291 Rules

35291.5-35291.7 School-adopted discipline rules

Policy Adopted: 02-21-07



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- 37223 Weekend classes
 - 44807.5 Restriction from recess
 - 48900-48926 Suspension and expulsion
 - 48980-48985 Notification of parent/guardian
 - 49000-49001 Prohibition of corporal punishment
 - 49330-49335 Injurious objects
 - CIVIL CODE
 - 1714.1 Parental liability for child's misconduct
 - CODE OF REGULATIONS, TITLE 5
 - 307 Participation in school activities until departure of bus
 - 353 Detention after school

Management Resources:

- CSBA PUBLICATIONS
- Maximizing Opportunities for Physical Activity during the School Day, Fact Sheet, 2009
- CALIFORNIA DEPARTMENT OF EDUCATION PROGRAM ADVISORIES
- Classroom Management: A California Resource Guide for Teachers and Administrators of Elementary and Secondary Schools, 2000
- STATE BOARD OF EDUCATION POLICIES
- 01-02 School Safety, Discipline, and Attendance, March 2001
- WEB SITES
- California Department of Education: <http://www.cde.ca.gov>
- U.S. Department of Education: <http://www.ed.gov>



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SEXUAL HARASSMENT

The Board of Education is committed to maintaining an educational environment that is free from harassment **and discrimination**. The Board prohibits sexual harassment of students by other students, employees or other persons, at school or at school-sponsored or school-related activities. The Board also prohibits retaliatory behavior or action against persons who complain, testify, assist or otherwise participate in the **district** complaint process established pursuant to this policy and the administrative regulation.

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

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

Instruction/Information

The Superintendent or designee shall ensure that all district students receive age-appropriate instruction and information on sexual harassment. Such instruction and information shall include:

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same **sex gender**
2. A clear message that students do not have to endure sexual harassment
3. Encouragement to report observed instances of sexual harassment, even where the victim of the harassment has not complained
4. ~~Information about the person(s) to whom a report of sexual harassment should be made~~ **Information about the district's procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made**

(cf. 5131.5 - Vandalism, Theft and Graffiti)

(cf. 5137 - Positive School Climate)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)

Complaint Process

Any student who feels that he/she is being or has been ~~subjected to sexual harassment~~ **sexually harassed by a school employee, another student, or a non-employee on school grounds or at a school-related activity (e.g., a visiting athlete or coach)** shall immediately contact his/her teacher or any other employee. ~~A school employee to whom a complaint is made shall report it to the principal or designee.~~ **An employee who receives such a complaint shall report it in accordance with administrative regulation.**

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 5141.4 - Child Abuse Prevention and Reporting)

The Superintendent or designee shall ensure that any complaints regarding sexual harassment are immediately investigated in accordance with administrative regulation. When the Superintendent or designee has determined that harassment has occurred, he/she shall take prompt, appropriate action to end the harassment and to address its effects on the victim.

~~Any school employee who observes any incident of sexual harassment involving a student shall report this observation to the principal or designee, whether or not the victim files a complaint.~~



~~In any case of sexual harassment involving the principal or any other district employee to whom the complaint would ordinarily be made, the employee who receives the student's report or who observes the incident shall report to the nondiscrimination coordinator or the Superintendent or designee.~~

~~(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)
(cf. 5141.4 - Child Abuse Reporting Procedures)
(cf. 5145.3 - Nondiscrimination/Harassment)~~

~~The principal or designee to whom a complaint of sexual harassment is reported shall investigate the complaint in accordance with administrative regulation. Where the principal or designee finds that sexual harassment occurred, he/she shall take prompt, appropriate action to end the harassment and address its effects on the victim. The principal or designee shall also advise the victim of any other remedies that may be available. The principal or designee shall refer the matter to law enforcement authorities, where required.~~

~~(cf. 1312.1 - Complaints Concerning District Employees)~~

Disciplinary Actions Measures

Any student who engages in sexual harassment of anyone at school or at a school-sponsored or school-related activity is in violation of this policy and ~~may~~ **shall** be subject to disciplinary action. For students in grades 4 through 12, disciplinary action may include suspension and/or expulsion, provided that in imposing such discipline the entire circumstances of the incident(s) shall be taken into account.

~~(cf. 5131 - Conduct)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))~~

Confidentiality and Record-Keeping

All complaints and allegations of sexual harassment shall be kept confidential except as necessary to carry out the investigation or take other subsequent necessary action. (5 CCR 4964)

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

The District ~~schools~~ **Superintendent or designee** shall maintain a record of all reported cases of sexual harassment to enable the ~~school site~~ **district** to **monitor**, address and prevent repetitive harassing behavior in its schools.

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

48900 Grounds for suspension or expulsion

48900.2 Additional grounds for suspension or expulsion; sexual harassment

48904 Liability of parent/guardian for willful student misconduct

48980 Notice at beginning of term

CIVIL CODE

51.9 Liability for sexual harassment; business, service and professional relationships

1714.1 Liability of parents/guardians for willful misconduct of minor

GOVERNMENT CODE

12950.1 Sexual harassment training

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform Complaint Procedures

4900-4965 Nondiscrimination in elementary and secondary education programs receiving state financial assistance

UNITED STATES CODE, TITLE 20

1681-1688 Title IX, Discrimination



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UNITED STATES CODE, TITLE 42

1983 Civil action for deprivation of rights

2000d-2000d-7 Title VI, Civil Rights Act of 1964

2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended

CODE OF FEDERAL REGULATIONS, TITLE 34

106.1-106.71 Nondiscrimination on the basis of sex in education programs

COURT DECISIONS

Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567

Flores v. Morgan Hill Unified School District, (2003, 9th Cir.) 324 F.3d 1130

Reese v. Jefferson School District, (2001) 208 F.3d 736

Davis v. Monroe County Board of Education, (1999) 526 U.S. 629

Gebser v. Lago Vista Independent School District, (1998) 118 S.Ct. 1989

Nabozny v. Podlesny, (1996, 7th Cir.) 92 F.3d 446

Doe v. Petaluma City School District, (1995, 9th Cir.) 54 F.3d 1447

Oona R.-S. etc. v. Santa Rosa City Schools et al, (1995) 890 F.Supp. 1452

Rosa H. v. San Elizario Ind. School District, (W.D. Tex. 1995) 887 F. Supp. 140, 143

Clyde K. v. Puyallup School District #3, (1994) 35 F.3d 1396

Patricia H. v. Berkeley Unified School District, (1993) 830 F.Supp. 1288

Franklin v. Gwinnet County Schools, (1992) 112 S. Ct. 1028

Kelson v. City of Springfield, Oregon, (1985, 9th Cir.) 767 F.2d 651

Management Resources:

OFFICE OF CIVIL RIGHTS AND NATIONAL ASSOCIATION OF ATTORNEYS GENERAL

Protecting Students from Harassment and Hate Crime: A Guide for Schools, January 1999

OFFICE OF CIVIL RIGHTS' PUBLICATIONS

Sexual Harassment: It's Not Academic, September 2008

Revised Sexual Harassment Guidance, January 2001

Sexual Harassment Guidance, March 1997

WEB SITES

OCR: <http://www.ed.gov/offices/OCR>



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QUESTIONING AND APPREHENSION BY LAW ENFORCEMENT

Law enforcement officers have the right to interview and question students on school premises. When such an interview is requested, the principal or designee shall ascertain the officer's identity, official capacity, and the authority under which he/she acts. If the officer needs to interview or question the student immediately, the principal or designee shall accommodate the process in a way that causes the least possible disruption to the school, gives the student appropriate privacy, and models exemplary cooperation with community law enforcement authorities.

Except in cases of child abuse or neglect, the principal or designee shall attempt to notify the student's parent/guardian as soon as practicable after law enforcement has interviewed the student on school premises. At law enforcement's discretion and with the student's approval, the principal or designee may be present during the interview. The student will be advised of this option.

If the law officer finds it necessary to remove the student from school, the principal or designee shall first ascertain the reason for such action. Upon releasing the student, the principal or designee shall immediately attempt to inform the student's parent/guardian. **When a principal or other school official releases a minor pupil to a peace officer for the purpose of removing the minor from the school premises, the school official shall take immediate steps to notify the parent, guardian, or responsible relative of the minor regarding the release of the minor to the officer, and regarding the place to which the minor is reportedly being taken, except when a minor has been taken into custody as a victim of suspected child abuse, as defined in Section 11165.6 of the Penal Code, or pursuant to Section 305 of the Welfare and Institutions Code. (Education Code 48906)**

Personnel responsible for releasing a student from school custody shall exercise extreme diligence to prevent such release to any unauthorized or unidentified person.

Subpoenas

Although subpoenas may legally be served at school **on students age 12 or older**, the Board believes that serving officials should be strongly urged to serve subpoenas at the home of the student whenever possible. In these situations, steps should be taken **to protect the student's privacy rights and to minimize to ensure a minimum of embarrassment or loss of class time for the student.**

Legal Reference:

EDUCATION CODE

44807 Duty concerning conduct of pupils

48264 Arrest of truants

48265 Delivery of truant

48902 Notice to law authorities

48906 Release of minor pupil to peace officers; notice to parent, guardian or relative

48909 Narcotics and other hallucinogenic drugs (re arrest)

PENAL CODE

830-832.8 re peace officers

833-851.85 re arrests

1328 Service of subpoena

CODE OF REGULATIONS, TITLE 5

303 Duty to remain at school

COURT DECISIONS

People v. Burton (1971) 6 Cal. 3d 375

In re Donaldson (1969) 269 Cal. App. 2d 509

Baines v. Brady (1953) 122 Cal. App. 2d 957, 960

In the matter of Paul P., 85 Daily Journal D.A.R. 2594

ATTORNEY GENERAL OPINIONS

54 Ops. Cal. Atty. Gen. 96 (1971)

34 Ops. Cal. Atty. Gen. 93 (1959)

32 Ops. Cal. Atty. Gen. 96 (1958)



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SCHOOL CALENDAR

For each school, the Governing Board shall adopt a calendar that meets the requirements of law as well as the needs of the community, students, and the work year in consultation with the district's employee organization(s). **As appropriate, the Superintendent or designee shall ensure that the proposed calendar is aligned with assessment and accountability schedules in order to support the district's goals for student achievement.**

(cf. 0200 - Goals for the School District)
(cf. 4143/4243 - Negotiations/Consultation)
(cf. 6162.51 - Standardized Testing and Reporting Program)
(cf. 6162.52 - High School Exit Examination)

The district calendar shall show the beginning and ending school dates, legal and local holidays, minimum days, vacation periods and other pertinent dates.

(cf. 6112 - School Day)
(cf. 6115 - Ceremonies and Observances)
(cf. 6117 - Year-Round Schedules)
(cf. 6177 - Summer School)

The district shall offer 180 days of instruction per school year, ~~unless the district and employee organization(s) have negotiated to reduce the days of instruction in any school year through 2012-13 pursuant to the authorization in Education Code 42605.~~ **except for any school year in which the district and employee organizations(s) agree to have fewer days of instruction pursuant to the authorization in Education Code 46201.2.**

(cf. 1431 - Waivers)

Staff development days shall not be counted as instructional days.

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

Notifications of the schedule of minimum days shall be sent to all parents/guardians at the beginning of the school year. If any minimum days are added to the schedule, the Superintendent or designee shall notify parents/guardians of the affected students as soon as possible and at least one month before the scheduled minimum day. (Education Code 48980)

(cf. 5145.6 - Parental Notifications)

If a school will be used as a polling place on an election day, the Board shall determine whether to continue school in session, designate the day for staff training and development, or close the school to students and nonclassified staff. (Elections Code 12283)

(cf. 1400 - Relations Between Governmental Agencies and the Schools)
(cf. 5113 - Absences and Excuses)

Legal Reference:

EDUCATION CODE
37200-37202 School calendar
37220-37223 Holidays

Policy Adopted: 05/03/07; 09/01/10



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37252-37253.5 Summer school
37300-37307 Year-Round School Demonstration Project
37600-37672 Continuous school programs: year-round schools, especially:
37618 School calendar
37700-37707 Four-day week
41422 Schools not maintained for 175 days
44579-44579.5 Instructional Time and Staff Development Reform Program
46200-46205 Incentives for longer instructional day and year
46206 Waiver
48980 Notice at beginning of term
ELECTIONS CODE
12283 School closures, election days

Management Resources:

WEB SITES

CDE: <http://www.cde.ca.gov>

Secretary of State's Office: <http://www.ss.ca.gov>



LIBRARY MEDIA CENTERS

The Governing Board recognizes that school library media centers support the educational program by providing access to a variety of informational resources. The Board desires to provide library media centers with up-to-date books, reference materials, and electronic information resources necessary to promote literacy, support students in achieving academic standards, and encourage students to become lifelong learners.

(cf. 0440 - District Technology Plan)
(cf. 6011 - Academic Standards)
(cf. 6161 - Equipment, Books and Materials)
(cf. 6163.4 - Student Use of Technology)
(cf. 7110 - Facilities Master Plan)

School libraries shall be open for use by students and teachers during the school day. (Education Code 18103)

~~The district's school libraries may provide: (5 CCR 16040)~~

- ~~1. Library instruction to students that enables them to become proficient users of library resources~~
- ~~2. Information to teachers and administrators concerning sources and availability of instructional materials that will aid in the development of school curriculum, and, in cooperation with classroom teachers, the development of instructional units and activities using library resources~~

~~*(cf. 6141 - Curriculum Development and Evaluation)*~~

- ~~3. Assistance to teachers and students in the evaluation, selection, production, and uses of instructional materials~~
- ~~4. A collection of materials and resources that support the curriculum and are appropriate for user needs~~
- ~~5. Assistance to teachers, administrators, and other school staff members in becoming knowledgeable about appropriate uses of library media services, materials, and equipment~~

~~*(cf. 4131 - Staff Development)*~~
~~*(cf. 4231 - Staff Development)*~~

~~The Superintendent or designee shall develop procedures for the selection and evaluation of library materials.~~

Library Plans

Whenever a school receives state funding for school and library improvement pursuant to Education Code 41570-41573, the school site council shall develop a single plan for student achievement which incorporates a districtwide plan for school libraries. (Education Code 41572)

~~*(cf. 0420 - School Plans/Site Councils)*~~

~~In developing the districtwide plan, the Superintendent or designee is encouraged to consult with school library media teachers, classroom teachers, administrators, parents/guardians, and students as appropriate in the development of the plan.~~

Classroom Libraries for Grades K-4

~~When state funding is available for library materials in grades K-4 classrooms, the Superintendent or designee shall develop, for certification by the Board, a districtwide classroom library plan grades K-4. The plan shall include a means of preventing loss, damage, or destruction of the materials. (Education Code 60242, 60422)~~

~~*(cf. 6161.2 - Damaged or Lost Instructional Materials)*~~

Policy Adopted: 05-03-07



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Selection and Evaluation of School Library Materials

Responsibility for the selection of library materials is delegated to the professional library staff through the principal. School librarians shall evaluate materials, using professional selection aids and standards, in accordance with law, Board policy, and administrative regulation. The selection process shall invite recommendations from administrators, teachers, other staff, **parents/guardians**, and students as appropriate.

(cf. 6144 - Controversial Issues)

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

(cf. 6161.11 - Supplementary Instructional Materials)

Library materials should be continually evaluated in relation to evolving curricula, new formats of materials, new instructional methods, and the needs of students and teachers. Materials that contain obsolete subject matter or are no longer appropriate shall be removed, and lost or worn materials may be replaced if possible.

(cf. 3270 - Sale and Disposal of Books, Equipment and Supplies)

All gifts and donations of school library materials shall be subject to the same criteria as materials selected for purchase by the district.

(cf. 3290 - Gifts, Grants and Bequests)

Complaints regarding the appropriateness of library materials shall be addressed using the district's procedures for complaints regarding instructional materials.

(cf. 1312.2 - Complaints Concerning Instructional Materials)

Fees

Students shall be allowed to borrow school library materials at no charge for use in the library and classrooms as well as out of school. (5 CCR 16042)

(cf. 3260 - Fees and Charges)

No charge shall be assessed for the late return of materials. A charge may be assessed for lost or damaged materials.

(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)

Reports

The district shall, on or before August 31 each year, report to the California Department of Education on the condition of its school libraries for the preceding year ending June 30. (Education Code 18122)

Legal Reference:

EDUCATION CODE

1703 Coordination of district library services by county superintendent

1770-1775 Provision of library services by county superintendent

18100-18203 School libraries

18300-18571 Union high school district/unified school district library district

19335-19336 Reading Initiative Program; recommended books

41570-41573 School and Library Improvement Block Grant

42605 Tier 3 categorical flexibility



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44868-44869 Qualifications and employment of library media teachers
45340-45349 Instructional aides
60119 Sufficiency of textbooks and instructional materials; public hearing
60240-60251.5 State Instructional Materials Fund, purchase of classroom library materials
60420-60424 Instructional Materials Funding Realignment Program
REPEALED EDUCATION CODE FOR CATEGORICAL PROGRAMS
18181 Districtwide library plan
52012 Establishment of school site council
52014-52015 School plans
CODE OF REGULATIONS, TITLE 5
16040-16043 School libraries
80053 Library media service teaching credential
UNITED STATES CODE, TITLE 20
6383 Improving Literacy Through School Libraries grant program

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
School Library Program Standards, September 2010
School Library Standards for Students, September 2010
Check It Out! Assessing School Library Media Programs, 1998
Recommended Literature: Kindergarten Through Grade Twelve
CALIFORNIA SCHOOL LIBRARY ASSOCIATION PUBLICATIONS
Standards and Guidelines for Strong School Libraries, 2004
WEB SITES
American Library Association: <http://www.ala.org>
California Department of Education, School Libraries: <http://www.cde.ca.gov/ci/cr/lb>
California Library Association: <http://www.cla-net.org>
California School Library Association: <http://www.csla.net>



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ANIMALS AT SCHOOL

The Board of Education recognizes that animals can be an effective teaching aid. **contribute to the district's instructional program by being effective teaching aides to students and by assisting individuals with disabilities to access district programs and activities.** In addition, instruction related to the care and treatment of animals teaches students a sense of responsibility and promotes the humane treatment of living creatures.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 6142.4 - Service Learning/Community Service Classes)
(cf. 6159 - Individualized Education Program)
(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)
(cf. 6164.6 - Identification and Education Under Section 504)

~~Animals may be brought to school for educational purposes, subject to rules and precautions specified in administrative regulations related to health, safety and sanitation. Teachers shall ensure that these rules and precautions are observed so as to protect both the students and animals.~~

~~Seeing-eye dogs and service dogs may accompany students and staff at school as needed.~~

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

~~The district assumes no liability for the safety of animals voluntarily brought to school.~~

~~*(cf. 5141 - Health Care and Emergencies)*
(cf. 5141.1 - Accidents)
(cf. 5141.23 - Infectious Disease Prevention)~~

The Superintendent or designee shall develop rules and procedures to ensure that when animals are brought to school, the health, safety, and welfare of students, staff, and the animals are protected. However, the district assumes no liability for the safety of animals allowed on district property.

(cf. 3320 - Claims and Actions Against the District)
(cf. 3530 - Risk Management/Insurance)
(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)
(cf. 5141.23 - Asthma Management)

Legal Reference:

EDUCATION CODE
233.5 Instruction in kindness to pets and humane treatment of living creatures
39839 Transportation of guide dogs, signal dogs, service dogs
51202 Instruction in personal and public health and safety
51540 Safe and humane treatment of animals at school
CIVIL CODE
54.1 Access to public places
54.2 Guide, signal, or service dogs, right to accompany
GOVERNMENT CODE
810-996.6 California Tort Claims Act, especially:
815 Liability for injuries generally; immunity of public entity
835 Conditions of liability
VEHICLE CODE
21113 Public grounds
CODE OF REGULATIONS, TITLE 13
1216 Transportation of property
UNITED STATES CODE, TITLE 20

Policy Adopted: 05-03-07



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1400-1482 *Individuals with Disabilities Education Act*
UNITED STATES CODE, TITLE 29
794 *Rehabilitation Act of 1973, Section 504*
CODE OF FEDERAL REGULATIONS, TITLE 28
35.104 *Definitions*
35.136 *Service animals*
COURT DECISIONS
Sullivan v. Vallejo City USD, (1990) 731 F.Supp. 947

Management Resources:

FEDERAL REGISTER
Rules and Regulations, September 15, 2010, Vol. 75, Number 178, pages 56164-56236
CSBA PUBLICATIONS
Indoor Air Quality: Governing Board Actions for Creating Healthy School Environments, Policy Brief, July 2008
Asthma Management in the Schools, Policy Brief, March 2008
WEB SITES:
CSBA: <http://www.csba.org>
American Society for the Prevention of Cruelty to Animals: <http://www.asPCA.org>
Humane Society of the United States: <http://www.hsus.org>
U.S. Department of Education, Office of Civil Rights: <http://www.ed.gov/about/offices/list/ocr>



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NAMING OF FACILITY

The Governing Board shall **may** name **district** schools or **individual buildings** and **other district-owned or leased buildings, grounds, and facilities** in recognition of:

1. Individuals, living or deceased, **and entities** who have made outstanding contributions, **including financial contributions, to the school community** ~~to the county or community,~~
2. Individuals, living or deceased, who have made contributions of state, national or worldwide significance
3. The geographic area in which the school or building is located

The Board encourages community participation in the process of selecting names. A citizen advisory committee may be appointed to review name suggestions and submit recommendations for the Board's consideration.

(cf. 1220 - Citizen Advisory Committees)

Any name adopted for any new school shall not be so similar to the name of any existing district school as to result in confusion to members of the community.

The renaming of existing schools or major facilities shall occur only under extraordinary circumstances and after thorough study.

~~When naming or renaming a district school, building, or facility, the Board may specify the duration for which the name shall be in effect.~~

Memorials

~~Upon request, the Board shall consider naming buildings, parts of buildings or athletic fields in honor of the contributions of students, staff members and community members who have been deceased for at least one year.~~

Upon request, the Board shall consider planting commemorative trees, erecting monuments, or dedicating buildings, parts of buildings, athletic fields, gardens, or other district facilities, in memory of deceased students, staff members, community members, and benefactors of the district.

Naming Rights

The Board may grant to any person or entity the right to name any district building or facility. In doing so, the Board shall enter into a written agreement which shall:

1. **Specify the benefits to the district from entering into the agreement**
2. **State the roles and responsibilities of the parties to the agreement, including whether or not the Board shall retain the power to approve any proposed name**
3. **Provide details related to the naming right granted, including the building, grounds, or facility involved and the duration for which the name shall be in effect**
4. **Prohibit any message, image, or other depiction that advocates or endorses the use of drugs, tobacco, or alcohol, encourages unlawful discrimination against any person or group, or promotes the use of violence or the violation of any law or district policy**

Policy Adopted: 01/17/07



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(cf. 0410 - Nondiscrimination in District Programs/Activities)
 (cf. 1325 - Advertising/Promotions)
 (cf. 3290 - Gifts, Grants and Bequests)

5. Reserve the authority to terminate the naming right if it determines that the grantee, subsequent to receiving the naming right, has engaged in any of the prohibited acts stated in item #4 above or other criminal or unlawful acts that might bring the district into disrepute

Legal Reference:

EDUCATION CODE

35160 Authority of governing boards



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#9140

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BOARD REPRESENTATIVES

The Governing Board recognizes that effective performance of its community leadership responsibilities may require its participation in district or community committees on matters of concern to the district and its students. The Board of Education may appoint any of its members to serve as its representatives on district committees or advisory committees of other public agencies or organizations. Due to open meeting law requirements, a majority of the Board shall not be appointed to serve on the same committee.

- (cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
- (cf. 1700 - Relations Between Private Industry and the Schools)
- (cf. 9000 - Role of the Board)
- (cf. 9130 - Board Committees)
- (cf. 9270 - Conflict of Interest)
- (cf. 9320 - Meetings and Notices)

When making such appointments, the Board shall clearly specify, on a case-by-case basis, what the authority and responsibilities are involved. **of the representative(s), including, but not limited to, reporting back to the Board regarding committee activities and/or actions.** Board representatives shall not grant district support or endorsement for any activity without prior Board approval.

- (cf. 9005 - Governance Standards)
- (cf. 9200 - Limits of Board Member Authority)

If a committee discusses a topic on which the Board has taken a position, the Board member may express that the position as a representative of the Board. When contributing individual ideas or opinions on other topics, he/she shall make it clear that he/she is speaking as an individual, not on behalf of the Board.

- (cf. 1220 - Citizen Advisory Committees)
- (cf. 9010 - Public Statements)

The Board shall provide the representative with nominees to this committee.

Legal Reference:

EDUCATION CODE

- 4000-4014 County committees on school district organization
- 35020-35046 School district officers and agents (power of governing board to employ or appoint)
- 35160 Authority of governing boards

GOVERNMENT CODE

- 54952.2 Meetings

Bylaw adopted: 11/16/05

CHICO UNIFIED SCHOOL DISTRICT
 Chico, California



ACTIONS BY THE BOARD

The Board of Education shall act by a majority vote of all of the membership constituting the Board, unless otherwise required by law. (Education Code 35164)

An "action" by the Board means: (Government Code 54952.6)

1. A collective decision by a majority of the Board members
2. A collective commitment or promise by a majority of the members to make a positive or negative decision
3. A vote by a majority of the members when sitting as the Board upon a motion, proposal, resolution, order or ordinance

The Board shall not take action by secret ballot, whether preliminary or final. (Government Code 54953)

Actions taken by the Board in open session shall be recorded in the Board minutes. (Education Code 35145)

Action on Non-Agenda Items

The Board may take action in a regular meeting on a subject not listed on the published agenda only when it publicly identifies the item to be acted upon in conjunction with one of the following circumstances: (Government Code 54954.2)

1. The Board, by majority vote of its members, determines that the action responds to an emergency situation, as defined for emergency meetings pursuant to Government Code 54956.5.
2. The Board determines, either by a two-thirds majority vote of the members present at the meeting or, if less than two-thirds of the members are present, by a unanimous vote of all members present, that the need to take immediate action came to the district's attention after the posting of the agenda.
3. The matter was properly posted for a previous meeting occurring not more than five days earlier and was continued to the meeting at which action is being taken.

Challenging Board Actions

Any demand by the district attorney's office or any interested person to correct a Board action shall be presented to the Board in writing within 90 days of the date when the action was taken. Such demand shall allege a violation of any of the following: (Government Code 54960.1)

1. Government Code 54953, regarding open meeting and teleconferencing
2. Government Code 54954.2, regarding agenda posting
3. Government Code 54954.5, regarding closed session item descriptions
4. Government Code 54954.6, regarding new or increased tax assessments
5. Government Code 54956, regarding special meetings
6. Government Code 54956.5, regarding emergency meetings

If the alleged violation concerns action taken in an open session but in violation of Government Code 54954.2 (agenda posting), the written demand must be made within 30 days of the date when the alleged action took place. (Government Code 54960.1)

Any demand to "cure and correct" an alleged violation shall clearly describe the challenged action and the nature of the alleged violation and shall be presented to the Board in writing within 90 days of the date when the action was taken. (Government Code 54960.1)

Within 30 days of receiving the demand, the Board shall cure or correct the challenged action and inform the demanding party in writing of its actions to cure or correct. If the Board decides to not cure or correct the



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challenged action, the demanding party shall be informed in writing of that decision. (Government Code 54960.1)

If the Board takes no action within the 30-day review period, its inaction shall be considered a decision not to cure or correct the action. (Government Code 54960.1)

Legal Reference:

EDUCATION CODE

15266 School construction bonds
17466 Declaration of intent to sell or lease real property
17481 Lease of property with residence for nondistrict purposes
17510-17511 Resolution requiring unanimous vote of all members constituting board
17546 Private sale of personal property
17556-17561 Dedication of real property
17582-17583 District deferred maintenance fund
35140-35149 Meetings
35160-35178.4 Powers and duties
48660-48661 Community day schools establishment and restrictions

CODE OF CIVIL PROCEDURE

425.16 Special motion to strike in connection with a public issue
1245.240 Eminent domain vote requirements
1245.245 Eminent domain, resolution adopting different use

GOVERNMENT CODE

53090-53097.5 Regulation of local agencies by counties and cities
53724 Parcel tax resolution requirements
53790-53792 Exceeding the budget
53820-53833 Temporary borrowing
53850-53858 Temporary borrowing
54950-54963 The Ralph M. Brown Act, especially:
54952.6 Action taken, definition
54953 Meetings to be open and public; attendance; secret ballots
54960 Action to prevent violations
65352.2 Coordination with planning agency

PUBLIC CONTRACT CODE

3400 Bid specifications
20111 Contracts over \$50,000; contracts for construction; award to lowest responsible bidder
20113 Emergencies, award of contracts without bids

COURT DECISIONS

Los Angeles Times Communications LLC v. Los Angeles County Board of Supervisors, (2003) 112 Cal.App.4th 1313
McKee v. Orange Unified School District, (2003) 110 Cal.App.4th 1310
Bell v. Vista Unified School District, (2002) 82 Cal.App.4th 672
Boyle v. City of Redondo Beach, (1999) 70 Cal.App.4th 1109

Management Resources:

CSBA PUBLICATIONS

The Brown Act: School Boards and Open Meeting Laws, 2009

ATTORNEY GENERAL PUBLICATIONS

The Brown Act: Open Meetings for Local Legislative Bodies, 2003

LEAGUE OF CALIFORNIA CITIES PUBLICATIONS

Open and Public IV: A Guide to the Ralph M. Brown Act, 2007

WEB SITES

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

California Attorney General's Office: <http://www.caag.state.ca.us>

Institute of Local Government: <http://www.ca-ilg.org>

Bylaw adopted: 11/16/05