



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

**Board Policy:**

**#0200**

**Section: 0000**

**Philosophy, Goals,  
Objectives and  
Comprehensive  
Plans  
Page 1 of 2**

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## **Goals For The School District**

As part of the Governing Board's responsibility to set direction for the school district, the Board shall adopt a Local Control Accountability Plan (LCAP) which includes long-term goals focused on the achievement of all district students.

(cf. 0000 - Vision)  
(cf. 0100 - Philosophy)  
(cf. 9000 - Role of the Board)

In developing goals and identifying strategies to achieve those goals, the Board and Superintendent shall solicit input and review from key stakeholders. The Board shall also review and consider quantitative and/or qualitative data, including data disaggregated by student subgroup and school site, to ensure that district goals are aligned with student needs.

The LCAP shall include a description of each goal, one or more of the state or local priorities addressed by the goal, any student subgroup(s) or school site(s) to which the goal is applicable, and expected progress toward meeting the goal for the term of the LCAP and in each year. (5 CCR 15497)

Each year the district's update to the LCAP shall review progress toward the goals and describe any changes to the goals. (Education Code 52060-52061)

(cf. 0500 - Accountability)  
(cf. 6190 - Evaluation of the Instructional Program)

### **Legal Reference:**

#### **EDUCATION CODE**

17002 State School Building Lease-Purchase Law, including definition of good repair  
42238.01-42238.07 Local control funding formula  
44258.9 County superintendent review of teacher assignment  
51002 Local development of programs based on stated philosophy and goals  
51020 Definition of goal  
51021 Definition of objective  
51041 Evaluation of the educational program  
51210 Course of study for grades 1-6  
51220 Course of study for grades 7-12  
52050-52059 Public Schools Accountability Act, especially:  
52052 Academic Performance Index; numerically significant student subgroups  
52060-52077 Local control and accountability plan  
60119 Sufficiency of textbooks and instructional materials; hearing and resolution  
64000-64001 Consolidated application process  
**CODE OF REGULATIONS, TITLE 5**  
15497 Local control and accountability plan template  
**UNITED STATES CODE, TITLE 20**  
6311 Accountability, adequate yearly progress  
6312 Local educational agency plan



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**Board Policy:**

**#0200**

**Section: 0000**

**Philosophy, Goals,  
Objectives and  
Comprehensive  
Plans  
Page 2 of 2**

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**Management Resources:**

***CSBA PUBLICATIONS***

*State Priorities for Funding: The Need for Local Control and Accountability Plans, Fact Sheet, August 2013*

***WEB SITES***

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

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



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## NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES

The Board of Education is committed to **providing** equal opportunity for all individuals in education. District programs, activities, and practices shall be free from discrimination based on race, color, ancestry, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity or expression, or genetic information; the perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics.

(cf. 4030 - Nondiscrimination in Employment)  
(cf. 4032 - Reasonable Accommodation)  
**(cf. 4033 - Lactation Accommodation)**  
(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)  
**(cf. 4161.8/4261.8/4361.8 - Family Care and Medical Leave)**  
(cf. 5131.2 – Bullying)  
(cf. 5145.3 - Nondiscrimination/Harassment)  
(cf. 5145.7 - Sexual Harassment)  
(cf. 5146 - Married/Pregnant/Parenting Students)  
(cf. 6145.2 - Athletic Competition)  
(cf. 6164.4 - Identification of Individuals for Special Education)  
(cf. 6164.6 - Identification and Education under Section 504)  
(cf. 6178 – Career Technical Education)  
(cf. 6200 – Adult Education)

**The District shall ensure that district programs and activities do not unlawfully prevent an individual or group in any of the protected categories from accessing district programs and activities, including the use of facilities.**

**(cf. 1330 - Use of Facilities)**

Pursuant to 34 CFR 104.8 and 34 CFR 106.9, the Superintendent or designee shall notify students, parents/guardians, employees, employee organizations, applicants for admission and employment, and sources of referral for applicants about the district's policy on nondiscrimination and related complaint procedures. ~~Such notification shall be included in each announcement, bulletin, catalog, application form, or other recruitment materials distributed to these groups.~~

(cf. 1312.3 - Uniform Complaint Procedures)  
(cf. 4031 - Complaints Concerning Discrimination in Employment)  
(cf. 4112.9/4212.9/4312.9 - Employee Notifications)  
(cf. 5145.6 - Parental Notifications)

The district's nondiscrimination policy and related informational materials shall be published in a format that parents/guardians can understand and, when required by law, in a language other than English.

### Access for Individuals with Disabilities

District programs and facilities, viewed in their entirety, shall be in compliance with the Americans with Disabilities Act **and any implementing standards and/or regulations.**

(cf. 6163.2 - Animals at School)  
(cf. 7110 - Facilities Master Plan)  
(cf. 7111 - Evaluating Existing Buildings)



## **Chico Unified School District**

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

**Board Policy:**

**#0410**

**Section: 0000**

**Philosophy/Goals/  
Objectives and  
Comprehensive  
Plans  
Page 2 of 3**

The ADA requires districts to provide services and aids to ensure that a disabled individual is not excluded from participation or denied a benefit, service, or program on the basis of a disability. However, if the district can show that providing such aids and services would fundamentally alter the nature of the function, program, or meeting or would be an undue burden, then the district need not provide them. (28 CFR 35.130 and 35.160)

The Superintendent or designee shall ensure that the district provides auxiliary aids and services when necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program or activity. These aids and services may include, but are not limited to, qualified interpreters or readers, assistive listening devices, notetakers, written materials, taped text, and Braille or large print materials.

(cf. 6020 - Parent Involvement)

Individuals with disabilities shall notify the Superintendent or principal if they have a disability that requires special assistance or services. Reasonable notification should be given prior to the school-sponsored function, program or meeting.

(cf. 9320 - Meetings and Notices)

(cf. 9322 - Agenda/Meeting Materials)

### **Legal Reference:**

#### **EDUCATION CODE**

200-262.4 Prohibition of discrimination

48985 Notices to parents in language other than English

51007 Legislative intent: state policy

#### **GOVERNMENT CODE**

11000 Definitions

11135 Nondiscrimination in programs or activities funded by state

11138 Rules and regulations

12900-12996 Fair Employment and Housing Act

54953.2 Brown Act compliance with Americans with Disabilities Act

#### **PENAL CODE**

422.55 Definition of hate crime

422.6 Interference with constitutional right or privilege

#### **CODE OF REGULATIONS, TITLE 5**

4600-4687 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

#### **UNITED STATES CODE, TITLE 20**

1400-1482 Individuals with Disabilities in Education Act

1681-1688 Discrimination based on sex or blindness, Title IX

2301-2415 Carl D. Perkins Vocational and Applied Technology Act

6311 State plans

6312 Local education agency plans

#### **UNITED STATES CODE, TITLE 29**

794 Section 504 of the Rehabilitation Act of 1973

#### **UNITED STATES CODE, TITLE 42**

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

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

2000h-2000h-6 Title IX

12101-12213 Americans with Disabilities Act

#### **CODE OF FEDERAL REGULATIONS, TITLE 28**

35.101-35.190 Americans with Disabilities Act

36.303 Auxiliary aids and services



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**Board Policy:**

**#0410**

**Section: 0000**

**Philosophy/Goals/  
Objectives and  
Comprehensive  
Plans  
Page 3 of 3**

---

### **CODE OF FEDERAL REGULATIONS, TITLE 34**

100.1-100.13 *Nondiscrimination in federal programs, effectuating Title VI*

104.1-104.39 *Section 504 of the Rehabilitation Act of 1973*

106.1-106.61 *Discrimination on the basis of sex, effectuating Title IX, especially:*

106.9 *Dissemination of policy*

### **Management Resources:**

#### **CSBA PUBLICATIONS**

*Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014*

*Interim Guidance Regarding Transgender Students, Privacy, and Facilities, September 27, 2013*

*Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011*

#### **U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS**

*Notice of Non-Discrimination, January 1999*

*Protecting Students from Harassment and Hate Crime, January 1999*

*Nondiscrimination in Employment Practices in Education, August 1991*

#### **U.S. DEPARTMENT OF JUSTICE PUBLICATIONS**

*2010 ADA Standards for Accessible Design, September 2010*

#### **WEB SITES**

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

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

Safe Schools Coalition: <http://www.safeschoolscoalition.org>

Pacific ADA Center: <http://www.adapacific.org>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

U.S. Department of Justice, Civil Rights Division, Americans with Disabilities Act: <http://www.ada.gov>



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## **Charter School Revocation**

The Governing Board expects any charter school authorized by the Board to provide a sound educational program that promotes student learning and to comply with law and the terms of its charter. However, when necessary, the Board may revoke a charter before the date it is due to expire.

(cf. 0420.4 - Charter School Authorization)  
(cf. 0420.41 - Charter School Oversight)  
(cf. 0420.42 - Charter School Renewal)  
(cf. 0500 - Accountability)

The Board may revoke a charter before the date it is due to expire whenever ~~it~~ **the Board** makes a written factual finding, supported by substantial evidence, that the charter school has done any of the following: (Education Code 47607)

1. Committed a material violation of any of the conditions, standards, or procedures set forth in the charter
2. Failed to meet or pursue any of the student outcomes identified in the charter
3. Failed to meet generally accepted accounting principles or engaged in fiscal mismanagement
4. Violated any provision of law

The Board shall also consider revocation of a charter whenever the California Collaborative for Educational Excellence (CCEE), after providing advice and assistance to the charter school pursuant to Education Code 47607.3, submits to the Board either of the following findings: (Education Code 47607.3)

1. That the charter school has failed or is unable to implement the recommendations of the CCEE
2. That the inadequate performance of the charter school, as based on an evaluation rubric adopted by the State Board of Education (SBE), is so persistent or acute as to require revocation of the charter

In determining whether to revoke a charter, the Board shall consider increases in student academic achievement for all "numerically significant" groups of students served by the charter school, as defined in Education Code 52052, as the most important factor. (Education Code 47607, 47607.3)

At least 72 hours prior to any Board meeting at which the Board will consider issuing a Notice of Violation, the Board shall provide the charter school with notice and all relevant documents related to the proposed action. (5 CCR 11968.5.2)

(cf. 9320 - Meetings and Notices)

If the Board takes action to issue a Notice of Violation, it shall deliver the Notice of Violation to the charter school's governing body. The Notice of Violation shall identify: (Education Code 47607; 5 CCR 11965, 11968.5.2)

1. The charter school's alleged violation(s).
2. All evidence relied upon by the Board in determining that the charter school committed the alleged violation(s), including the date and duration of the alleged violation(s). The Notice shall show that the **each alleged** violation(s) ~~are~~ **is** both material and uncured and that ~~the alleged violation(s) it~~ occurred within a reasonable period of time before the Notice of Violation is issued.



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**Board Policy:**

**#0420.43**

**Section: 0000**

**Philosophy/Goals/  
Objectives and  
Comprehensive  
Plans  
Page 2 of 3**

3. The period of time that the Board has concluded is a reasonable period of time for the charter school to remedy or refute the identified violation(s). In identifying this time period, the Board shall consider the amount of time reasonably necessary to remedy each identified violation, which may include the charter school's estimation as to the anticipated remediation time.

By the end of the remedy period identified in the Notice of Violation, the charter school's governing body may submit to the Board a detailed written response and supporting evidence addressing each identified violation, including the refutation, remedial action taken, or proposed remedial action. (5 CCR 11968.5.2)

Within 60 calendar days of the conclusion of the remedy period, the Board shall evaluate any response and supporting evidence provided by the charter school's governing body and shall take one of the following actions: (5 CCR 11968.5.2)

1. Discontinue revocation of the charter and provide timely written notice of such action to the charter school's governing body
2. If there is substantial evidence that the charter school has failed to remedy or refute to the Board's satisfaction a violation identified in the Notice of Violation, continue revocation of the charter by issuing a Notice of Intent to Revoke to the charter school's governing body

If the Board issues a Notice of Intent to Revoke, it shall hold a public hearing concerning the revocation on the date specified in the notice, which shall be no later than 30 days after providing the notice. Within 30 calendar days after the public hearing, or within 60 calendar days if extended by written mutual agreement of the Board and the charter school, the Board shall issue a final decision to revoke or decline to revoke the charter. (Education Code 47607; 5 CCR 11968.5.2)

If the Board fails to meet the timelines specified above for issuing a Notice of Intent to Revoke or a final decision, the revocation process shall be deemed terminated. (5 CCR 11968.5.2)

Within 10 calendar days of the Board's final decision, the Superintendent or designee shall provide a copy of the final decision to the California Department of Education (CDE) and the County Board of Education. (Education Code 47604.32; 5 CCR 11968.5.2)

### **Severe and Imminent Threat**

The procedures specified above shall not be applicable when the Board determines, in writing, that any violation under Education Code 47607 constitutes a severe and imminent threat to the health or safety of students. In such circumstances, the Board may immediately revoke the school's charter by approving and delivering a Notice of Revocation by Determination of a Severe and Imminent Threat to Pupil Health or Safety to the charter school's governing body, the County Board, and the CDE. (Education Code 47607; 5 CCR 11968.5.3)

### **Appeals**

In the event that the Board revokes the charter, the charter school may, within 30 days of the Board's final decision, appeal the revocation to the County Board. Either the charter school or the district may subsequently appeal the County Board's decision to the SBE. However, a revocation based upon the findings of the CCEE pursuant to Education Code 47607.3 may not be appealed. (Education Code 47607, 47607.3; 5 CCR 11968.5.3-11968.5.5)



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**Board Policy:**

**#0420.43**

**Section: 0000**

**Philosophy/Goals/  
Objectives and  
Comprehensive  
Plans  
Page 3 of 3**

---

**Legal Reference:**

**EDUCATION CODE**

*47600-47616.7 Charter Schools Act of 1992, especially:*

*47607 Charter renewals and revocations*

*52052 Numerically significant student subgroups; definition*

**CODE OF REGULATIONS, TITLE 5**

*11960-11969 Charter schools, especially:*

*11968.5-11968.5.5 Charter revocations*

**COURT DECISIONS**

*Today's Fresh Start, Inc. v. Los Angeles County Office of Education, (2013) 57 Cal.4th 197*

**Management Resources:**

**CSBA PUBLICATIONS**

*The Role of the Charter School Authorizer, Online Course*

*Charter Schools: A Manual for Governance Teams, rev. 2012*

**WEB SITES**

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

*California Charter Schools Association: <http://www.calcharters.org>*

*California Department of Education, Charter Schools: <http://www.cde.ca.gov/sp/cs>*

*National Association of Charter School Authorizers: <http://www.qualitycharters.org>*

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





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## **ADMINISTRATIVE LEEWAY IN ABSENCE OF BOARD OF EDUCATION POLICY**

~~Through Board of Education policy, the Board tries to anticipate critical policy issues that may affect district students and operations. However, the Board recognizes that questions may arise in the day-to-day operations of the schools that are not addressed in Board policy or administrative regulations. When resolution of such issues demands timely action, the Superintendent or designee shall have the authority to act on behalf of the district.~~

~~(cf. 2110 – Superintendent Responsibilities and Duties)  
(cf. 0000 – Role of the Board)  
(cf. 0311 – Board Policies)~~

~~If the matter involves a policy decision where controversy is foreseeable, or a matter that has a significant impact on student learning or safety, the Superintendent or designee shall notify the Board as soon as practicable after its occurrence. The Board president and the Superintendent shall schedule a review of the action at the next regular Board meeting. If the action indicates the need for additions or revisions to Board policies, the Superintendent or designee shall make the necessary recommendations to the Board.~~

### **Tier 3 Categorical Flexibility**

~~The Board has determined that it is in the best interest of the district to utilize the categorical program flexibility authorized by Education Code 42605. In accordance with Education Code 42605, for the 2008-09 through 2012-13 fiscal years, the Superintendent may suspend statutory or regulatory program and funding requirements for Tier 3 categorical programs reflected in any of the district's Board policies, administrative regulations, bylaws, or exhibits to the extent that such suspension does not affect the terms of any existing district contract or bargaining agreement.~~

~~(cf. 0420 – School Plans/Site Councils)  
(cf. 0420.1 – School-Based Program Coordination)  
(cf. 0520.1 – High Priority Schools Grant Program)  
(cf. 1220 – Citizen Advisory Committees)  
(cf. 1312.4 – Williams Uniform Complaint Procedures)  
(cf. 3110 – Transfer of Funds)  
(cf. 3111 – Deferred Maintenance Funds)  
(cf. 4111 – Recruitment and Selection)  
(cf. 4112.2 – Certification)  
(cf. 4112.21 – Interns)  
(cf. 4113 – Assignment)  
(cf. 4117.14/4317.14 – Postretirement Employment)  
(cf. 4131 – Staff Development)  
(cf. 4131.1 – Beginning Teacher Support/Induction)  
(cf. 4138 – Mentor Teachers)  
(cf. 4139 – Peer Assistance and Review)  
(cf. 4231 – Staff Development)  
(cf. 4331 – Staff Development)  
(cf. 5123 – Promotion/Acceleration/Retention)  
(cf. 5136 – Ganges)  
(cf. 5141.32 – Health Screening for School Entry)  
(cf. 5145.6 – Parental Notifications)  
(cf. 5146 – Married/Pregnant/Parenting Students)  
(cf. 5147 – Dropout Prevention)  
(cf. 5148.1 – Childcare Services for Parenting Students)  
(cf. 5149 – At-Risk Students)  
(cf. 6111 – School Calendar)  
(cf. 6141.5 – Advanced Placement)  
(cf. 6142.6 – Visual and Performing Arts Education)  
(cf. 6142.91 – Reading/Language Arts Instruction)~~



## **Chico Unified School District**

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

Board Policy:

#2210

Section: 2000

Administration

Page 2 of 3

---

~~(cf. 6142.94 - History-Social Science Instruction)~~  
~~(cf. 6146.1 - High School Graduation Requirements)~~  
~~(cf. 6151 - Class Size)~~  
~~(cf. 6161.1 - Selection and Evaluation of Instructional Materials)~~  
~~(cf. 6162.52 - High School Exit Examination)~~  
~~(cf. 6163.1 - Library Media Centers)~~  
~~(cf. 6164.2 - Guidance/Counseling Services)~~  
~~(cf. 6172 - Gifted and Talented Student Program)~~  
~~(cf. 6176 - Weekend/Saturday Classes)~~  
~~(cf. 6177 - Summer School)~~  
~~(cf. 6178 - Career Technical Education)~~  
~~(cf. 6178.2 - Regional Occupational Center/Program)~~  
~~(cf. 6179 - Supplemental Instruction)~~  
~~(cf. 6184 - Continuation Education)~~  
~~(cf. 6185 - Community Day School)~~  
~~(cf. 6200 - Adult Education)~~  
~~(cf. 7214 - General Obligation Bonds)~~  
~~(cf. 9323.2 - Actions by the Board)~~

### Legal Reference:

#### EDUCATION CODE

~~35010 - Control of district, prescription and enforcement of rules~~  
~~35035 - Powers and duties of superintendent~~  
~~35160 - Authority of governing boards~~  
~~35160.5 - Annual review of school district policies~~  
~~35163 - Official actions, minutes and journal~~  
~~42605 - Tier 3 categorical flexibility~~

### Management Resources:

#### CSBA PUBLICATIONS

~~Policy Implications of Categorical Program Flexibility, Policy Advisory, November 2009~~

~~Flexibility Provisions in the 2008 and 2009 State Budget: Policy Considerations for Governance Teams, Budget Advisory, March 2009~~

#### CALIFORNIA DEPARTMENT OF EDUCATION CORRESPONDENCE

~~Fiscal Issues Relating to Budget Reductions and Flexibility Provisions, April 2009~~

#### WEB SITES

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

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

## **Administrative Discretion Regarding Board Policy**

The Governing Board desires to be proactive in communicating its philosophy, priorities, and expectations for the district; clarifying the roles and responsibilities of the Board, Superintendent, and other senior administrators; and setting direction for the district through written policies. The Board further recognizes that, in the course of operating district schools or implementing district programs, situations may arise which may not be addressed in written policies.

~~(cf. 0000 - Vision)~~  
~~(cf. 0100 - Philosophy)~~  
~~(cf. 0200 - Goals for the School District)~~  
~~(cf. 0460 - Local Control and Accountability Plan)~~  
~~(cf. 2110 - Superintendent Responsibilities and Duties)~~  
~~(cf. 9000 - Role of the Board)~~

Policy Adopted: 08/16/06; 09/01/10



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

**Board Policy: #2210**

**Section: 2000 Administration**  
**Page 3 of 3**

---

*(cf. 9310 - Board Policies)*

In any situation in which immediate action is needed to avoid any risk to the safety or security of district students, staff, or property or disruption to student learning, the Superintendent or designee shall have the authority to act on behalf of the district.

As necessary, the Superintendent or designee shall consult with other district staff, including the legal counsel and/or the chief business official, regarding the exercise of this authority.

*(cf. 0450 - Comprehensive Safety Plan)*  
*(cf. 3516.5 - Emergency Schedules)*

The Superintendent or designee shall notify the Board as soon as practicable after he/she exercises this authority. The Board president and the Superintendent may schedule a review of the action at the next regular Board meeting. If the action indicates the need for additions or revisions to Board policies, the Superintendent or designee shall make the necessary recommendations to the Board.

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

**Legal Reference:**

**EDUCATION CODE**

- 35010 Control of district, prescription and enforcement of rules
- 35035 Powers and duties of superintendent
- 35160 Authority of governing boards
- 35161 Powers and duties; authority to delegate
- 35163 Official actions, minutes and journal

**Management Resources:**

**CSBA PUBLICATIONS**

Impact of Local Control Funding Formula on Board Policies, Policy Brief, November 2013

**WEB SITES**

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

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



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

Board Policy:

#3111

Section: 3000

Business and  
Noninstructional  
Operations  
Page 1 of 1

---

## DEFERRED MAINTENANCE

In order to help meet the District's facility maintenance needs, the Governing Board shall discuss proposals and plans for expenditures of deferred maintenance facility funds at a regularly scheduled public hearing.

In any year that the District does not set aside one-half of one percent of its current-year revenue limit average daily attendance for deferred maintenance, the Board shall submit a report, by March 1, to the Legislature, with copies to the Superintendent of Public Instruction, the State Board of Education, the Department of Finance, and the State Allocation Board.

The report shall include all of the following:

1. — A schedule of the complete school facilities deferred maintenance needs of the District for the current year, including a schedule of costs per school site and total costs
2. — A detailed description of the District's spending priorities for the current year, and an explanation of why those priorities, or any other considerations, have prevented the district from setting aside sufficient local funds so as to permit it to fully fund its deferred
3. — maintenance program and, if eligible, to participate in the state deferred maintenance funding program as set forth in Education Code 17584
4. — An explanation of how the Board plans to meet its current-year facilities deferred maintenance needs without setting aside the funds set forth in Education Code 17584

Copies of the report shall be made available at each school site and shall be provided to the public upon request.

### *Legal References:*

- EDUCATION CODE
- §17565-17591 Property maintenance and control, especially:
- §17584 Deferred maintenance
- §17584.1 Deferred maintenance reports

**NOTE: POLICY DELETED SINCE NEW LAW (AB97) repealed sections of law containing requirements pertaining to deferred maintenance categorical funds. Pursuant to AB 97, such funds have been redirected into the LCFF and the Board has exclusive authority over the use of the funds.**



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## FEES AND CHARGES

The Governing Board recognizes its responsibility to ensure that books, materials, equipment, supplies, and other resources necessary for students' participation in the **district's** educational program are made available to them **at no cost**.

No student shall be required to pay any fees, deposits, or other charges for his/her participation in an educational activity which constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities. (Education Code 49010, 49011; 5 CCR 350)

(cf. 3100 - Budget)

(cf. 6145 - Extracurricular and Cocurricular Activities)

As necessary, the Board may approve fees, deposits, and other charges which are specifically authorized by law. ~~For such authorized fees, deposits, and charges, the district shall consider students' and parents/guardians' ability to pay when establishing fee schedules and granting waivers or exceptions.~~ **When approving such fees, deposits, or charges, establishing fee schedules, or determining whether waivers or exceptions should be granted, the District shall consider relevant data, including the socio-economic conditions of district students' families and their ability to pay.**

(cf. 3250 - Transportation Fees)

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

(cf. 3553 - Free and Reduced Price Meals)

(cf. 5143 - Insurance)

(cf. 9323.2 - Actions by the Board)

~~Whenever a student or parent/guardian believes that an impermissible fee, deposit, or other charge is being required of the student for his/her participation in an educational activity, the student or his/her parent/guardian may file a complaint with the principal or designee using the district's procedures in BP/AR 1312.3 - Uniform Complaint Procedures. (Education Code 49013)~~

~~(cf. 1312.3 - Uniform Complaint Procedures)~~

~~The Superintendent or designee shall include information in the annual notification required by 5 CCR 4622 to be provided to all district students, parents/guardians, employees, and other interested parties about the requirements relating to the prohibition against districts requiring students to pay fees, deposits or other charges in order to participate in an educational activity, unless authorized by law, and the filing of complaints for alleged violations using the uniform complaint procedures. (Education Code 49013)~~

~~(cf. 4112.9/4212.9/4312.9 - Employee Notifications)~~

~~(cf. 5145.6 - Parental Notifications)~~

**The prohibition against student fees shall not restrict the district from soliciting for voluntary donations, participating in fundraising activities, and providing prizes or other recognition for participants in such activities and events. However, the district shall not offer or award to a student any course credit or privileges related to educational activities in exchange for voluntary donations or participation in fundraising activities by or on behalf of the student and shall not remove, or threaten to remove, from a student any course credit or privileges related to educational activities, or otherwise discriminate against the student, due to a lack of voluntary donations or participation in fundraising activities by or on behalf of the student.**

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





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

**Board Policy:**

**#3260**

**Section: 3000**

**Business and  
Noninstructional  
Operations  
Page 2 of 3**

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*(cf. 3290 - Gifts, Grants and Bequests)*

A complaint alleging district noncompliance with the prohibition against requiring student fees, deposits, or other charges shall be filed in accordance with the district's procedures in BP/AR 1312.3 - Uniform Complaint Procedures. (Education Code 49013)

*(cf. 1312.3 - Uniform Complaint Procedures)*

If, upon investigation, the district finds merit in the complaint, the Superintendent or designee shall recommend and the Board shall adopt an appropriate remedy to be provided to all affected students and parents/guardians in accordance with 5 CCR 4600.

Information related to the prohibition against requiring students to pay fees for participation in an educational activity shall be included in the district's annual notification required to be provided to all students, parents/guardians, employees, and other interested parties pursuant to 5 CCR 4622. (Education Code 49013)

*(cf. 4112.9/4212.9/4312.9 - Employee Notifications)*

*(cf. 5145.6 - Parental Notifications)*

**Legal Reference:**

**EDUCATION CODE**

8239 Preschool and wraparound child care services  
8250 Child care and development services for children with disabilities  
8263 Child care eligibility  
8482.6 After School Education and Safety programs  
8760-8774 Outdoor science and conservation programs  
17453.1 District sale or lease of Internet appliances or personal computers to students or parents  
17551 Property fabricated by students  
19910-19911 Offenses against libraries  
32033 Eye protective devices  
32221 Insurance for athletic team member  
32390 Fingerprinting program  
35330-35332 Excursions and field trips  
35335 School camp programs  
38080-38086 Cafeteria establishment and use  
38120 Use of school band equipment on excursions to foreign countries  
39801.5 Transportation for adults  
39807.5 Payment of transportation costs  
39837 Transportation of students to places of summer employment  
48050 Residents of adjoining states  
48052 Tuition for foreign residents  
48904 Liability of parent or guardian  
49010-49013 Student fees  
49065 Charge for copies  
49066 Grades, effect of physical education class apparel  
49091.14 Prospectus of school curriculum  
51810-51815 Community service classes  
52612 Tuition for adult classes  
52613 Nonimmigrant aliens  
56504 School records; students with disabilities  
60410 Students in classes for adults  
**GOVERNMENT CODE**  
6253 Request for copy; fee



## **Chico Unified School District**

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

**Board Policy:**

**#3260**

**Section: 3000**

**Business and  
Noninstructional  
Operations  
Page 3 of 3**

---

### **CALIFORNIA CONSTITUTION**

*Article 9, Section 5 Common school system*

### **CODE OF REGULATIONS, TITLE 5**

*350 Fees not permitted*

*4600-4687 Uniform complaint procedures*

### **UNITED STATES CODE, TITLE 8**

*1184 Foreign students*

### **COURT DECISIONS**

*Driving School Assn of CA v. San Mateo Union HSD (1993) 11 Cal. App. 4th 1513*

*Arcadia Unified School District v. State Department of Education (1992) 2 Cal 4th 251*

*Steffes v. California Interscholastic Federation (1986) 176 Cal. App. 3d 739*

*Hartzell v. Connell (1984) 35 Cal. 3d 899*

*CTA v. Glendale School District Board of Education (1980) 109 Cal. App. 3d 738*

### **Management Resources:**

#### **CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS**

*Pupil Fees, Deposits, and Other Charges: Cap and Gown for High School Graduation Ceremony, Addendum to*

*Fiscal Management Advisory 12-02, October 4, 2013*

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

#### **WEB SITES**

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

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



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

**Board Policy:**

**#3280**

**Section: 3000**

**Business and  
Noninstructional  
Operations  
Page 1 of 4**

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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)  
(cf. 7111 - Evaluating Existing Buildings)  
(cf. 7160 - Charter School Facilities)*

~~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)*~~

Prior to the sale or lease of any surplus real property, the Board shall appoint a district advisory committee to advise the Board regarding the use or disposition of schools or school building space which is not needed for school purposes. (Education Code 17388-17389)

*(cf. 1220 - Citizen Advisory Committees)*

Upon determination that district property is no longer needed, or may not be needed until some future time, the Board shall first submit a report to the local planning agency as to what real property the district intends to offer for sale or lease. Not less than 40 days after issuance of the report to the local planning agency, and prior to entering into any agreement for sale or lease of district real property, the Board shall offer to sell or lease district-owned real property in accordance with priorities and procedures specified in applicable law. (Education Code 17230, 17387-17391, 17457.5, 17464, 17485-17500; Government Code 54222, 65402)

*(cf. 5148 - Child Care and Development)  
(cf. 5148.2 - Before/After School Programs)  
(cf. 5148.3 - Preschool/Early Childhood Education)*

In addition, when selling real property purchased, constructed, or modernized with funds received within the past 10 years from a school facilities funding program, the Board shall consider whether any of the proceeds from the sale will need to be returned to the State Allocation Board (SAB) pursuant to Education Code 17462.3.

### **Resolution of Intention to Sell or Lease**

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





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

**Board Policy:**

**#3280**

**Section: 3000**

**Business and  
Noninstructional  
Operations  
Page 2 of 4**

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. 9320 – Meetings and Notices)*  
*(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 of intention to sell or lease property, 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 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)*

#### **Use of Proceeds**

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, 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 District 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

Policy Adopted: 01/17/07; 10/14/09; 09/01/10; 11/16/11



## **Chico Unified School District**

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

**Board Policy:**

**#3280**

**Section: 3000**

**Business and  
Noninstructional  
Operations  
Page 3 of 4**

---

resources.

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

17430-17447 Leasing facilities

17453 Lease of surplus district property

17455-17484 Sale or lease of real property, especially:

17457.5 Offer to charter school

17462.3 State Allocation Board program to reclaim funds

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, especially:

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:*

#### **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>

Policy Adopted: 01/17/07; 10/14/09; 09/01/10; 11/16/11



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

**Board Policy:** #3280

**Section: 3000**      **Business and  
Noninstructional  
Operations  
Page 4 of 4**

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Coalition for Adequate School Housing: <http://www.cashnet.org>  
Office of Public School Construction: <http://www.dgs.ca.gov/opsc>



## Chico Unified School District

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

Board Policy:

#3513.3

Section: 3000

Business and  
Noninstructional  
Operations  
Page 1 of 2

---

### 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.~~

The Governing Board recognizes that smoking and other uses of tobacco and nicotine products constitute a serious public health hazard and are inconsistent with district goals 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 **school sponsored** instructional program, activity, or athletic event **held on or off district property**. 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)

The products prohibited include any product containing tobacco or nicotine, including, but not limited to, cigarettes, cigars, miniature cigars, smokeless tobacco, snuff, chew, clove cigarettes, betel, electronic cigarettes, electronic hookahs, and other vapor-emitting devices, with or without nicotine content, that mimic the use of tobacco products.

This policy does not prohibit the use or possession of prescription products and other cessation aids that have been approved by the U.S. Department of Health and Human Services, Food and Drug Administration, such as nicotine patch or gum.

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. **In addition, any form of intimidation, threat, or retaliation against a person for attempting to enforce this policy is prohibited** (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

Policy Adopted: 10/29/08; 11/16/11



## **Chico Unified School District**

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

**Board Policy:**

**#3513.3**

**Section: 3000**

**Business and  
Noninstructional  
Operations  
Page 2 of 2**

---

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

7100-7117 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)

### **Management Resources:**

#### **WEB SITES**

California Department of Education, Alcohol, Tobacco and Other Drug Prevention: <http://www.cde.ca.gov/ls/he/at>

California Department of Education, Tobacco-Free School District Certification:

<http://www.cde.ca.gov/ls/he/at/tobaccofreecert.asp>

California Department of Public Health, Tobacco Control: <http://www.cdph.ca.gov/programs/tobacco>

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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## Certificated Personnel

### RECRUITMENT AND SELECTION

~~The Board of Education desires to employ the most highly qualified and appropriate person available for each open position in order to improve student achievement and efficiency in district operations.~~

The Governing Board is committed to employing suitable, qualified individuals to carry out the district's mission to provide high-quality education to its students and to ensure the efficiency of district operations.

(cf. 0100 - Goals for the School District)  
(cf. 4000 - Concepts and Roles)  
(cf. 4100 - Certificated Personnel)  
(cf. 4200 - Classified Personnel)  
(cf. 4300 - Administrative and Supervisory Personnel)

The Superintendent **or designee** shall develop fair, open, and transparent recruitment and selection processes and procedures which ensure that employees are selected based on demonstrated knowledge, skills, and competence and ~~not on any bias, personal preference, or unlawful discrimination.~~

(cf. 0410 - Nondiscrimination in District Programs and Activities)  
(cf. 4030 - Nondiscrimination in Employment)  
(cf. 4031 - Complaints Concerning Discrimination in Employment)  
(cf. 4032 - Reasonable Accommodation)  
(cf. 4111.2/4211.2/4311.2 - Legal Status Requirement)

When a vacancy occurs, the Superintendent or designee shall review the job description for the position to ensure that it accurately describes the major functions and duties of the position. He/she also shall disseminate job announcements to ensure a wide range of candidates.

With Board approval, the Superintendent or designee may provide incentives to recruit teachers, administrators, or other employees to work in low-performing schools or in hard-to-fill positions.

(cf. 4113 – Assignment)

~~The Superintendent or designee shall develop selection procedures that identify the best possible candidate for each position based on screening processes, interviews, observations and recommendations from previous employers. He/she may establish an interview committee, as appropriate, to rank candidates and recommend finalists. All discussions and recommendations shall be confidential in accordance with law.~~

The district's selection procedures shall include screening processes, interviews, observations, and recommendations from previous employers as necessary to identify the best possible candidate for a position. The Superintendent or designee may establish an interview committee, as appropriate, to rank candidates and recommend finalists. All discussions and recommendations shall be confidential in accordance with law.

(cf. 2230 - Representative and Deliberative Groups)

During job interviews, applicants may be asked to describe or demonstrate how they will be able to perform the duties of the job. No inquiry shall be made with regard to any category of discrimination prohibited by state or federal law.



## **Chico Unified School District**

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

**Board Policy:**

**#4111**

**4311**

**Section: 4000**

**Personnel**

**Page 2 of 2**

For each position, the Superintendent or designee shall present to the Board one candidate who meets all qualifications established by law and the Board for the position. No person shall be employed by the Board without the recommendation or endorsement of the Superintendent or designee.

(cf. 4112 - Appointment and Conditions of Employment)

(cf. 4112.2 – Certification)

(cf. 4112.22 - Staff Teaching English Language Learners)

(cf. 4112.23 - Special Education Staff)

(cf. 4112.24 – Teacher Qualifications Under the No Child Left Behind Act)

(cf. 4112.8/4212.8/4312.8 - Employment of Relatives)

(cf. 4212 - Appointment and Conditions of Employment)

(cf. 4312.1 - Contracts)

### **Legal Reference:**

#### **EDUCATION CODE**

200-262.4 Prohibition of discrimination

41530-41533 Professional Development Block Grant

44066 Limitations on certification requirement

44259 Teaching credential; exception; designated subjects; minimum requirements

44735 Teaching as a Priority block grant

44740-44741 Personnel management assistance teams

44750 Teacher recruitment resource center

44830-44831 Employment of certificated persons

44858 Age or marital status in certificated positions

44859 Prohibition against certain rules and regulations re: residency

45103-45139 Employment (classified employees)

49406 Examination for tuberculosis

#### **GOVERNMENT CODE**

815.2 Liability of public entities and public employees

12900-12996 Fair Employment and Housing Act, including:

12940-12956 Discrimination prohibited; unlawful practices

#### **UNITED STATES CODE, TITLE 8**

1324a Unlawful employment of aliens

1324b Unfair immigration related practices

#### **UNITED STATES CODE, TITLE 42**

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

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

2000h-2-2000h-6 Title IX, 1972 Education Act Amendments

12101-12213 Americans with Disabilities Act

#### **CODE OF FEDERAL REGULATIONS, TITLE 28**

35.101-35.190 Americans with Disabilities Act

#### **COURT DECISIONS**

C.A. v William S. Hart Union High School District et al., (2012) 138 Cal.Rptr.3d 1

### **Management Resources:**

#### **WEB SITES**

California Department of Fair Employment and Housing: <http://www.dfeh.ca.gov>

Education Job Opportunities Information Network: <http://www.edjoin.org>

Teach USA: <http://www.calteach.org>

U.S. Equal Employment Opportunity Commission: <http://www.eeoc.gov>





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## Certificated Personnel

### STAFF DEVELOPMENT

The Governing Board believes that, in order to maximize student learning and achievement, certificated staff members must be continuously learning and improving their skills. The Superintendent or designee shall develop a program of ongoing professional development which includes opportunities for teachers to enhance their instructional and classroom management skills and become informed about changes in pedagogy and subject matter.

(cf. 6111 - School Calendar)

The Superintendent or designee shall involve teachers, site and district administrators, and others, as appropriate, in the development of the district's staff development program. He/she shall ensure that the district's staff development program is aligned with district priorities for student achievement, school improvement objectives, the local control and accountability plan, and other district and school plans.

(cf. 0000 - Vision)  
(cf. 0200 - Goals for the School District)  
(cf. 0420 - School Plans/Site Councils)  
(cf. 0420.1 - School-Based Program Coordination)  
(cf. 0460 - Local Control and Accountability Plan)  
(cf. 0520.2 - Title I Program Improvement Schools)  
(cf. 0520.3 - Title I Program Improvement Districts)  
(cf. 0520.4 - Quality Education Investment Schools)

The district's staff development program shall **is designed to** assist certificated staff in developing knowledge and skills, **which may** include, but **is** not limited to:

1. ~~Mastery of discipline-based~~ **subject-matter** knowledge, including ~~academic content in the core curriculum~~ and **current state** and **district** academic standards

(cf. 6011 - Academic Standards)  
(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)  
(cf. 6142.3 - Civic Education)  
(cf. 6142.5 - Environmental Education)  
(cf. 6142.6 - Visual and Performing Arts Education)  
(cf. 6142.7 - Physical Education and Activity)  
(cf. 6142.8 - Comprehensive Health Education)  
(cf. 6142.91 - Reading/Language Arts Instruction)  
(cf. 6142.92 - Mathematics Instruction)  
(cf. 6142.93 - Science Instruction)

2. Use of effective, subject-specific teaching methods, strategies, and skills
3. Use of technologies to enhance instruction

(cf. 0440 - District Technology Plan)





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4. Sensitivity to and ability to meet the needs of diverse student populations, including, but not limited to, students of various racial and ethnic groups, students with disabilities, English language learners, economically disadvantaged students, foster youth, gifted and talented students, and at-risk students

(cf. 4112.22 - Staff Teaching Students of Limited English Proficiency)  
(cf. 4112.23 - Special Education Staff)  
(cf. 5147 - Dropout Prevention)  
(cf. 5149 - At-Risk Students)  
(cf. 6141.5 - Advanced Placement)  
(cf. 6171 - Title I Programs)  
(cf. 6172 - Gifted and Talented Student Program)  
(cf. 6173 - Education for Homeless Children)  
(cf. 6173.1 - Education for Foster Youth)  
(cf. 6174 - Education for English Language Learners)  
(cf. 6175 - Migrant Education Program)

5. Understanding of how academic and career technical instruction can be integrated and implemented to increase student learning

(cf. 6178 - Career Technical Education)

6. Knowledge of strategies that ~~enable~~ encourage parents/guardians to participate fully and effectively in their children's education

(cf. 1240 - Volunteer Assistance)  
(cf. 5020 - Parent Rights and Responsibilities)  
(cf. 6020 - Parent Involvement)

7. Effective classroom management skills and strategies for establishing a climate that promotes respect, fairness, tolerance, and discipline, including conflict resolution ~~and intolerance~~ and hatred prevention

(cf. 5131 - Conduct)  
(cf. 5131.2 - Bullying)  
(cf. 5137 - Positive School Climate)  
(cf. 5138 - Conflict Resolution/Peer Mediation)  
(cf. 5145.9 - Hate-Motivated Behavior)

8. Ability to relate to students, understand their various stages of growth and development, and motivate them to learn

9. Ability to interpret and use data and assessment results to guide instruction

(cf. 5121 - Grades/Evaluation of Student Achievement)  
(cf. 6162.5 - Student Assessment)

10. Knowledge of topics related to student health, safety, and welfare

(cf. 0450 - Comprehensive Safety Plan)  
(cf. 3515.5 - Sex Offender Notification)  
(cf. 5030 - Student Wellness)  
(cf. 5131.6 - Alcohol and Other Drugs)  
(cf. 5131.63 - Steroids)  
(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)



## Chico Unified School District

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

Board Policy:

#4131

Section: 4000

Personnel

Page 3 of 4

(cf. 5141.4 - Child Abuse Prevention and Reporting)  
(cf. 5141.52 - Suicide Prevention)  
(cf. 5145.3 - Nondiscrimination/Harassment)  
(cf. 5145.7 - Sexual Harassment)

### 11. Knowledge of topics related to employee health, safety, and security

(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)  
(cf. 4119.42/4219.42/4319.42- Exposure Control Plan for Bloodborne Pathogens)  
(cf. 4119.43/4219.43/4319.43 - Universal Precautions)  
(cf. 4157/4257/4357 - Employee Safety)  
(cf. 4158/4258/4358 - Employee Security)

The Superintendent or designee may, in conjunction with individual teachers and interns, develop an individualized program of professional growth ~~which contributes to~~ to increase competence, performance, and effectiveness in teaching and classroom assignments and, as necessary, to assists them in meeting state or federal requirements to be fully qualified for their positions.

(cf. 4112.2 - Certification)  
(cf. 4112.21 - Interns)  
(cf. 4112.24 - Teacher Qualifications Under the No Child Left Behind Act)  
(cf. 4131.1 - Beginning Teacher Support/Induction)  
(cf. 4138 - Mentor Teachers)

The district's staff evaluation process may be used to recommend additional staff development for individual employees.

(cf. 4115 - Evaluation/Supervision)  
~~(cf. 4139 - Peer Assistance and Review)~~

The Superintendent or designee shall involve teachers, site and district administrators, and others, as appropriate, in the development of the district's staff development program. He/she shall ensure that the district's staff development program is aligned with district priorities for student achievement, school improvement objectives, the local control and accountability plan, and school plans.

(cf. 0000 - Vision)  
(cf. 0200 - Goals for the School District)  
(cf. 0420 - School Plans/Site Councils)  
(cf. 0420.1 - School-Based Program Coordination)  
~~(cf. 0520.1 - High Priority Schools Grant Program)~~  
(cf. 0520.2 - Title I Program Improvement Schools)  
(cf. 0520.3 - Title I Program Improvement Districts)  
(cf. 0520.4 - Quality Education Investment Schools)

~~The Board may budget funds for actual and reasonable expenses incurred by staff who participate in staff development activities.~~

~~(cf. 3100 - Budget)~~  
~~(cf. 3350 - Travel Expenses)~~

The Superintendent or designee ~~shall~~ may provide a means for continual evaluation of the benefit of staff development activities to both staff and students and ~~shall~~ may regularly report to the Board regarding the

Policy Adopted: 02/07/08; Revised: 10/14/09



## **Chico Unified School District**

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

**Board Policy:**

**#4131**

**Section: 4000**

**Personnel**

**Page 4 of 4**

effectiveness of the staff development program. Based on the Superintendent's report, the Board may revise the program as necessary to ensure that the staff development program supports the district's priorities for student achievement.

(cf. 0500 - Accountability)

### **Legal Reference:**

#### **EDUCATION CODE**

41530-41533 Professional Development Block Grant  
44032 Travel expense payment  
44259.5 Standards for teacher preparation  
44277 Professional growth programs for individual teachers  
44325-44328 District interns  
44450-44468 University internship program  
44570-44578 Inservice training, secondary education  
44580-44591 Inservice training, elementary teachers  
44630-44643 Professional Development and Program Improvement Act of 1968  
44700-44705 Classroom teacher instructional improvement program  
45028 Salary schedule and exceptions  
48980 Notification of parents/guardians: schedule of minimum days  
56240-56245 Staff development; service to persons with disabilities  
99200-99206 Subject matter projects

#### **GOVERNMENT CODE**

3543.2 Scope of representation of employee organization

#### **CODE OF REGULATIONS, TITLE 5**

13025-13044 Professional development and program improvement

#### **UNITED STATES CODE, TITLE 20**

6319 Highly qualified teachers

6601-6702 Preparing, Training and Recruiting High Quality Teachers and Principals

#### **PUBLIC EMPLOYMENT RELATIONS BOARD DECISIONS**

United Faculty of Contra Costa Community College District v. Contra Costa Community College District, (1990)

PERB Order No. 804, 14 PERC P21, 085

### **Management Resources:**

#### **CSBA PUBLICATIONS**

Governing to the Core: Professional Development for Common Core, Governance Brief, May 2013

#### **CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS**

State Board of Education Guidelines and Criteria for Approval of Training Providers, March 2008

#### **COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS**

California Standards for the Teaching Profession, 2009

#### **WEB SITES**

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

California Department of Education, Professional Development: <http://www.cde.ca.gov/pd>

California Subject Matter Projects: <http://csmp.ucop.edu>

Commission on Teacher Credentialing: <http://www.ctc.ca.gov>



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## Classified Personnel

### STAFF DEVELOPMENT

Classified staff shall have opportunities to participate in staff development activities in order to improve job skills, retrain to meet changing conditions in the district, and/or enhance personal growth.

~~(cf. 4261.3 – Professional Leaves)~~

The Superintendent or designee shall develop a program of ongoing staff development which may include, but not be limited to, activities related to:

1. ~~General workplace skills and/or skills and knowledge specific to the duties of each classified position~~

~~(cf. 1340 – Access to District Records)  
(cf. 3515.3 – District Police/Security Department)  
(cf. 3542 – School Bus Drivers)  
(cf. 4200 – Classified Personnel)  
(cf. 4222 – Teacher Aides/Paraprofessionals)  
(cf. 5148 – Child Care and Development)  
(cf. 6300 – Preschool/Early Childhood Education)~~

2. ~~The role of classified staff in achieving district goals and promoting student achievement~~

~~(cf. 0000 – Vision)  
(cf. 0200 – Goals for the School District)  
(cf. 6010 – Goals and Objectives)~~

3. ~~The use of technologies to improve job performance~~

~~(cf. 0440 – District Technology Plan)~~

4. ~~Effective communication and interaction with other staff, students, parents/guardians, and community members~~

~~(cf. 6020 – Parent Involvement)  
(cf. 6171 – Title I Programs)~~

5. ~~Topics related to student health, safety, and welfare~~

~~(cf. 0450 – Comprehensive Safety Plan)  
(cf. 3515.5 – Sex Offender Notification)  
(cf. 5131.6 – Alcohol and Other Drugs)  
(cf. 5131.63 – Steroids)  
(cf. 5141.4 – Child Abuse Prevention and Reporting)  
(cf. 5145.3 – Nondiscrimination/Harassment)  
(cf. 5146.9 – Hate-Motivated Behavior)  
(cf. 5145.7 – Sexual Harassment)  
(cf. 5149 – At Risk Students)~~

6. ~~Topics related to employee health, safety, and security~~

~~(cf. 4119.11/4219.11/4319.11 – Sexual Harassment)  
(cf. 4119.43/4219.43/4319.43 – Universal Precautions)  
(cf. 4157/4257/4357 – Employee Safety)  
(cf. 4158/4258/4358 – Employee Security)~~



## Chico Unified School District

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

Board Policy:

#4231

Section: 4000

Personnel

Page 2 of 5

7. ~~For classroom instructional aides, staff development activities may also include academic content of the core curriculum; teaching strategies; classroom management; or other training designed to improve student performance, conflict resolution, and intolerance and hatred prevention~~

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

~~The Superintendent or designee shall involve classified staff, site and district administrators, and others, as appropriate, in the development of the district's staff development program. He/she shall ensure that the district's staff development program is aligned with district goals, school improvement objectives, and school plans.~~

~~(cf. 0000 - Vision)~~

~~(cf. 0200 - Goals for the School District)~~

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

~~(cf. 0420.1 - School-Based Program Coordination)~~

~~(cf. 0520 - Intervention for Underperforming Schools)~~

~~(cf. 0520.1 - High Priority Schools Grant Program)~~

~~(cf. 0520.2 - Title I Program Improvement Schools)~~

~~(cf. 0520.3 - Title I Program Improvement Districts)~~

~~The district's staff evaluation process may be used to recommend additional staff development for individual employees.~~

~~(cf. 4215 - Evaluation/Supervision)~~

~~The Governing Board may budget for actual and reasonable expenses incurred by classified staff who participate in staff development activities.~~

~~(cf. 3350 - Travel Expenses)~~

~~The Superintendent or designee shall provide a means for continual evaluation of the benefit of staff development activities to staff and the district and shall regularly report to the Board regarding the effectiveness of the staff development program.~~

~~(cf. 0500 - Accountability)~~

~~(cf. 9000 - Role of the Board)~~

The Governing Board recognizes that classified staff does essential work that supports a healthy school environment and the educational program. Classified staff shall have opportunities to participate in staff development activities in order to improve job skills, learn best practices, retrain as appropriate in order to meet changing conditions in the district, and/or enhance personal growth.

(cf. 3100 - Budget)

(cf. 3350 - Travel Expenses)

(cf. 4200 - Classified Personnel)

(cf. 4261.3 - Professional Leaves)

Staff development opportunities for Classified staff should align with district goals, school improvement objectives, the local control and accountability plan, and other district and school plans.

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 0420 - School Plans/Site Councils)

(cf. 0420.1 - School-Based Program Coordination)

(cf. 0460 - Local Control and Accountability Plan)

(cf. 0520.2 - Title I Program Improvement Schools)

Policy Adopted: February 27, 2008



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*(cf. 0520.3 - Title I Program Improvement Districts)*

Staff development may address general workplace skills and/or skills and knowledge specific to the duties of each classified position, which may include, but are not limited to, the following topics: (Education Code 45391)

1. Student learning and achievement

- a. How paraprofessionals can assist teachers and administrators to improve the academic achievement of students
- b. Alignment of curriculum and instructional materials with Common Core State Standards
- c. The management and use of state and local student data to improve student learning
- d. Best practices in appropriate interventions and assistance to at-risk students

*(cf. 4222 - Teacher Aides/Paraprofessionals)*  
*(cf. 5121 - Grades/Evaluation of Student Achievement)*  
*(cf. 5123 - Promotion/Acceleration/Retention)*  
*(cf. 5149 - At-Risk Students)*  
*(cf. 6011 - Academic Standards)*  
*(cf. 6141 - Curriculum Development and Evaluation)*  
*(cf. 6143 - Courses of Study)*  
*(cf. 6161.1 - Selection and Evaluation of Instructional Materials)*  
*(cf. 6162.5 - Student Assessment)*  
*(cf. 6162.51 - State Academic Achievement Tests)*

2. Student and campus safety

*(cf. 0450 - Comprehensive Safety Plan)*  
*(cf. 3515.3 - District Police/Security Department)*  
*(cf. 3515.5 - Sex Offender Notification)*  
*(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)*  
*(cf. 4119.43/4219.43/4319.43 - Universal Precautions)*  
*(cf. 4157/4257/4357 - Employee Safety)*  
*(cf. 4158/4258/4358 - Employee Security)*  
*(cf. 5131 - Conduct)*  
*(cf. 5131.2 - Bullying)*  
*(cf. 5137 - Positive School Climate)*  
*(cf. 5138 - Conflict Resolution/Peer Mediation)*  
*(cf. 5145.9 - Hate-Motivated Behavior)*  
*(cf. 5145.3 - Nondiscrimination/Harassment)*  
*(cf. 5145.7 - Sexual Harassment)*

3. Education technology, including management strategies and best practices regarding the use of education technology to improve student performance

*(cf. 0440 - District Technology Plan)*  
*(cf. 1114 - District-Sponsored Social Media)*  
*(cf. 4040 - Employee Use of Technology)*  
*(cf. 6163.4 - Student Use of Technology)*

4. School facility maintenance and operations, including new research and best practices in the operation and maintenance of school facilities, such as green technology and energy efficiency, that help reduce the use and cost of energy at school sites

*(cf. 3510 - Green School Operations)*  
*(cf. 3511- Energy and Water Management)*



5. Special education, including best practices to meet the needs of special education students and to comply with any new state and federal mandates

(cf. 6159 - Individualized Education Program)  
(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)  
(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)  
(cf. 6164.6 - Identification and Education Under Section 504)

6. School transportation and bus safety

(cf. 3540 - Transportation)  
(cf. 3541 - Transportation for School-Related Trips)  
(cf. 3541.2 - Transportation for Students with Disabilities)  
(cf. 3542 - Bus Drivers)  
(cf. 3543 - Transportation Safety and Emergencies)

7. Parent involvement, including ways to increase parent involvement at school sites

(cf. 1240 - Volunteer Assistance)  
(cf. 6020 - Parent Involvement)

8. Food service, including new research on food preparation to provide nutritional meals and food management

(cf. 3550 - Food Service/Child Nutrition Program)  
(cf. 3551 - Food Service Operations/Cafeteria Fund)  
(cf. 3555 - Nutrition Program Compliance)

9. Health, counseling, and nursing services

(cf. 5141 - Health Care and Emergencies)  
(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)  
(cf. 5141.22 - Infectious Diseases)  
(cf. 5141.23 - Asthma Management)  
(cf. 5141.24 - Specialized Health Care Services)  
(cf. 5141.26 - Tuberculosis Testing)  
(cf. 5141.27 - Food Allergies/Special Dietary Needs)  
(cf. 5141.3 - Health Examinations)  
(cf. 5141.52 - Suicide Prevention)  
(cf. 5141.6 - School Health Services)  
(cf. 6164.2 - Guidance/Counseling Services)

10. Environmental safety, including pesticides and other possibly toxic substances so that they may be safely used at school sites

(cf. 3514 - Environmental Safety)  
(cf. 3514.1 - Hazardous Substances)  
(cf. 3514.2 - Integrated Pest Management)  
(cf. 6161.3 - Toxic Art Supplies)

Legal Reference:  
EDUCATION CODE  
41530-41533 Professional Development Block Grant

Policy Adopted: February 27, 2008



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

**Board Policy:** #4231

**Section: 4000**

**Personnel**  
**Page 5 of 5**

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44032 Travel expense payment  
45380-45387 Retraining and study leave (classified employees)  
45390-45392 Professional development for classified school employees  
52060-52077 Local control and accountability plan  
56240-56245 Staff development; service to persons with disabilities  
GOVERNMENT CODE  
3543.2 Scope of representation of employee organization  
PUBLIC EMPLOYMENT RELATIONS BOARD DECISIONS  
United Faculty of Contra Costa Community College District v. Contra Costa Community College District, (1990)  
PERB Order No. 804, 14 PERC P21, 085

**Management Resources:**

**WEB SITES**

California Association of School Business Officials: <http://www.casbo.org>  
California School Employees Association: <http://www.csea.com>





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## **Management, Supervisory and Confidential Personnel**

### **STAFF DEVELOPMENT**

The Board of Education recognizes that professional development opportunities enhance employee effectiveness and contribute to personal growth. Staff development for management, supervisory and confidential personnel shall be designed to guide instructional improvement, build leadership skills, and enhance overall management efficiency.

*(cf. 4119.21/4219.21/4319.21 - Professional Standards)*

~~The Superintendent or designee shall develop a plan for administrator support and development activities based on a systematic assessment of the needs of district students and staff and aligned to the district's vision and goals. The Board desires that all administrators participate in planning activities that are pertinent to their specific areas of responsibility.~~

~~*(cf. 0000 - Vision)*~~

~~*(cf. 0200 - Goals for the School District)*~~

~~*(cf. 6010 - Goals and Objectives)*~~

Within budget parameters, the Superintendent or designee may approve participation in activities that will benefit individual administrators and enhance their contributions to the district.

*(cf. 3350 - Travel Expenses)*

~~The Superintendent or designee shall evaluate the benefit to staff and students of professional development activities.~~

~~*(cf. 0500 - Accountability)*~~

The district's staff development program for district and school administrators may include, but is not limited to, the following topics:

1. Personnel management, including best practices on hiring, recruitment, assignment, and retention of staff

*(cf. 4111/4211/4311 - Recruitment and Selection)*

*(cf. 4112.24 - Teacher Qualifications Under the No Child Left Behind Act)*

*(cf. 4113 - Assignment)*

2. Effective fiscal management and accountability practices

*(cf. 3100 - Budget)*

*(cf. 3460 - Financial Reports and Accountability)*

3. Academic standards and standards-aligned curriculum and instructional materials

*(cf. 6011 - Academic Standards)*

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

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

4. Leadership training to improve the academic achievement of all students, including capacity building in pedagogies of learning, instructional strategies that meet the varied learning needs of students, and student motivation



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

**Board Policy:**

**#4331**

**Section: 4000**

**Personnel**

**Page 2 of 2**

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5. The use of student assessments, including analysis of disaggregated assessment results to identify needs and progress of student subgroups

(cf. 6162.5 - Student Assessment)  
(cf. 6162.51 - State Academic Achievement Tests)  
(cf. 6162.52 - High School Exit Examination)

6. The use of technology to improve student performance and district operations

(cf. 0440 - District Technology Plan)

7. Creation of safe and inclusive school environments

(cf. 0410 - Nondiscrimination in District Programs and Activities)  
(cf. 5137 - Positive School Climate)

8. Parental involvement and community collaboration

(cf. 1240 - Volunteer Assistance)  
(cf. 6020 - Parent Involvement)

9. Employee relations

10. Effective school and district planning processes

The district's staff evaluation process may be used to recommend additional staff development for individual employees.

(cf. 4315 - Evaluation/Supervision)

The Superintendent or designee shall evaluate the benefit to staff and students of professional development activities.

(cf. 0500 - Accountability)

**Legal Reference:**

EDUCATION CODE  
44681-44689.2 Administrator training and evaluation  
52060-52077 Local control and accountability plan

**Management Resources:**

WESTED AND ASSOCIATION OF CALIFORNIA SCHOOL ADMINISTRATORS PUBLICATIONS  
California Professional Standards for Educational Leaders, 2001  
WEB SITES  
Association of California School Administrators: <http://www.acsa.org>  
California Department of Education: <http://www.cde.ca.gov>  
California School Leadership Academy: <http://www.csla.org>  
Commission on Teacher Credentialing: <http://www.ctc.ca.gov>  
WestEd: <http://www.wested.org>



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### **Student Wellness**

The Governing Board of Chico Unified School District (CUSD) recognizes the link between student health and learning. Children and youth that begin each day as healthy individuals are more receptive to the learning experience and more likely to succeed now and in the future. Further, the Board also believes that a healthy staff can more effectively perform their job responsibilities, and model appropriate wellness behaviors to students. This policy encourages a comprehensive approach to school and community wellness and addresses the components of the Coordinated School Health program as recommended by the California Department of Education and the Department of Health Services. CUSD is committed to providing a school climate environment that promotes and protects children's health, well-being, and ability to learn by supporting healthy behaviors and environments eating and physical activity.

It is the policy of CUSD that schools will provide nutrition education and physical education to foster lifelong habits of healthy eating and physical activity, and will establish linkages between health education and school meal programs, and with related community services.

### **Student Wellness Services**

Student Wellness Services include Health Counseling, Psychological and Social Services. The Board supports effective wellness programs that will facilitate positive learning and instill healthy behaviors.

The Board supports school facilities that are designed to provide a safe, secure physical plant as well as a healthy and supportive environment that fosters learning and overall well-being.

(cf. 3514 - Environmental Safety)  
(cf. 5131.6 - Alcohol and Other Drugs)  
(cf. 5131.61 - Drug Testing)  
(cf. 5131.62 - Tobacco)  
(cf. 5131.63 - Steroids)  
(cf. 5141 - Health Care and Emergencies)  
(cf. 5141.22 - Infectious Diseases)  
(cf. 5141.3 - Health Examinations)  
(cf. 5141.31 - Immunizations)  
(cf. 5141.32 - Health Screening for School Entry)  
(cf. 5141.6 - School Health Services)  
(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Education)  
(cf. 6164.2 - Guidance/Counseling Services)

The Board's policy related to student wellness was developed with the involvement of parents/guardians, students, school food service professionals, school administrators, Board representatives, and members of the public. (42 USC 1751 Note)

### **District Wellness Committee**

The Superintendent or his/her designee shall convene an advisory and oversight committee consisting of Board members, school-site administrators, school-site Wellness Representatives, health professionals, teachers, nutrition services staff, physical education instructors, parents, community members and students to evaluate policy implementation. The committee will report to the Board of Education every two years about implementation of the policy as required by law.

(cf. 9140 - Board Representatives)

(cf. 1220 - Citizen Advisory Committees)

(cf. 9140 - Board Representatives)



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### **Nutrition Education and Physical Activity Goals**

The Board shall adopt goals for nutrition promotion and education, physical activity, and other school-based activities that promote student wellness. (42 USC 1758b)

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

~~The Board shall adopt goals for nutrition education, physical activity, and other school-based activities that are designed to promote student wellness in a manner that the district determines appropriate. (42 USC 1751 Note)~~

The district's nutrition education and physical education programs shall be based on research, consistent with the expectations established in the state's curriculum frameworks, and designed to build the skills and knowledge that all students need to maintain a healthy lifestyle.

(cf. 6011 - Academic Standards) (cf. 6143 - Courses of Study)

Nutrition education ~~and opportunities for physical activity into learning~~ shall be provided as part of the health education program in grades K-12 and, as appropriate, shall be integrated into core academic subjects and offered through before- and after-school programs. **When appropriate, opportunities for activity may be incorporated into learning.**

(cf. 6142.8 - Comprehensive Health Education)

CUSD will provide all students in grades K-12 the opportunity, support, and encouragement to be physically active ~~on a regular basis at a minimum state minutes~~ through physical education instruction and/or physical activity programs **and encourages additional physical and educational opportunities to be explored.**

#### **Integrated Nutrition Education**

Integrated Nutrition education in CUSD aims to teach, encourage and support healthy eating by students. ~~Effective July 1, 2012, t~~ **Teachers** will incorporate nutrition education into their instruction. At the secondary school level it is recommended that subject appropriate teachers incorporate nutrition education into their instruction.

Integrated nutrition education will provide students with the knowledge and skills necessary to promote and protect their health.

(cf. 6011 - Academic Standards)

(cf. 6142.7 - Physical Education and Activity)

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6143 - Courses of Study)

#### **Physical Education and Physical Activity**

All students in grades K-12 shall be provided opportunities to be physically active on a regular basis. Opportunities for moderate to vigorous physical activity shall be provided through physical education, recess, school athletic programs, extracurricular programs, before- and after-school programs, and other structured and unstructured activities.

Physical education is a planned sequential program of curricula and instruction that helps students develop the knowledge, skills, and confidence necessary for an active lifestyle. Physical activity programs may provide participants with structured activity (games, sports, etc.), unstructured activity (walking programs, dance, etc.), or opportunities to participate in physical activity in the daily routine (walk-to-school programs, etc.).



Besides promoting high levels of personal achievement and a positive self-image, Physical Education activities should teach students how to cooperate in the achievement of common goals.

(cf. 6142.7 - Physical Education)

(cf. 6145 - Extracurricular and Co-curricular Activities) (cf. 6145.2 - Athletic Competition)

### **Staff Wellness**

The Superintendent or designee shall encourage staff to serve as positive role models. He/she shall promote and may provide opportunities for regular physical activity among employees.

Professional development may include instructional strategies that assess health knowledge and skills and promote healthy behaviors.

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

### **Family and Community Involvement**

The Board believes that family and community involvement and collaboration are key elements in supporting the healthy development of youth and their families. Long-term partnerships with diverse community groups are encouraged. The Board recommends partnerships that will promote health education activities for parents/guardians and community members.

To encourage consistent health messages between the home and school environment, the Superintendent or designee may disseminate health information to parents/guardians through district or school newsletters, handouts, parent/guardian meetings, the district or school web site, and other communications. Outreach to parents/guardians shall emphasize the relationship between student health and academic performance.

(cf. 1113 - District and School Web Sites) (cf. 6020 - Parent Involvement)

The Board discourages the marketing and advertising of non-nutritious foods and beverages through signage, vending machine fronts, logos, scoreboards, school supplies, advertisements in school publications, coupon or incentive programs, or other means.

(cf. 1325 - Advertising and Promotion)

### **Nutrition Guidelines for Foods Available at School**

The Board shall adopt nutrition guidelines selected by the district for all foods available on each campus during the school day, including foods and beverages provided through the district's food service program, student stores, vending machines, fundraisers, or other venues. The district shall adopt nutritional guidelines which are consistent with 42 USC 1773 and 1779 and Smart Snacks federal regulations and which support the objectives of promoting student health and reducing childhood obesity. (42 USC 1758b)

In order to maximize the district's ability to provide nutritious meals and snacks, all district schools shall participate in available federal school nutrition programs, including the National School Lunch and School Breakfast Programs and after-school snack programs, to the extent possible. When approved by the California Department of Education, the district may sponsor a summer meal program.

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

(cf. 3552 - Summer Meal Program)

(cf. 3553 - Free and Reduced Price Meals)

(cf. 5141.27 - Food Allergies/Special Dietary Needs)

(cf. 5148 - Child Care and Development)

(cf. 5148.3 - Preschool/Early Childhood Education)

The Superintendent or designee shall provide access to free; potable water during meal times in the food service





## Chico Unified School District

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

Board Policy:

#5030

Section: 5000

Students

Page 4 of 7

area in accordance with Education Code 38086 and 42 USC 1758, and shall encourage students' consumption of water by educating them about the health benefits of water and serving water in an appealing manner.

~~for all foods available on each campus during the school day, with the objectives of promoting student health and reducing childhood obesity. (42 USC 1751Note)~~

~~The Board believes that foods and beverages available to students at district schools should support the health curriculum and promote optimal health. Nutrition standards adopted by the district for all foods and beverages sold to students on campus, shall meet or exceed state and federal nutrition standards.~~

~~(cf. 3312 - Contracts)~~

~~(cf. 3550 - Food Service/Child Nutrition Program) (cf. 3554 - Other Food Sales)~~

~~(cf. 5148 - Child Care and Development)~~

~~(cf. 6300 - Preschool/Early Childhood Education)~~

The Board encourages all school organizations to **utilize the current Smart Snacks Federal Regulations** for use district approved healthy food items or non-food items for fundraising purposes. The district will make available a list of approved **healthy snack calculator** for healthy food items.

1. At school-sponsored off-campus events (or on-campus events after school hours) where food items are sold, there shall be posted the calorie and fat content in a location visible by consumers for comparison purposes. Items sold during fundraisers must also indicate calories and fat content.
2. The District strongly encourages the sale of locally produced products at extra-curricular events and in fundraising efforts.
3. To assist organizations in exploring the vast array of fundraising possibilities, the District will add to its website under "Resources", "Useful Links", links to fundraising websites that comply with this policy but are not necessarily endorsed by the District. (Examples: ~~www.custombuiltcalendars.com;~~ ~~www.fundraisingfactory.com;~~ [www.originalworks.com](http://www.originalworks.com))

~~By July 1, 2012, Parents and teachers will be required to comply by only offering/providing with the list of CUSD approved current Smart Snacks Federal and State regulations (Healthy Calculator) healthy foods for all school related activities, including classroom parties. The district shall require all persons bringing food on campus intended to share with others to adhere to the "CUSD Nutritious Foods Pledge" which must be reviewed and signed healthy calculator prior to bringing food on campus. Class parties or other food related celebrations shall be held after the lunch period when possible.~~

~~By July 1, 2012, The Board prohibits shall require school staff to avoid the use of school staff from using non-nutritious foods as a reward for students' academic performance, accomplishments, or classroom behavior. Foods may be used as rewards/reinforces when they are specified in a student's Behavior Support Plan (BSP).~~  
(cf. 1230 - School-Connected Organizations)

~~Beginning July 1, 2009, Any food provided to K-12 students during school hours and within one-half hour before and after school from midnight to one-half hour after school shall not contain or have been prepared with artificial trans fat, including vegetable shortening, margarine, or any kind of partially hydrogenated vegetable oil, unless the manufacturer's documentation or label lists the trans fat content as less than 0.5 grams per serving. (Education Code 49431.7)~~

### Guidelines for Reimbursable Meals

Foods and beverages provided through federally reimbursable school meal programs shall meet or exceed federal regulations and guidance issued pursuant to 42 USC 1758(f)(1), 1766(a), and 1779(a) and (b), as they apply to schools. (42 USC 1751 Note)



In order to maximize the district's ability to provide nutritious meals and snacks, all district schools shall participate in available federal school nutrition programs, including the National School Lunch and School Breakfast Programs, to the extent possible.

(cf. 3553 - Free and Reduced Price Meals)

#### **Program Implementation and Evaluation**

The Board shall establish a plan for measuring implementation of the policy. The Superintendent shall designate at least one person within the district and at each school who is charged with operational responsibility for ensuring that the school sites implement the district's wellness policy. (42 USC 1751 Note)

(cf. 0500 - Accountability)

The following indicators will be used to measure the implementation of the wellness policy district wide and at each district school ~~from midnight to half hour after school day~~. These measures shall include, but not be limited to, an analysis of the nutritional content of meals served; student participation rates in school meal programs; ~~adherence to the ban on sales of non-nutritious foods and beverages in fundraisers or other~~ **adherence to current Smart Snack regulations at all** venues outside the district's meal programs; and feedback from food service personnel, school administrators, the school wellness committee, parents/guardians, students, and other appropriate persons.

The Superintendent or designee shall report to the Board at least every two years on the implementation and effectiveness of this policy and any other Board policies related to nutrition and physical activity.

#### **Assessment and Monitoring of the Wellness Policy**

Representatives of the school district shall develop a plan for implementing the district wellness policy and measuring implementation of that policy. The district superintendent or designee shall designate at least one person from the administration, and one from Nutrition Services within CUSD that is charged with operational responsibility for ensuring that the school sites implement the adopted local wellness policy.

~~The assessment shall include the extent to which district schools are in compliance with this policy, the extent to which this policy compares to model wellness policies available from the U.S. Department of Agriculture, and a description of the progress made in attaining the goals of the wellness policy. (42 USC 1758b)~~

~~The Board and the Superintendent or designee shall establish indicators that will be used to measure the implementation and effectiveness of the district activities related to student wellness. Such indicators may include, but are not limited to:~~

- ~~1. Descriptions Examples of the district's nutrition education, physical education, and health education curricula and the extent to which they align with state academic content standards and legal requirements~~
- ~~2. An analysis of the nutritional content of school meals and snacks served in all district programs, based on a sample of menus and production records~~
- ~~3. Student participation rates in all school meal and/or snack programs, including the number of students enrolled in the free and reduced-price meals program compared to the number of students eligible for that program~~
- ~~4. Extent to which foods sold on campus outside the food services program, such as through vending machines, or student stores, comply with nutritional standards~~



## **Chico Unified School District**

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

**Board Policy:**

**#5030**

**Section: 5000**

**Students**

**Page 6 of 7**

---

5. Results of the state's physical fitness test at 5<sup>th</sup> and 7th grade levels

6. Number of minutes of physical education offered at each grade span.

The Superintendent or designee shall inform and update the public, including parents/guardians, students, and others in the community, about the content and implementation of this policy and assessment results. (42 USC 1758b)

### **Posting Requirements**

Each school shall post the district's policies and regulations on nutrition and physical activity in public view within all school cafeterias or in other central eating areas. (Education Code 49432)

Each school shall also post a summary of nutrition and physical activity laws and regulations prepared by the California Department of Education.

The Superintendent or designee may disseminate health information and/or the district's student wellness policy to parents/guardians through district or school newsletters, handouts, parent/guardian meetings, district and school web sites, and other communications. Outreach to parents/guardians shall emphasize the relationship between student health and academic performance.

Legal Reference:

Legal Reference:

#### **EDUCATION CODE**

33350-33354 CDE responsibilities re: physical education  
49430-49434 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  
49550-49561 Meals for needy students  
49565-49565.8 California Fresh Start pilot program  
49570 National School Lunch Act  
51210 Course of study, grades 1-6  
51220 Course of study, grades 7-12  
51222 Physical education  
51223 Physical education, elementary schools  
51795-51796.5 School instructional gardens  
51880-51921 Comprehensive health education

#### **CODE OF REGULATIONS, TITLE 5**

15500-15501 Food sales by student organizations  
15510 Mandatory meals for needy students  
15530-15535 Nutrition education  
15550-15565 School lunch and breakfast programs

#### **UNITED STATES CODE, TITLE 42**

1751-1769 National School Lunch Program, especially:  
1758b Local wellness policy  
1771-1791 Child Nutrition Act, especially:  
1773 School Breakfast Program  
1779 Rules and regulations, Child Nutrition Act





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

**Board Policy: #5030**

**Section: 5000 Students**

**Page 7 of 7**

---

**CODE OF FEDERAL REGULATIONS, TITLE 7**

**210.1-210.31 National School Lunch Program**

**220.1-220.23 National School Breakfast Program**

**COURT DECISIONS**

**Frazer v. Dixon Unified School District, (1993) 18 Cal.App.4th 781**



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## PROMOTION/ACCELERATION/RETENTION

The Board of Education expects students to progress through each grade **level** within one school year. To accomplish this, instruction should accommodate the varying interests and growth patterns of individual students and include strategies for addressing academic deficiencies when needed.

Students shall progress through the grade levels by demonstrating growth in learning and meeting grade-level standards of expected student achievement.

(cf. 6011 - Academic Standards)  
(cf. 6146.1 - High School Graduation Requirements)  
(cf. 6146.5 - Elementary/Middle School Graduation Requirements)  
(cf. 6162.52 - High School Exit Examination)  
(cf. 6170.1 - Transitional Kindergarten)

~~Progress toward high school graduation shall be based on the student's ability to pass the subjects and electives necessary to earn the required number of credits. The student must also meet the minimum proficiency requirements set by the Board.~~

When high academic achievement is evident, the Superintendent or designee **teacher** may recommend a student for acceleration into a higher grade level. The student's ~~social and emotional growth~~ **maturity level** shall be taken into consideration in making a determination to accelerate a student.

~~When academic achievement is below established standards, as early as possible in the school year and in students' school careers, the Superintendent or designee shall identify students who should be retained and who are at risk of being retained in accordance with law, Board policy, administrative regulation and the following criteria:~~

~~Students shall be identified on the basis of grades and multiple measures assessments (including the state's Standardized Testing and Reporting Program).~~

**Teachers shall identify students who should be retained or who are at risk of being retained at their current grade level as early as possible in the school year and as early in their school careers as practicable. Such students shall be identified at the following grade levels: (Education Code 48070.5)**

- 1. Between grades 2 and 3**
- 2. Between grades 3 and 4**
- 3. Between grades 4 and 5**
- 4. Between the end of the intermediate grades and the beginning of the middle school grades (or between grades 5 and 6)**
- 5. Between the end of the middle school grades and the beginning of the high school grades (or between grades 8 and 9)**

**Students shall be identified for retention on the basis of failure to meet minimum levels of proficiency, as indicated by grades and the following additional indicators of academic achievement:**

**(cf. 5121 - Grades/Evaluation of Student Achievement)  
(cf. 5149 - At-Risk Students)**



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

**Board Policy: #5123**

**Section: 5000**

**Students**  
**Page 2 of 2**

Students between grades 2 and 3 and grades 3 and 4 shall be identified primarily on the basis of their level of proficiency in reading. Proficiency in reading, English language arts, and mathematics shall be the basis for identifying students between grades 4 and 5, between intermediate and middle school grades, and between middle school grades and high school grades. (Education Code 48070.5)

(cf. 6142.91 - Reading/Language Arts Instruction)

(cf. 6142.92 - Mathematics Instruction)

If a student does not have a single regular classroom teacher, the Superintendent or designee shall specify the teacher(s) responsible for the decision to promote or retain the student. (Education Code 48070.5)

The teacher's decision to promote or retain a student may be appealed in accordance with AR 5123 - Promotion/Acceleration/Retention.

When a student is recommended for retention or is identified as being at risk for retention, the Superintendent or designee shall provide opportunities for ~~offer an appropriate program of~~ remedial instruction to assist the student in ~~overcoming his/her academic deficiencies~~ **meeting grade-level expectations (Education Code 48070.5)** Such opportunities may include but are not limited to tutorial programs, after-school programs, summer school programs and/or the establishment of a student study team.

(cf. 6176 - Weekend/Saturday Classes)

(cf. 6177 - Summer Learning Programs)

(cf. 6179 - Supplemental Instruction)

**Legal Reference:**

**EDUCATION CODE**

37252-37254.1 Supplemental instruction

41505-41508 Pupil Retention Block Grant

46300 Method of computing average daily attendance

48010 Admittance to first grade

48011 Promotion/retention following one year of kindergarten

48070-48070.5 Promotion and retention

56345 Elements of individualized education plan

60640-60649 California Assessment of Student Performance and Progress

60850-60859 Exit examination

**CODE OF REGULATIONS, TITLE 5**

200-202 Admission and exclusion of students

**Management Resources:**

**CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS**

FAQs Promotion, Retention, and Grading (students with disabilities)

FAQs Pupil Promotion and Retention

Kindergarten Continuance Form

**WEB SITES**

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

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



## **Chico Unified School District**

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

**Board Policy:**

**#5131.62**

**Section: 5000**

**Students**

**Page 1 of 2**

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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. 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 48900, 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)~~

Students' possession or use of electronic cigarettes, electronic hookahs, and other vapor-emitting devices, with or without nicotine content, that mimic the use of tobacco products is also prohibited.

These prohibitions do not apply to a student's possession or use of his/her own prescription products. However, student possession or use of prescription products in school shall be subject to the district's policy and regulation for addressing the administration of medications on campus. (Education Code 48900)

*(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)*

#### **Prevention Instruction**

The district shall provide developmentally appropriate tobacco use prevention instruction for students at selected grade levels from kindergarten through 12 pursuant to Education Code 51202. 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 provide or 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)*

Policy Adopted: 02/21/07; 11/16/11



## **Chico Unified School District**

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

**Board Policy:**

**#5131.62**

**Section: 5000**

**Students**

**Page 2 of 2**

---

**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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## ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS

~~The Board of Education recognizes that some students may need to take medication prescribed by an authorized health care provider during the school day in order to be able to attend school. The Superintendent or designee shall develop processes for the administration of medication to such students. For any student with a disability, as defined under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973, necessary medication shall be administered in accordance with the student's individualized education program or Section 504 services plan.~~

~~(cf. 6159 - Individualized Education Plan)~~

~~(cf. 6164.6 - Identification and Education Under Section 504)~~

~~If a parent/guardian chooses, he/she may administer the medication to his/her child at school or designate another individual who is not a school employee to do so on his/her behalf.~~

~~(cf. 1250 - Visitors/Outsiders)~~

~~(cf. 6116 - Classroom Interruptions)~~

~~In addition, upon written request by the parent/guardian and with the approval of the student's authorized health care provider, a student with a medical condition that requires frequent treatment, monitoring, or testing may be allowed to self-administer, self-monitor, and/or self-test. The student shall observe universal precautions in the handling of blood and other bodily fluids.~~

~~(cf. 5141 - Health Care and Emergencies)~~

~~(cf. 5141.22 - Infectious Diseases)~~

~~(cf. 5141.23 - Asthma Management)~~

~~(cf. 5141.27 - Food Allergies/Special Dietary Needs)~~

The Governing Board believes that regular school attendance is critical to student learning and that students who need to take medication prescribed or ordered for them by their authorized health care providers should have an opportunity to participate in the educational program.

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Chronic Absence and Truancy)

Any medication prescribed for a student with a disability who is qualified to receive services under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973 shall be administered in accordance with the student's individualized education program or Section 504 services plan as applicable.

(cf. 6159 - Individualized Education Program)

(cf. 6164.6 - Identification and Education Under Section 504)

For the administration of medication to other students during school or school-related activities, the Superintendent or designee shall develop protocols which shall include options for allowing a parent/guardian to administer medication to his/her child at school, designate other individuals to do so on his/her behalf, and, with the child's authorized health care provider's approval, request the district's permission for his/her child to self-administer a medication or self-monitor and/or self-test for a medical condition. Such processes shall be implemented in a manner that preserves campus security, minimizes instructional interruptions, and promotes student safety and privacy.

(cf. 1250 - Visitors/Outsiders)

(cf. 5141 - Health Care and Emergencies)

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.23 - Asthma Management)





## **Chico Unified School District**

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

Board Policy:

#5141.21

Section: 5000

Students

Page 2 of 3

(cf. 5141.27 - Food Allergies/Special Dietary Needs)  
(cf. 6116 - Classroom Interruptions)

In addition, the Superintendent or designee shall collaborate with city and county emergency responders, including local public health administrators, to design procedures or measures for addressing an emergency such as a public disaster or epidemic.

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

### **Administration of Medication by School Personnel**

Any medication prescribed by an authorized health care provider, including, **but not limited to**, an emergency antiseizure medication for a student ~~with epilepsy~~ **who suffers epileptic seizures, auto-injectable epinephrine, insulin, or glucagon**, may be administered by the school nurse or other designated school personnel only when the Superintendent or designee has received written statements from both the student's authorized health care provider and parent/guardian. (Education Code **49414.7**, 49423; 5 CCR 600)

School nurses and other designated school personnel shall administer medications **to students** in accordance with law, Board policy and administrative regulation and shall be afforded appropriate liability protection.

(cf. 3530 - Risk Management/Insurance)  
(cf. 4119.42/4219.42/4319.42 – Exposure Control Plan for Bloodborne Pathogens)  
(cf. 4119.43/4219.43/4319.43 – Universal Precautions)

When **medically** unlicensed personnel are authorized by law to administer a medication, such as emergency antiseizure medication, epinephrine auto-injector, or glucagon, the Superintendent or designee shall ensure that unlicensed personnel designated to administer it to students receive appropriate training from qualified medical personnel before any medication is administered. At a minimum, the training shall cover how and when such medication should be administered, the recognition of symptoms and treatment, emergency follow-up procedures, and the proper documentation and storage of medication. Such trained, unlicensed designated school personnel shall be supervised by and provided with emergency communication access to a school nurse, physician, or other appropriate individual.

~~The Superintendent or designee shall maintain documentation of the training, ongoing supervision, as well as annual written verification of competency of such other designated school personnel.~~

(cf. ~~4131/4231/4331 – Staff Development~~)

#### **Legal Reference:**

##### **EDUCATION CODE**

- 48980 Notification at beginning of term
  - 49407 Liability for treatment
  - 49408 Emergency information
  - 49414 Emergency epinephrine auto-injectors
  - 49414.5 Providing training
  - 49414.7 Emergency medical assistance: administration of epilepsy medication
  - 49422-49427 Employment of medical personnel, especially:
  - 49423 Administration of prescribed medication for student
  - 49423.1 Inhaled asthma medication
  - 49480 Continuing medication regimen; notice
- ##### **BUSINESS AND PROFESSIONS CODE**
- 2700-2837 Nursing, especially:
  - 2726 Authority not conferred





## **Chico Unified School District**

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

**Board Policy:**

**#5141.21**

**Section: 5000**

**Students**

**Page 3 of 3**

---

2727 Exceptions in general

3501 Definitions

CODE OF REGULATIONS, TITLE 5

600-611 Administering medication to students

620-627 Administration of emergency antiseizure medication by trained volunteer nonmedical school personnel

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act of 1974

1400-1482 Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 29

794 Rehabilitation Act of 1973, Section 504

COURT DECISIONS

American Nurses Association v. Torlakson, (2013) 57 Cal.App.4th 570

### **Management Resources:**

CSBA PUBLICATIONS

Pandemic Influenza, Fact Sheet, September 2007

AMERICAN DIABETES ASSOCIATION PUBLICATIONS

Glucagon Training Standards for School Personnel: Providing Emergency Medical Assistance to Pupils with Diabetes, May 2006

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Legal Advisory on Rights of Students with Diabetes in California's K-12 Public Schools, August 2007

Training Standards for the Administration of Epinephrine Auto-Injectors, December 2004

NATIONAL DIABETES EDUCATION PROGRAM PUBLICATIONS

Helping the Student with Diabetes Succeed: A Guide for School Personnel, June 2003

WEB SITES

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

American Diabetes Association: <http://www.diabetes.org>

California Department of Education, Health Services and School Nursing: <http://www.cde.ca.gov/ls/he/hn>

National Diabetes Education Program: <http://www.ndep.nih.gov>

U.S. Department of Health and Human Services, National Institutes of Health, Blood Institute, asthma information:

<http://www.nhlbi.nih.gov/health/public/lung/index.htm#asthma>



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## **SUSPENSION AND EXPULSION/DUE PROCESS**

The Governing Board desires to provide district students access to educational opportunities in an orderly school environment that protects their safety and security, ensures their welfare and well-being, and promotes their learning and development. The Board shall develop rules and regulations setting the standards of behavior expected of district students and the disciplinary processes and procedures for addressing violations of those standards, including suspension and/or expulsion.

(cf. 5131 – Conduct)  
(cf. 5144 - Discipline)  
(cf. 5131.2 - Bullying)

To correct the behavior of any student who is subject to discipline, the Superintendent or designee shall, to the extent allowed by law, first use alternative disciplinary strategies specified in AR 5144.1 - Discipline. (Education Code 48900.5)

The grounds for suspension and expulsion and the procedures for considering, recommending and/or implementing suspension and expulsion shall be specified in law and administrative regulation.

District staff shall enforce the rules concerning suspension and expulsion of students fairly, consistently, and in accordance with the district's nondiscrimination policies.

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

Except for single acts of a grave nature or offenses for which suspension or expulsion is required by law, on campus suspension or expulsion shall be used only when the student involved has a history of misconduct and other means of correction have failed to bring about proper conduct or the student's presence causes a continuing danger to himself/herself or others.

To correct the behavior of students who are subject to discipline, the Superintendent or designee, to the extent allowed by law, may use disciplinary measures that keep students in school during the school day.

Except when otherwise permitted by law, a student may be suspended or expelled only when his/her behavior is related to a school activity or school attendance occurring within any district school or other school district, regardless of when it occurs, including, but not limited to, the following: (Education Code 48900(s))

1. While on school grounds
2. While going to or coming from school
3. During the lunch period, whether on or off the school campus

(cf. 5112.5 - Open/Closed Campus)

4. During, going to, or coming from a school-sponsored activity

(cf. 5138 - Conflict Resolution/Peer Mediation)  
(cf. 5144 - Discipline)  
(cf. 6142.4 - Service Learning/Community Service Classes)  
(cf. 6164.2 - Guidance/Counseling Services)  
(cf. 6164.5 - Student Success Teams)



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

**Board Policy: #5144.1**

**Section: 5000 Students**

**Page 2 of 4**

Alternatives to suspension or expulsion also shall be used with students who are truant, tardy, or otherwise absent from assigned school activities.

*(cf. 5113 - Absences and Excuses)*  
*(cf. 5113.1 - Chronic Absence and Truancy)*

Suspended or expelled students, including students serving on campus suspension, shall be denied the privilege of participation in all school-related extracurricular activities during the period of suspension or expulsion.

*(cf. 6145 - Extracurricular and Cocurricular Activities)*

### **Due Process**

The Board shall provide for the fair and equitable treatment of students facing suspension and expulsion by affording them their due process rights under the law. The Superintendent or designee shall comply with procedures for notices, hearings, and appeals as specified in administrative regulation and law. (Education Code 48911, 48915, 48915.5)

*(cf. 5119 - Students Expelled from Other Districts)*  
*(cf. 5144.2 - Suspension and Expulsion/Due Process (Individuals with Disabilities))*

### **Removal from Class by a Teacher and Parental Attendance**

When suspending a student from class for committing an obscene act, engaging in habitual profanity or vulgarity, disrupting school activities, or otherwise willfully defying valid staff authority, the teacher of the class may require any parent/guardian who lives with the student to attend a portion of the school day in the class from which the student is being suspended, to assist in resolving the classroom behavior problems. (Education Code 48900.1)

The teacher shall apply this policy uniformly to all students within the classroom. This policy shall apply only to a parent/guardian who lives with the student. (Education Code 48900.1)

When a teacher requires parental attendance, the principal shall send a written notice to the parent/guardian stating that his/her attendance is required pursuant to law. (Education Code 48900.1)

A parent/guardian who has received a written notice shall attend class as specified in the notice. After completing the classroom visit and before leaving school premises, the parent/guardian also shall meet with the principal or designee. (Education Code 48900.1)

When a parent/guardian does not respond to the request to attend school, the principal or designee shall contact him/her by telephone, mail, or other means that maintains the confidentiality of the student's records.

*(cf. 5125 - Student Records)*

District regulations and school-site rules for student discipline shall include procedures for implementing parental attendance requirements. Parents/guardians shall be notified of this policy prior to its implementation. (Education Code 48900.1)

*(cf. 5145.6 - Parental Notifications)*

### **Supervised Suspension Classroom**

#### **On-Campus Suspension Program**

The Board recognizes that students who are suspended from school often have no supervision or guidance during the school hours when they are off campus and may fall behind in the coursework. The Board believes

Policy Adopted: 02/21/07; 06/20/12; 07/17/13



## **Chico Unified School District**

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

**Board Policy:**

**#5144.1**

**Section: 5000**

**Students**

**Page 3 of 4**

that, in many cases, it would be better to manage the student's behavior by keeping the student at school and providing him/her with supervision that is separated from the regular classroom.

The Superintendent or designee may establish a supervised in-house suspension program which meets the requirements of law for suspended students who pose no imminent danger or threat at school and for whom an expulsion action has not been initiated.

The Superintendent or designee shall examine alternatives to off-campus suspension and may establish a suspension program which involves progressive discipline during the school day on campus; use of conferences between staff, parents/guardians and students; detention; student study teams or other assessment-related teams; and/or referral to school support services staff. The use of such alternatives does not preclude off-campus suspensions.

To ensure the proper supervision and ongoing learning of students who are suspended for any of the reasons enumerated in Education Code 48900 and 48900.2, but who pose no imminent danger or threat to anyone at school and for whom expulsion proceedings have not been initiated, the Superintendent or designee shall establish a supervised classroom suspension program which meets the requirements of law. The use of such alternatives does not preclude off-campus suspensions.

### **Decision Not to Enforce Expulsion Order**

On a case-by-case basis, the enforcement of an expulsion order may be suspended by the Board pursuant to the requirements of law and administrative regulation.

#### **Legal Reference:**

##### **EDUCATION CODE**

212.5 Sexual harassment  
1981 Enrollment of students in community school  
17292.5 Program for expelled students  
32261 Interagency School Safety Demonstration Act of 1985  
35146 Closed sessions (re suspensions)  
35291 Rules (for government and discipline of schools)  
35291.5 Rules and procedures on school discipline  
48660-48667 Community day schools  
48900-48927 Suspension and expulsion  
48950 Speech and other communication  
49073-49079 Privacy of student records

##### **CIVIL CODE**

47 Privileged communication  
48.8 Defamation liability

##### **CODE OF CIVIL PROCEDURE**

1985-1997 Subpoenas; means of production

##### **GOVERNMENT CODE**

11455.20 Contempt  
54950-54963 Ralph M. Brown Act

##### **HEALTH AND SAFETY CODE**

11014.5 Drug paraphernalia  
11053-11058 Standards and schedules

##### **LABOR CODE**

230.7 Discharge or discrimination against employee for taking time off to appear in school on behalf of a child

##### **PENAL CODE**

31 Principal of a crime, defined  
240 Assault defined  
241.2 Assault fines  
242 Battery defined



## **Chico Unified School District**

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

**Board Policy:**

**#5144.1**

**Section: 5000**

**Students**

**Page 4 of 4**

---

243.2 Battery on school property  
243.4 Sexual battery  
245 Assault with deadly weapon  
245.6 Hazing  
261 Rape defined  
266c Unlawful sexual intercourse  
286 Sodomy defined  
288 Lewd or lascivious acts with child under age 14  
288a Oral copulation  
289 Penetration of genital or anal openings  
626.2 Entry upon campus after written notice of suspension or dismissal without permission  
626.9 Gun-Free School Zone Act of 1995  
626.10 Dirks, daggers, knives, razors or stun guns  
868.5 Supporting person; attendance during testimony of witness  
WELFARE AND INSTITUTIONS CODE  
729.6 Counseling  
UNITED STATES CODE, TITLE 18  
921 Definitions, firearm  
UNITED STATES CODE, TITLE 20  
7151 Gun free schools  
COURT DECISIONS  
T.H. v. San Diego Unified School District (2004) 122 Cal. App. 4th 1267  
Woodbury v. Dempsey (2003) 108 Cal. App. 4th 421  
Board of Education of Sacramento City Unified School District v. Sacramento County Board of Education and Kenneth H., (2001) 85 Cal.App.4th 1321  
Garcia v. Los Angeles Board of Education (1991) 123 Cal.App.3d 807  
Fremont Union High School District v. Santa Clara County Board (1991) 235 Cal. App. 3d 1182  
John A. v. San Bernardino School District (1982) 33 Cal. 3d 301  
ATTORNEY GENERAL OPINIONS  
84 Ops.Cal.Atty.Gen. 146 (2001)  
80 Ops.Cal.Atty.Gen. 91 (1997)  
80 Ops.Cal.Atty.Gen. 85 (1997)

### **Management Resources:**

#### **CSBA PUBLICATIONS**

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

#### **U.S. DEPARTMENT OF EDUCATION PUBLICATIONS**

Civil Rights Data Collection Summary, March 2012

#### **WEB SITES**

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

California Attorney General's Office: <http://www.oag.ca.gov>

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

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr/docs/crdc-2012-data-summary.pdf>

U.S. Department of Education, Office of Safe and Drug-Free Schools: <http://www.ed.gov/about/offices/list/osdfs>



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## **NONDISCRIMINATION/HARASSMENT**

The Governing Board desires to provide a safe school environment that allows all students equal access and opportunities in the district's academic and other educational support programs, services, and activities. The Board prohibits, at any district school or school activity, unlawful discrimination, harassment, intimidation, and bullying of any student based on the student's actual race, color, ancestry, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, or gender expression; the perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics.

This policy shall apply to all acts related to school activity or to school attendance occurring within a district school. (Education Code 234.1)

*(cf. 0410 - Nondiscrimination in District Programs and Activities)*  
*(cf. 5131 - Conduct)*  
*(cf. 5131.2 - Bullying)*  
*(cf. 5137 - Positive School Climate)*  
*(cf. 5145.9 - Hate-Motivated Behavior)*  
*(cf. 5146 - Married/Pregnant/Parenting Students)*  
*(cf. 6164.6 - Identification and Education Under Section 504)*

Prohibited discrimination, harassment, intimidation, or bullying includes physical, verbal, nonverbal, or written conduct based on one of the categories listed above that is so severe and pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects a student's educational opportunities.

The Board also prohibits any form of retaliation against any student who files a complaint or report regarding an incident of discrimination, harassment, intimidation, or bullying.

~~The Superintendent or designee shall provide information to employees, students, and/or parents/guardians regarding discrimination, harassment, intimidation, and bullying, including, but not limited to, the district's nondiscrimination policy, what constitutes prohibited behavior, how to report incidents, and to whom such reports should be made.~~

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

~~In providing instruction, guidance, supervision, or other services to district students, employees and volunteers shall carefully guard against segregating or stereotyping students.~~

~~*(cf. 1240 - Volunteer Assistance)*~~  
~~*(cf. 6145 - Extracurricular and Cocurricular Activities)*~~  
~~*(cf. 6145.2 - Athletic Competition)*~~  
~~*(cf. 6164.2 - Guidance/Counseling Services)*~~

~~The principal or designee shall develop a plan to provide students with appropriate accommodations when necessary for their protection from threatened or potentially harassing or discriminatory behavior.~~

Students who engage in discrimination, harassment, intimidation, bullying, or retaliation in violation of law, Board policy, or administrative regulation shall be subject to appropriate consequence or discipline, up to and including counseling, suspension, and/or expulsion. Any employee who permits or engages in prohibited discrimination,



## **Chico Unified School District**

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

**Board Policy:**

**#5145.3**

**Section: 5000**

**Students**

**Page 2 of 4**

harassment, intimidation, bullying, or retaliation shall be subject to disciplinary action, up to and including dismissal.

*(cf. 4118 - Suspension/Disciplinary Action)*

*(cf. 4119.21/4219.21/4319.21- Professional Standards)*

*(cf. 4218 - Dismissal/Suspension/Disciplinary Action)*

*(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))*

*(cf. 5145.2 - Freedom of Speech/Expression)*

### **Grievance Procedures**

The following position is designated Compliance Officer for Nondiscrimination to receive, coordinate and/or investigate complaints regarding discrimination, harassment, intimidation, or bullying, and to answer inquiries regarding the district's nondiscrimination policies:

Director of Categorical Programs  
1163 E. Seventh Street, Chico, CA 95928  
530-891-3000, x105

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

*(cf. 1312.3 - Uniform Complaint Procedures)*

The Compliance Officer may assign other staff to investigate based on the nature of the complaint as directed under AR 1312.3, Uniform Complaint Procedures.

Any student who feels that he/she has been subjected to discrimination, harassment, intimidation, or bullying should immediately contact the Compliance Officer, the principal, or any other district employee. In addition, any student who observes any such incident should report the incident to the Compliance Officer or principal, or any other district employee whether or not the victim files a complaint.

Any district employee who observes an incident of discrimination, harassment, intimidation, or bullying shall report the incident to the Compliance Officer or principal, whether or not the victim files a complaint.

In addition, the district employee shall immediately intervene when safe to do so. (Education Code 234.1)

Upon receiving a complaint of discrimination, harassment, intimidation, or bullying, the Compliance Officer or designee shall immediately investigate the complaint in accordance with AR 1312.3, Uniform Complaint Procedures.

*(cf. 5145.7 - Sexual Harassment/Nondiscrimination/Harassment)*

The Compliance Officer shall ensure that the student handbook clearly describes the district's nondiscrimination policy, procedures for filing a complaint regarding discrimination, harassment, intimidation, or bullying, and the resources that may be available to students who feel that they have been the victim of any such behavior. The district's policy shall also be posted on the district web site or any other location that is easily accessible to students.

*(cf. 1113 - District and School Web Sites)*

*(cf. 1114 - District-Sponsored Social Media)*

*(cf. 6163.4 - Student Use of Technology)*





## **Chico Unified School District**

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

**Board Policy:**

**#5145.3**

**Section: 5000**

**Students**

**Page 3 of 4**

When required pursuant to Education Code 48985, complaint forms shall be translated into the student's primary language.

### **Legal Reference:**

#### **EDUCATION CODE**

200-262.4 Prohibition of discrimination  
48900.3 Suspension or expulsion for act of hate violence  
48900.4 Suspension or expulsion for threats or harassment  
48904 Liability of parent/guardian for willful student misconduct  
48907 Student exercise of free expression  
48950 Freedom of speech  
48985 Translation of notices  
49020-49023 Athletic programs  
51500 Prohibited instruction or activity  
51501 Prohibited means of instruction  
60044 Prohibited instructional materials

#### **CIVIL CODE**

1714.1 Liability of parents/guardians for willful misconduct of minor

#### **PENAL CODE**

422.55 Definition of hate crime  
422.6 Crimes, harassment

#### **CODE OF REGULATIONS, TITLE 5**

432 Student record  
4600-4687 Uniform complaint procedures  
4900-4965 Nondiscrimination in elementary and secondary education programs

#### **UNITED STATES CODE, TITLE 20**

1681-1688 Title IX of the Education Amendments of 1972

#### **UNITED STATES CODE, TITLE 42**

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

2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964

#### **CODE OF FEDERAL REGULATIONS, TITLE 34**

100.3 Prohibition of discrimination on basis of race, color or national origin  
104.7 Designation of responsible employee for Section 504  
106.8 Designation of responsible employee for Title IX  
106.9 Notification of nondiscrimination on basis of sex

#### **COURT DECISIONS**

Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567  
Flores v. Morgan Hill Unified School District, (2003) 324 F.3d 1130

### **Management Resources:**

#### **CSBA PUBLICATIONS**

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

Interim Guidance Regarding Transgender Students, Privacy, and Facilities, September 27, 2013

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

#### **FIRST AMENDMENT CENTER PUBLICATIONS**

Public Schools and Sexual Orientation: A First Amendment Framework for Finding Common Ground, 2006

#### **NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS**

Dealing with Legal Matters Surrounding Students' Sexual Orientation and Gender Identity, 2004

#### **U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS**

Dear Colleague Letter: Harassment and Bullying, October 2010

Notice of Non-Discrimination, January 1999

#### **WEB SITES**

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

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

California Safe Schools Coalition: <http://www.casafeschools.org>



***Chico Unified School District***

*1163 East Seventh Street, Chico, CA 95928-5999  
(530) 891-3000*

**Board Policy: #5145.3**

**Section: 5000**

**Students**

**Page 4 of 4**

---

*First Amendment Center: <http://www.firstamendmentcenter.org>*

*National School Boards Association: <http://www.nsba.org>*

*U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>*



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## MARRIED/PREGNANT/PARENTING STUDENTS

The Board of Education recognizes that early marriage, pregnancy or parenting may disrupt a student's education and increase the chance of a student dropping out of school. The Board therefore desires to ~~provide instruction and services designed to assist in pregnancy prevention. The Board also desires to support male and female expectant and~~ **married, pregnant, and** parenting students to **continue their education**, attain strong academic and parenting skills and to promote the healthy development of their children.

(cf. 5113.1 – Chronic Absence and Truancy)  
(cf. 5147 - Dropout Prevention)  
(cf. 5149 - At-Risk Students)  
(cf. 6011 - Academic Standards)  
(cf. 6146.1 - High School Graduation Requirements)  
(cf. 6146.11 - Alternative Credits Toward Graduation)  
(cf. 6146.2 - Certificate of Proficiency/High School Equivalency)  
(cf. 6164.5 – Student Success Teams)

~~Married, expectant and parenting students shall have the same educational and extracurricular opportunities as all students. Participation in special programs or schools shall be voluntary.~~

~~(cf. 0410 – Nondiscrimination in District Programs and Activities)  
(cf. 5127 – Graduation Ceremonies and Activities)  
(cf. 6145 – Extracurricular and Cocurricular Activities)~~

The district shall not discriminate against any student on the basis of the student's marital status, pregnancy, childbirth, false pregnancy, termination of pregnancy, or related recovery. (Education Code 230; 20 USC 1681-1688)

~~(cf. 0410 - Nondiscrimination in District Programs and Activities)  
(cf. 5127 - Graduation Ceremonies and Activities)~~

Any education program or activity, including any class or extracurricular activity, that is offered separately to such students shall be comparable to that offered to other district students. A student's participation in such programs shall be voluntary. (34 CFR 106.40)

~~(cf. 6142.7 - Physical Education and Activity)  
(cf. 6145 - Extracurricular and Cocurricular Activities)~~

Any complaint of discrimination on the basis of pregnancy or marital or parental status shall be addressed through the district's uniform complaint procedures in accordance with 5 CCR 4600-4687 and BP/AR 1312.3 - Uniform Complaint Procedures.

~~(cf. 1312.3 - Uniform Complaint Procedures)~~

For school-related purposes, a married student under the age of 18 ~~are emancipated minors and~~ **years shall** have all the rights and privileges of students who are 18 years old, even if the marriage has been dissolved. (Family Code 7002)

### **Expectant ~~Pregnant~~ and Parenting Students**

~~The Board is committed to providing to expectant and parenting students and their children a comprehensive, continuous, community-linked program that reflects the cultural and linguistic diversity of the community.~~



## **Chico Unified School District**

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

**Board Policy:**

**#5146**

**Section: 5000**

**Students**

**Page 2 of 3**

~~The Superintendent or designee shall collaborate with the County Superintendent of Schools and other community agencies and organizations to ensure that appropriate educational and related support services are available to meet the needs of expectant and parenting students and their children.~~

~~(cf. 1400 – Relations Between Other Governmental Agencies and the Schools)~~

~~Expectant and parenting students retain the right to participate in any comprehensive school or educational alternative programs. School placement and instructional strategies for participating students shall be based on the needs and learning styles of individual students. The classroom setting shall be the preferred instructional strategy unless an alternative is necessary to meet the needs of the individual student and/or child. (Education Code 54745)~~

~~(cf. 6158 – Independent Study)~~

~~(cf. 6182 – Opportunity School/Class/Program)~~

~~(cf. 6183 – Home and Hospital Instruction)~~

~~(cf. 6184 – Continuation Education)~~

~~(cf. 6200 – Adult Education)~~

~~In addition to providing a quality education program for expectant and parenting students, the district's program shall provide parenting education and life skills instruction, special school nutrition supplements for pregnant and lactating students, and a child care and development program on or near the school site for the children of enrolled students. The district's program may provide other support services authorized by Education Code 54746 as necessary to meet the needs of students and their children. (Education Code 54745)~~

~~(cf. 3550 – Food Service/Child Nutrition Program)~~

~~(cf. 5141.6 – Student Health and Social Services)~~

~~(cf. 5148 – Child Care and Development)~~

~~(cf. 6164.2 – Guidance/Counseling Services)~~

Pregnant and parenting students shall retain the right to participate in any comprehensive school or educational alternative program. The classroom setting shall be the preferred instructional strategy unless an alternative is necessary to meet the needs of the student and/or his/her child.

~~(cf. 6158 - Independent Study)~~

~~(cf. 6181 - Alternative Schools/Programs of Choice)~~

~~(cf. 6184 - Continuation Education)~~

~~(cf. 6200 - Adult Education)~~

When necessary, the district shall provide reasonable accommodations to pregnant and parenting students to enable them to access the educational program. A pregnant student shall have access to any services available to other students with temporary disabilities or medical conditions. A lactating student shall have access to a private location, other than a restroom, to breastfeed or express milk for her infant child.

~~(cf. 6183 - Home and Hospital Instruction)~~

Pregnant or parenting students may be excused for absences related to confidential medical appointments in accordance with BP/AR 5113 - Absences and Excuses.

~~(cf. 5113 - Absences and Excuses)~~

The Superintendent or designee shall grant a student a leave of absence due to pregnancy, childbirth, false pregnancy, termination of pregnancy, and related recovery for as long as it is deemed medically necessary by her physician. At the conclusion of the leave, the student shall be reinstated to the status she held when the leave began. (34 CFR 106.40)



## **Chico Unified School District**

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

**Board Policy:**

**#5146**

**Section: 5000**

**Students**

**Page 3 of 3**

---

(cf. 5112.3 - Student Leave of Absence)

### **Legal Reference:**

#### **EDUCATION CODE**

230 Sex discrimination

8200-8498 Child Care and Development Services Act

48205 Excused absences

48220 Compulsory education requirement

48410 Persons exempted from continuation classes

49553 Nutrition supplements for pregnant/lactating students

51220.5 Parenting skills and education

51745 Independent study

52610.5 Enrollment of pregnant and parenting students in adult education

54740-54749 Cal-SAFE program for pregnant/parenting students and their children

#### **FAMILY CODE**

7002 Description of emancipated minor

#### **HEALTH AND SAFETY CODE**

104460 Tobacco prevention services for pregnant and parenting students

#### **CODE OF REGULATIONS, TITLE 5**

4600-4687 Uniform complaint procedures

4950 Nondiscrimination, marital and parental status

#### **CODE OF REGULATIONS, TITLE 22**

101151-101239.2 General licensing requirements for child care centers

101351-101439.1 Infant care centers

#### **UNITED STATES CODE, TITLE 20**

1681-1688 Title IX, Education Act Amendments

#### **UNITED STATES CODE, TITLE 42**

1786 Special supplemental nutrition program for women, infants, and children

#### **CODE OF FEDERAL REGULATIONS, TITLE 7**

246.1-246.28 Special supplemental nutrition program for women, infants, and children

#### **CODE OF FEDERAL REGULATIONS, TITLE 34**

106.40 Marital or parental status

#### **ATTORNEY GENERAL OPINIONS**

87 Ops.Cal.Atty.Gen. 168 (2004)

#### **COURT DECISIONS**

American Academy of Pediatrics et al v. Lungren et al (1997) 16 Cal.4th 307

### **Management Resources:**

#### **CALIFORNIA WOMEN'S LAW CENTER PUBLICATIONS**

Educational Rights of Pregnant and Parenting Teens: Title IX and California State Law Requirements

The Civil Rights of Pregnant and Parenting Teens in California Schools, 2002

#### **U.S. DEPARTMENT OF EDUCATION PUBLICATIONS**

Supporting the Academic Success of Pregnant and Parenting Students under Title IX of the Education Amendments of 1972, rev. June 2013

#### **WEB SITES**

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

California Women's Law Center: <http://www.cwlc.org>

U.S. Department of Agriculture, Women, Infants, and Children Program: <http://www.fns.usda.gov/wic>

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



## **Chico Unified School District**

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

Board Policy:

#6141.5

Section: 6000

Instruction

Page 1 of 1

---

### **ADVANCED PLACEMENT**

To encourage **district** students to challenge themselves academically, **develop college-level skills**, and **to enable students to be more competitive when applying for admission to postsecondary institutions**, the Board of Education shall **provide offer opportunities for college-level coursework that will prepare interested high school students to pass to high school students to take Advanced Placement (AP) courses and pass** Advanced Placement examinations.

*(cf. 0200 - Goals for the School District)*

*(cf. 6172 - Gifted and Talented Student Program)*

*(cf. 6172.1 - Concurrent Enrollment in College Classes)*

~~To increase the capacity of the school to offer these courses, the Superintendent or designee shall provide opportunities for staff development for Advanced Placement teachers and shall explore alternative methods of delivering Advanced Placement courses, including online courses.~~

~~*(cf. 4111 - Recruitment and Selection)*~~

~~*(cf. 4113 - Assignment)*~~

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

~~The Superintendent or designee shall ensure that the district's curriculum provides opportunities for students to acquire the skills necessary to successfully undertake Advanced Placement coursework.~~

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

~~*(cf. 6143 - Courses of Study)*~~

All students who meet course prerequisites shall have equal access to Advanced Placement courses.

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

Grades for Advanced Placement courses shall be assigned in accordance with Board policy and administrative regulation.

*(cf. 5121 - Grades/Evaluation of Student Achievement)*

**The Board desires that every district AP course receive authorization to use the AP designation by the College Board. To that end, the Superintendent or designee shall coordinate the process for submitting courses for approval as part of the College Board AP course audit.**

#### **Legal Reference:**

##### **EDUCATION CODE**

52240-52243 Advanced Placement program

##### **CODE OF REGULATIONS, TITLE 5**

3840 Advanced Placement as program option for gifted and talented students

##### **UNITED STATES CODE, TITLE 20**

6534 Advanced Placement exam fee program

#### **Management Resources:**

##### **WEB SITES**

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

Advancement Via Individual Determination: <http://www.avid.org>

California Colleges.edu: <http://californiacolleges.edu>

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

College Board: <http://www.collegeboard.org/ap>

International Baccalaureate: <http://www.ibo.org>

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





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## READING/LANGUAGE ARTS INSTRUCTION

The Governing Board recognizes that reading and other language arts constitute the basic foundation for learning in other areas of study. ~~Students should develop an appreciation for literature and for reading as a means to acquire knowledge. They also should develop oral and written language skills that enable them to effectively communicate with others.~~ The Board desires to offer a **comprehensive, balanced** reading/language arts program that ensures all students have the skills necessary to read fluently and for meaning **and develops students' appreciation for literature.** The program shall integrate reading **and oral and written language arts activities in order** ~~writing, speaking, and listening activities in order~~ to build effective communication skills.

For each grade level, the Board shall adopt academic standards ~~in reading, speaking, and writing, including spelling and grammar,~~ that meet or exceed **Common Core** State Standards. ~~The district's program also shall be aligned with the state framework for reading/language arts instruction.~~ **in the following strands:**

~~(cf. 6011 - Academic Standards)~~

- 1. Reading: Foundational skills, text complexity and analysis, and the growth of comprehension**
- 2. Writing: Text types, responding to reading, production and distribution of writings, and research**
- 3. Speaking and listening: Oral language development, comprehension, flexible communication, and collaboration**
- 4. Language: Conventions, effective use, knowledge of language, and vocabulary**

~~(cf. 6011 - Academic Standards)~~

~~Teachers are encouraged to use a variety of instructional strategies to accommodate the needs of beginning readers and the varying abilities of more advanced readers.~~

~~The Superintendent or designee shall provide professional development opportunities to ensure that instructional staff is knowledgeable about how students develop language skills, is able to analyze students' developing literacy, and is able to draw from a variety of instructional strategies and materials.~~

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

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

The Superintendent or designee shall ensure that the district's reading/language arts program offers sufficient access **to standards-aligned** textbooks and other instructional materials. **The program shall provide instructional materials** of varying levels of difficulty, including fiction and nonfiction works, so that students are continually reading at an appropriate level. In addition, technology should be available to support all areas of literacy.

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

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

~~(cf. 6161.11 - Supplementary Instructional Materials)~~

~~(cf. 6163.1 - Library Media Centers)~~

### Grades K-3

~~The goal of the district's early literacy program shall be to ensure that students are able to read fluently and at grade level by the end of third grade. To reach this goal, the Superintendent or designee shall design a reading/language arts program with the following components:~~



1. ~~Skill development for beginning readers that includes phonemic awareness, phonics and decoding skills, and sufficient practice and repetition of these skills~~
2. ~~A strong literature, language, and comprehension program that includes a balance of oral and written language~~
3. ~~Ongoing assesment of students' skills~~
4. ~~An early intervention program that provides assistance to students at risk of reading failure~~

#### **Grades 4-12**

~~The Board recognizes that reading/language arts instruction is an integral component of the curriculum at all grade levels. Continuous progress in fluency and comprehension shall be the goal of reading/language arts instruction in grades 4-12.~~

~~The program in these grades shall promote reading for subject matter comprehension, developing understanding of progressively more advanced reading material, analyzing and discussing a variety of reading materials, increasing the frequency of reading, developing more complex writing skills with attention to composition and vocabulary, and developing other communications skills. Staff at all grade levels and in every subject shall take responsibility for supporting and expanding students' literacy skills.~~

#### **Supplementary Reading Instruction**

~~When state funding is available, the Board may offer students in grades K-4 increased instructional opportunities before or after school and/or outside the regular school session to assist those students who are experiencing difficulty learning to read and to increase the reading skills and reading enjoyment of all students.~~

~~(cf. 0420 - School Plans/Site Councils)  
(cf. 5123 - Promotion/Acceleration/Retention)  
(cf. 6176 - Weekend/Saturday Classes)  
(cf. 6177 - Summer School)  
(cf. 6179 - Supplemental Instruction)~~

Teachers are expected to use a variety of instructional strategies to accommodate the needs of beginning readers and the varying abilities of more advanced readers. The program shall provide ongoing diagnosis of students' skills and, as needed, may provide supplementary instruction during the school day and/or outside the regular school session to assist students who are experiencing difficulty learning to read.

~~(cf. 5148.2 - Before/After School Programs)  
(cf. 6174 - Education for English Language Learners)  
(cf. 6176 - Weekend/Saturday Classes)  
(cf. 6177 - Summer Learning Programs)  
(cf. 6179 - Supplemental Instruction)~~

#### **Legal Reference:**

EDUCATION CODE  
41505-41508 Pupil Retention Block Grant  
41530-41532 Professional Development Block Grant  
44735 Teaching as a Priority Block Grant



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

**Board Policy:** #6142.91

**Section: 6000**

**Instruction**  
**Page 3 of 3**

---

44755-44757.5 Teacher Reading Instruction Development Program, K-3  
51210 Areas of study, grades 1-6  
51220 Areas of study, grades 7-12  
60119 Sufficiency of textbooks and instructional materials  
60200.4 Fundamental skills  
60207 Curriculum frameworks  
60350-60352 Core reading program instructional materials  
60605 State-adopted content and performance standards in core curricular areas  
60605.8 Common Core standards  
99220-99221 California Reading Professional Development Institutes  
99230-99242 Mathematics and Reading Professional Development Program (AB 466 trainings)  
CODE OF REGULATIONS, TITLE 5  
9535 Purchase of nonadopted core reading program instructional materials  
11980-11985 Mathematics and Reading Professional Development Program (AB 466 trainings)  
11991-11991.2 Reading First achievement index  
UNITED STATES CODE, TITLE 20  
6381-6381k Even Start Family Literacy Program  
6383 Improving literacy through school libraries

**Management Resources:**

CSBA PUBLICATIONS  
Governing to the Core, Governance Briefs  
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS  
California Common Core State Standards: English Language Arts and Literacy in History/Social Studies, Science,  
and Technical Subjects, March 2013  
Common Core State Standards for English Language Arts, August 2010  
English Language Arts/English Language Development Framework for California Public Schools: Kindergarten  
Through Grade Twelve  
Recommended Literature: Kindergarten Through Grade Twelve  
WEB SITES  
CSBA: <http://www.csba.org>  
California Department of Education, Reading/Language Arts: <http://www.cde.ca.gov/ci/rl>



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## MATHEMATICS INSTRUCTION

The Governing Board desires to offer a rigorous mathematics program that provides a strong foundation in basic mathematical skills and prepares students to apply mathematics in real life. The Superintendent or designee shall adopt grade-level curricula that offer a balanced instructional program, including but not limited to:

1. Basic mathematical skills: quantification, basic facts, sorting and classification, and computational skills including addition, subtraction, multiplication, division, fractions, decimals, squares and square roots
2. Conceptual understanding: knowledge and application of facts and definitions, identification of principles, understanding of relationships among mathematical concepts, recognition and application of signs, symbols and terms
3. Problem solving: use of mathematical concepts, skills, tools and reasoning strategies to formulate and solve problems in a variety of situations

The mathematics program shall develop such knowledge and skills in the subject areas of numbers, measurement, geometry, functions, statistics and probability, logic, algebra and discrete mathematics. Students should know, understand and demonstrate concepts through their application to classroom and real life situations.

The Superintendent or designee shall ensure that all students have opportunities to take the full range of mathematics course options. Students at risk of failing to meet standards shall receive additional assistance and intervention.

*(cf. 6143 – Courses of Study)*  
*(cf. 6146.1 – High School Graduation Requirements)*

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

*(cf. 4131 – Staff Development)*

Students shall have access to sufficient instructional materials, including manipulatives and technology, to support a balanced mathematics program.

*(cf. 6141 – Curriculum Development and Evaluation)*  
*(cf. 6161.1 – Selection and Evaluation of Instructional Materials)*  
*(cf. 6161.11 – Supplementary Instructional Materials)*  
*(cf. 6162.7 – Use of Technology in Instruction)*

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

*(cf. 6143 – Courses of Study)*  
*(cf. 6146.1 – High School Graduation Requirements)*

For each grade level, the Board shall adopt academic standards for mathematics that meet or exceed the Common Core State Standards.

*(cf. 6011 – Academic Standards)*  
*(cf. 6141 – Curriculum Development and Evaluation)*





**Chico Unified School District**

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

**Board Policy:**

**#6142.92**

**Section: 6000**

**Instruction**

**Page 2 of 3**

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

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

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

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

For higher mathematics, the district shall offer a pathway of courses through which students shall be taught concepts that address number and quantity, algebra, functions, modeling, geometry, and statistics and probability.

The Superintendent or designee shall ensure that students have access to sufficient instructional materials, including manipulatives and technology, to support a balanced, standards-aligned mathematics program.

(cf. 0440 - District Technology Plan)  
(cf. 1312.2 - Complaints Concerning Instructional Materials)  
(cf. 1312.4 - Williams Uniform Complaint Procedures)  
(cf. 6161.1 - Selection and Evaluation of Instructional Materials)  
(cf. 6161.11 - Supplementary Instructional Materials)  
(cf. 6163.1 - Library Media Centers)

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

(cf. 0460 - Local Control and Accountability Plan)  
(cf. 0500 - Accountability)  
(cf. 6162.5 - Student Assessment)  
(cf. 6162.51 - State Academic Achievement Tests)  
(cf. 6162.52 - High School Exit Examination)  
(cf. 6190 - Evaluation of the Instructional Program)

**Legal Reference:**

EDUCATION CODE  
51210 Areas of study, grades 1-6  
51220 Areas of study, grades 7-12  
51224.5 Algebra in course of study for grades 7-12  
51225.3 High school graduation requirements  
51284 Financial literacy



***Chico Unified School District***

*1163 East Seventh Street, Chico, CA 95928-5999  
(530) 891-3000*

**Board Policy:**

**#6142.92**

**Section: 6000**

**Instruction**

**Page 3 of 3**

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60605 *State-adopted content and performance standards in core curricular areas*  
60605.8 *Common Core standards*

**Management Resources:**

**CSBA PUBLICATIONS**

*Governing to the Core, Governance Briefs*

**CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS**

*Mathematics Framework for California Public Schools: Kindergarten Through Grade Twelve, 2013*

*California Common Core State Standards: Mathematics, rev. January 2013*

**COMMON CORE STATE STANDARDS INITIATIVE PUBLICATIONS**

*Appendix A: Designing High School Mathematics Courses Based on the Common Core State Standards*

**WEB SITES**

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

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

**Common Core State Standards Initiative:** <http://www.corestandards.org/math>





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## CLASS SIZE

The Board of Education recognizes that the number of students in a class may affect the extent to which teachers can identify and respond to individual student needs.

In establishing class size reduction programs for designated grade levels and courses, the Superintendent or designee shall determine the potential impact of class size reduction on staffing and school facilities needs.

*(cf. 1431 – Waivers)*

*(cf. 6117 – Year-Round Schedules)*

*(cf. 7111 – Evaluating Existing Buildings)*

### Class Size Reduction in Grades K-3

The Board believes that small class size is beneficial to students in the elementary grades as they acquire the basic skills that serve as the foundation for their subsequent learning. The Superintendent or designee shall ensure that classes in designated elementary grades meet Class Size Reduction requirements as long as it remains financially feasible for the district.

Full-time mainstreamed special education students shall not be included in determining class size for purposes of the class size reduction program.

*(cf. 6150 – Individualized Education Program)*

The Superintendent or designee shall ensure that the teachers of these classes receive training which will help them to maximize the educational advantages of class size reduction.

*(cf. 4131 – Staff Development)*

The Governing Board recognizes that smaller classes may contribute to student learning by allowing teachers to better identify and respond to individual student needs. In accordance with negotiated employee agreements and state law, the Board shall establish class size limits appropriate for each grade level or subject taught and conducive to the effective use of teaching staff.

*(cf. 4141/4241 - Collective Bargaining Agreement)*

The highest priority for maintaining small class sizes shall be in the primary grades in order to support young students as they acquire the basic skills that serve as the foundation for subsequent learning. Other priorities shall be established in accordance with the goals and strategies identified in the district's local control and accountability plan (LCAP).

*(cf. 0200 - Goals for the School District)*

*(cf. 0460 - Local Control and Accountability Plan)*

For grades K-3, the district shall annually make progress toward maintaining an average class of not more than 24 students, unless an alternative annual average class size for each school site is collectively bargained. (Education Code 42238.02; 5 CCR 15498-15498.3)

Transitional kindergarten classes established pursuant to Education Code 48000 shall be included in the calculation of average class enrollment for kindergarten.

*(cf. 6170.1 - Transitional Kindergarten)*



***Chico Unified School District***

*1163 East Seventh Street, Chico, CA 95928-5999  
(530) 891-3000*

**Board Policy:**

**#6151**

**Section: 6000**

**Instruction**

**Page 2 of 2**

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***Legal Reference:***

***EDUCATION CODE***

***17042 Rules for determining area of adequate school construction; exceptions***

***17042.7 Formula for calculation***

***33050 Nonwaivable provisions***

***35160 Authority of the board***

***42238.02 Local control funding formula, including adjustment for class size reduction***

***42280 Necessary small schools***

***46205 Computation for early-late programs***

***51225.3 Graduation requirements***

***52060-52077 Local control and accountability plan***

***GOVERNMENT CODE***

***3543.2 Scope of representation***

***Management Resources:***

***WEB SITES***

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

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



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## STUDENT ASSESSMENT

The Governing Board believes that student assessment is a critical component of an ongoing K-12 sequence of teaching, learning, assessment and support. The primary and ongoing goal of student assessments should be to help students, parents/guardians and teachers identify individual student's academic accomplishments, progress and areas needing improvement in order to enhance teaching and learning.

The Superintendent or designee shall ensure that assessments are conducted for purposes of determining students' eligibility for and appropriate placement in district programs, need for supplemental instruction and eligibility for graduation.

~~(cf. 5123 – Promotion/Acceleration/Retention)  
(cf. 6146.1 – High School Graduation Requirements)  
(cf. 6146.4 – Differential Graduation and Competency Standards for Students with Disabilities)  
(cf. 6146.5 – Elementary/Middle School Graduation Requirements)  
(cf. 6164.4 – Identification of Individuals for Special Education)  
(cf. 6164.6 – Identification and Education under Section 504)  
(cf. 6171 – Title I Programs)  
(cf. 6172 – Gifted and Talented Student Program)  
(cf. 6174 – Education for English Language Learners)  
(cf. 6175 – Migrant Education Program)  
(cf. 6177 – Summer School)~~

The Board desires to use a variety of evaluation measures to reach the above-stated goal. To have validity, tests must correspond to the material that is being taught and reliably measure the extent to which students meet specified standards of achievement.

~~(cf. 0410 – Nondiscrimination in District Programs and Activities)  
(cf. 5121 – Grades/Evaluation of Student Achievement)  
(cf. 6011 – Academic Standards)  
(cf. 6142.7 – Physical Education)  
(cf. 6162.51 – Standardized Testing and Reporting Program)  
(cf. 6162.52 – High School Exit Examination)  
(cf. 6162.54 – Test Integrity/Test Preparation)~~

When districtwide and school-level results of student assessments are published, the Superintendent or designee may provide supplementary information to assist parents/guardians and the local community in interpreting test results and evaluating school performance.

~~(cf. 0510 – School Accountability Report Card)~~

### Individual Record of Accomplishment

The Superintendent or designee shall ensure that each student, by the end of grade 12, has an individual record of accomplishment that includes the results of the achievement test administered under the Standardized Testing and Reporting program pursuant to Education Code 60640-60647.

*Legal Reference:*  
*EDUCATION CODE*  
*51041 – Evaluation of educational program*  
*51450-51455 – Golden State Seal Merit Diploma*  
*60600-60649 – Assessment of academic achievement*  
*60800 – Physical fitness testing*  
*60810 – Assessment of language development*



## **Chico Unified School District**

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

**Board Policy:**

**#6162.5**

**Section: 6000**

**Instruction**

**Page 2 of 4**

~~60850-60856 Exit examination~~

~~CODE OF REGULATIONS, TITLE 5~~

~~850-870 Standardized Testing and Reporting program~~

~~880-901 Designated primary language test~~

~~1200-1216 High School Exit Examination~~

### **Management Resources:**

#### **CDE PROGRAM ADVISORIES**

~~Students with Disabilities: Guidelines for Testing the California Standardized Testing and Reporting Program~~

~~0327-86 Reporting norm-referenced standardized achievement test scores to parents~~

#### **CSBA ADVISORIES**

~~0306.01 California Assessment Update~~

~~0313.00 Districts must ensure that all required student data is submitted to the publisher, or face financial penalty #00-01~~

~~U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS~~

~~The Use of Tests as Part of High-Stakes Decision-Making for Students: A Resource Guide for Educators and Policy-Makers, December 2000~~

#### **WEB SITES**

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

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

~~U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/offices/OCR>~~

The Governing Board recognizes that student assessments are an important instructional and accountability tool. Assessment data shall be used to help determine individual students' progress, mastery of academic standards, appropriate placement in district programs, and/or eligibility for graduation. In addition, summary data on student assessment results shall be used by the district to identify and review student achievement goals in the district's local control and accountability plan, evaluate district educational programs in order to identify needed improvements, and, as appropriate, evaluate staff performance.

(cf. 0460 - Local Control and Accountability Plan)

(cf. 0500 - Accountability)

(cf. 2140 - Evaluation of the Superintendent)

(cf. 4115 - Evaluation/Supervision)

(cf. 4315 - Evaluation/Supervision)

(cf. 5121 - Grades/Evaluation of Student Achievement)

(cf. 5123 - Promotion/Acceleration/Retention)

(cf. 6011 - Academic Standards)

(cf. 6142.7 - Physical Education and Activity)

(cf. 6162.51 - State Academic Achievement Tests)

(cf. 6162.52 - High School Exit Examination)

(cf. 6190 - Evaluation of the Instructional Program)

To obtain the most accurate evaluation of student performance, the district shall use a variety of measures, including district, state, and/or national assessments. As appropriate, assessment results shall be disaggregated by student subgroup, classroom, grade level, and/or school site to allow for critical analysis of student needs.

(cf. 3553 - Free and Reduced Price Meals)

The Superintendent or designee shall ensure that assessments are administered in accordance with law.

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

(cf. 6162.54 - Test Integrity/Test Preparation)

The Superintendent or designee shall provide professional development as needed to assist administrators and teachers in interpreting and using assessment data to improve student performance and the instructional program.

Policy Adopted: 05-03-07



## **Chico Unified School District**

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

**Board Policy:**

**#6162.5**

**Section: 6000**

**Instruction**

**Page 3 of 4**

(cf. 4131 - Staff Development)

(cf. 4331 - Staff Development)

### **Individual Record of Accomplishment**

The Superintendent or designee shall ensure that each student, by the end of grade 12, has an individual record of accomplishment that includes the following: (Education Code 60607)

1. The results of the state achievement tests administered pursuant to Education Code 60640-60649 or any predecessor assessments
2. The results of any end-of-course examinations taken
3. The results of any vocational education certification examinations taken

(cf. 6178 - Career Technical Education)

No individual record of accomplishment shall be released to any person, other than the student's parent/guardian or a teacher, counselor, or administrator directly involved with the student, without the written consent of the student's parent/guardian, or the student if he/she is an adult or emancipated minor. The student or his/her parent/guardian may authorize the release of the record of accomplishment to a postsecondary educational institution for the purposes of credit, placement, or admission. (Education Code 60607)

(cf. 5125 - Student Records)

#### **Legal Reference:**

##### **EDUCATION CODE**

313 Assessment of English language development  
10600-10610 California Education Information System  
44660-44665 Evaluation and assessment of performance of certificated employees (Stull Act)  
49558 Free and reduced-price meals; use of individual applications and records  
51041 Evaluation of educational program  
51450-51455 Golden State Seal Merit Diploma  
52052 Academic Performance Index; numerically significant student subgroups  
52060-52077 Local control and accountability plan  
60600-60649 Assessment of academic achievement, especially:  
60640-60649 California Assessment of Student Performance and Progress  
60800 Physical fitness testing  
60810-60812 Assessment of English language development  
60850-60859 High school exit examination  
60900 California Longitudinal Pupil Achievement Data System  
CODE OF REGULATIONS, TITLE 5  
850-864 California Assessment of Student Performance and Progress  
1200-1225 High School Exit Examination  
UNITED STATES CODE, TITLE 20  
9622 National Assessment of Educational Progress

#### **Management Resources:**

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS  
Key Elements of Testing, May 2004  
U.S. DEPARTMENT OF EDUCATION PUBLICATIONS  
Teachers' Use of Student Data Systems to Improve Instruction, 2007  
WEB SITES  
CSBA: <http://www.csba.org>

Policy Adopted: 05-03-07



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

**Board Policy: #6162.5**

**Section: 6000 Instruction**  
**Page 4 of 4**

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*California Department of Education, Testing and Accountability: <http://www.cde.ca.gov/ta>*  
*Smarter Balanced Assessment Consortium: <http://www.smarterbalanced.org>*  
*U.S. Department of Education: <http://www.ed.gov>*





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

Board Policy: #6162.51

Section: 600

Instruction

Page 1 of 2

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## **Standardized Testing and Reporting Program State Academic Achievement Tests**

~~The Governing Board desires to use the results of the achievement tests to evaluate the performance of district students in achieving state academic standards and in comparison to the performance of students across the state. The Superintendent or designee shall administer mandatory student assessments within the state Standardized Testing and Reporting (STAR) Program as required by law and in accordance with Board policy and administrative regulation.~~

~~(cf. 6162.5 - Student Assessment)~~

~~(cf. 6162.54 - Test Integrity/Test Preparation)~~

The Governing Board recognizes that state achievement test results provide an indication of student progress in achieving state academic standards and may be used to promote high-quality teaching and learning. The Superintendent or designee shall administer mandatory student assessments within the California Assessment of Student Performance and Progress (CAASPP) as required by law and in accordance with Board policy and administrative regulation.

(cf. 6011 - Academic Standards)

(cf. 6162.5 - Student Assessment)

(cf. 6162.54 - Test Integrity/Test Preparation)

(cf. 9321 - Closed Session Purposes and Agendas)

(cf. 9321.1 - Closed Session Actions and Reports)

The Board strongly encourages all students at the applicable grade levels to participate in the STAR state assessments in order to maximize the usefulness of the data and enable the district to meet participation levels required for state and federal accountability systems. The Superintendent or designee shall notify students and parents/guardians about the importance of these assessments and shall develop strategies to encourage student participation. Students shall be exempted from participation only in accordance with law and administrative regulation.

(cf. 0520.2 - Title I Program Improvement Schools)

(cf. 0520.3 - Title I Program Improvement Districts)

(cf. 6011 - Academic Standards)

The Board shall annually examine state assessment results by school, grade level, and student subgroup as one measure of the district's progress in attaining its student achievement goals and shall revise the local control and accountability plan and other district or school plans as necessary to improve student achievement for underperforming student groups.

(cf. 0460 - Local Control and Accountability Plan)

(cf. 0500 - Accountability)

### **Legal Reference:**

#### **EDUCATION CODE**

49076 Student records; access

51041 Evaluation of educational program

52052 Academic Performance Index; numerically significant student subgroups

52060-52077 Local control and accountability plan

56345 Individualized education program, contents

60600-60630 Assessment of academic achievement

60640-60649 California Assessment of Student Performance and Progress

60660-60663 Electronic learning assessment resources

60810 Assessment of language development

Policy Adopted: 05/03/07; Revised: 10/14/09



## **Chico Unified School District**

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

**Board Policy:**

**#6162.51**

**Section: 600**

**Instruction**

**Page 2 of 2**

---

99300-99301 Early Assessment Program  
CODE OF REGULATIONS, TITLE 5  
850-864 State assessments  
UNITED STATES CODE, TITLE 20  
1412 Participation of students with disabilities in state assessments  
6311 Adequate yearly progress  
CODE OF FEDERAL REGULATIONS, TITLE 34  
200.1 Standards and assessment

### **Management Resources:**

#### **CSBA PUBLICATIONS**

*Supporting Student Achievement: Student Assessment System in Flux, Governance Brief, June 2013*

#### **CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS**

*Assembly Bill 484 Questions and Answers*

#### **CALIFORNIA STATE UNIVERSITY PUBLICATIONS**

*The Early Assessment Program: Handbook for School Site Leaders, 2008*

#### **SMARTER BALANCED ASSESSMENT CONSORTIUM PUBLICATIONS**

*Usability, Accessibility, and Accommodations Guidelines, September 2013*

#### **U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS**

*The Use of Tests as Part of High-Stakes Decision-Making for Students: A Resource Guide for Educators and Policy-Makers, December 2000*

#### **WEB SITES**

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

California Department of Education, Testing and Accountability: <http://www.cde.ca.gov/ta>

California Learning Resources Network: <http://clrn.org>

California State University, Early Assessment Program: <http://www.calstate.edu/eap>

Smarter Balanced Assessment Consortium: <http://www.smarterbalanced.org>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>



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## TEST INTEGRITY/TEST PREPARATION

The Board of Education desires to protect the integrity of student assessment processes in order to obtain an accurate assessment of student achievement in the district and maintain accountability to the community and state. Students and staff are expected to maintain a high level of integrity in the completion and handling of student assessments.

~~(cf. 0500 – Accountability)~~  
~~(cf. 0520 – Intervention for Underperforming Schools)~~  
~~(cf. 0530 – Awards for School Performance)~~  
~~(cf. 4110.21/4210.21/4310.21 – Professional Standards)~~  
~~(cf. 5131 – Conduct)~~  
~~(cf. 5131.9 – Academic Honesty)~~  
~~(cf. 6162.5 – Student Assessment)~~  
~~(cf. 6162.51 – Standardized Testing and Reporting Program)~~  
~~(cf. 6162.52 – High School Exit Examination)~~

### Test Integrity

In the administration of standardized tests, staff shall not use any of the following practices:

1. ~~Provide inappropriate test preparation~~
2. ~~Modify test administration procedures~~
3. ~~Provide inappropriate assistance to students during test administration~~
4. ~~Change or fill in answers on student answer sheets~~
5. ~~Provide inaccurate data on student header sheets~~
6. ~~Discourage or exclude certain students from taking the test~~
7. ~~Engage in any other practice to artificially raise student scores without actually improving underlying student achievement~~

### Preparation for State Tests

Staff may prepare students for assessments by providing instruction in the content specified in state and district academic standards and teaching general test-taking skills that are applicable to any test or test format.

~~(cf. 6011 – Academic Standards)~~

The Superintendent or designee, principals and teachers shall not implement any program of specific preparation for the statewide student assessment program or a particular test used within that program. (Education Code 60611)

Practice tests provided by the publisher of the state achievement test may be used for the limited purpose of familiarizing students with the use of scanable test booklets or answer sheets and the format of test items. No alternate or parallel form of the test shall be administered or used. (5 CCR 854)



## **Chico Unified School District**

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

Board Policy:

#6162.54

Section: 6000

Instruction

Page 2 of 3

~~Staff shall not conduct reviews or drills that use actual test items or identical format items of state assessments, use copies of tests from previous years, or review test-specific curriculum content with students before administration of the test. In addition, test preparation materials or strategies developed for a specific test, including but not limited to published materials, materials available on the Internet, and materials developed by schools, districts, county offices of education or outside consultants, are prohibited.~~

### **Investigation and Consequences of Testing Irregularities**

~~Reports of student cheating on assessments shall be submitted to the principal or designee for investigation. Students found to have cheated on assessments shall be subject to disciplinary procedures in accordance with Board policy and administrative regulations.~~

~~(cf. 5144 - Discipline)~~

~~A staff member found to have committed testing irregularities shall be subject to discipline in accordance with law, where applicable, collective bargaining agreements, Board policy and administrative regulations.~~

~~(cf. 4117.4 - Dismissal)~~

~~(cf. 4118 - Suspension/Disciplinary Action)~~

~~(cf. 4218 - Dismissal/Suspension/Disciplinary Action)~~

~~The Superintendent or designee shall immediately investigate with due diligence any reports of inappropriate test preparation or other testing irregularities.~~

~~If the Superintendent or designee is made aware of a testing irregularity on state assessments, he/she shall report the irregularity to the California Department of Education.~~

The Governing Board desires to protect the integrity of student assessments in order to obtain accurate and reliable student achievement data and to ensure accountability to the community and state. Staff and students shall maintain a high level of integrity in the completion and handling of student assessments.

(cf. 0500 - Accountability)

(cf. 4119.21/4219.21/4319.21 - Professional Standards)

(cf. 5131 - Conduct)

(cf. 5131.9 - Academic Honesty)

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - State Academic Achievement Tests)

(cf. 6162.52 - High School Exit Examination)

In administering standardized tests, staff shall not engage in any acts that could result in the invalidation of test results, such as:

1. Modifying test administration procedures, except as allowed by law
2. Providing inappropriate assistance to students during test administration
3. Changing or filling in answers on student answer sheets
4. Providing inaccurate data on student header sheets
5. Discouraging or excluding certain students from taking the test
6. Engaging in any other practice to artificially raise student scores without actually improving underlying student achievement



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

**Board Policy:**

**#6162.54**

**Section: 6000**

**Instruction**  
**Page 3 of 3**

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### **Appropriate Test Preparation**

The Superintendent or designee, principals, and teachers shall not implement any program for the sole purpose of test preparation of students for the statewide assessment system or a particular test used in the statewide assessment system. (Education Code 60611)

The primary preparation for assessments shall be high-quality instruction in the content specified in state and district academic standards. In addition, staff may prepare students for assessments by teaching general test-taking strategies and familiarizing them with item types or the computer-based testing environment used in state assessments.

(cf. 6011 - Academic Standards)

### **Investigation and Consequences of Testing Irregularities**

Reports of cheating on assessments shall be submitted to the Superintendent or designee. The Superintendent or designee shall immediately investigate with due diligence any reports of inappropriate test preparation or other testing irregularities.

Students found to have cheated on assessments shall be subject to disciplinary procedures in accordance with Board policy and administrative regulations.

(cf. 5144 - Discipline)

A staff member found to have committed testing irregularities shall be subject to discipline in accordance with law, applicable collective bargaining agreements, Board policy, and administrative regulations.

(cf. 4117.4 - Dismissal)

(cf. 4118 - Suspension/Disciplinary Action)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

If the Superintendent or designee is made aware of a testing irregularity on state assessments, he/she shall report the irregularity to the California Department of Education.

#### **Legal Reference:**

##### **EDUCATION CODE**

60611 Inappropriate test preparation

60640-60649 California Assessment of Student Performance and Progress

60850-60859 California High School Exit Examination

##### **GOVERNMENT CODE**

54957 Complaints against employees, closed session

##### **CODE OF REGULATIONS, TITLE 5**

850-864 California Assessment of Student Performance and Progress

1200-1225 California High School Exit Examination, especially:

1220 Cheating on the high school exit examination

#### **Management Resources:**

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Guidelines on Academic Preparation for State Assessments, December 2009

##### **WEB SITES:**

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

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

Smarter Balanced Assessment Consortium: <http://www.smarterbalanced.org>

Policy Adopted: 05-03-07





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## **LIBRARY MEDIA CENTERS**

The Governing Board recognizes that school libraries ~~y media centers~~ support the educational program by providing access to a variety of informational and **supplemental resources that can help raise the academic achievement of all students**. The Board desires ~~to provide that school libraries be stocked y media centers~~ with up-to-date ~~books~~, reference materials and electronic information resources ~~necessary to~~ that promote literacy, support students in achieving academic standards, and ~~encourage~~ **prepare** students to become lifelong learners.

(cf. 0440 - District Technology Plan)  
(cf. 1330.1 – Joint Use Agreements)  
(cf. 6011 - Academic Standards)  
(cf. 6163.4 - Student Use of Technology)  
(cf. 7110 – Facilities Master Plan)

### **Staffing**

To staff school libraries, the district may employ one or more teacher librarians who possess appropriate credentials issued by the Commission on Teacher Credentialing. (Education Code 18120, 44868; 5 CCR 80024.6, 80053)

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

The Superintendent or designee may assign teacher librarians to perform the following duties in accordance with the authorizations of their credential: (5 CCR 80053, 80053.1)

1. Instruct students in accessing, evaluating, using, and integrating information and resources in the library program and/or provide departmentalized instruction in information literacy, digital literacy, and digital citizenship
2. Plan and coordinate school library programs with the district's instructional programs through collaboration with teachers
3. Select materials for school and district libraries
4. Develop and deliver staff development programs for school library services
5. Coordinate or supervise library programs at the school or district level
6. Plan and conduct a course of instruction for students who assist in the operation of school libraries
7. Supervise classified personnel assigned school library duties
8. Develop procedures for and management of the school and district libraries

The Board also may appoint classified paraprofessionals to serve as library aides or library technicians. Volunteers may assist with school library services in accordance with law, Board policy, and administrative regulation.

(cf. 1240 - Volunteer Assistance)  
(cf. 4222 - Teachers Aides/Paraprofessionals)





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### **Hours of Operation**

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

### **Selection and Evaluation of School Library Materials**

Library materials shall 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 outdated subject matter or are no longer appropriate shall be removed.

*(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. 1260 - Educational Foundation)*

*(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

35021 Volunteer aides

44868-44869 Qualifications and employment of library media teachers

45340-45349 Instructional aides

#### **CODE OF REGULATIONS, TITLE 5**

16040-16043 School libraries

80023-80023.2 Emergency permits, general requirements

80024.6 Emergency teacher librarian services permit

80026-80026.6 Emergency permits

80053-80053.1 Teacher librarian services credential



**Chico Unified School District**

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

**Board Policy:**

**#6163.1**

**Section: 6000**

**Instruction**

**Page 3 of 3**

---

**Management Resources:**

**CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS**

*Examples of Model School Library Standards for California Public Schools Supporting Common Core State Standards (CCSS) for English Language Arts and Literacy in History/Social Studies, Science, and Technical Subjects, rev. February 2012*

*Model School Library Standards for California Public Schools: Kindergarten Through Grade Twelve, 2010 (includes standards for student instruction as well as program standards)*

*Looking at the School Library: An Evaluation Tool, 2003*

*Recommended Literature: Kindergarten Through Grade Twelve*

**CALIFORNIA SCHOOL LIBRARY ASSOCIATION PUBLICATIONS**

*Standards and Guidelines for Strong School Libraries, 2004*

**WEB SITES**

*American Association of School Libraries: <http://www.ala.org/aasl>*

*California Department of Education, School Libraries: <http://www.cde.ca.gov/ci/cr/lb>*

*California School Library Association: <http://www.csla.net>*



## **Chico Unified School District**

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

Board Policy:

#6164.2

Section: 6000

Instruction

Page 1 of 5

---

### **GUIDANCE/COUNSELING SERVICES**

The Board of Education recognizes that a comprehensive counseling program can help promote academic achievement and serve the diverse needs of district students. ~~Students shall be encouraged to arrange a meeting with counseling staff to discuss academic, social or personal problems and other issues that may impact student learning.~~ **Counseling staff shall be available to meet with students regarding their educational progress toward academic and/or career goals and, as appropriate, may discuss social, personal, or other issues that may impact student learning.**

**The Superintendent or designee shall ensure that all persons employed to provide school counseling, school psychology, and/or school social work services shall possess the appropriate credential from the Commission on Teacher Credentialing authorizing their employment in such positions. Responsibilities of each position shall be clearly defined in a job description.**

*(cf. 4112.2 - Certification)*

#### **Academic and Career Counseling**

The Board expects academic counseling to help students establish immediate and long-range educational plans, achieve academic standards, prepare for the high school exit examination, and complete the required curriculum in accordance with their individual needs, abilities and interests. Insofar as possible, parents/guardians shall be included when making educational plans.

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

*(cf. 6011 - Academic Standards)*

*(cf. 6162.52 - High School Exit Examination)*

Counseling staff shall help students plan for the future and become aware of their career potential. Academic planning for higher education shall include information about courses needed for admission to colleges and universities, standardized admission tests, financial aid, and scholarships.

*(cf. 6010 - Goals and Objectives)*

*(cf. 6030 - Integrated Academic and Vocational Instruction)*

*(cf. 6141.5 - Advanced Placement)*

*(cf. 6143 - Courses of Study)*

~~The Superintendent or designee shall establish and maintain a program of guidance, placement and follow-up for all district minors subject to compulsory continuation education. (Education Code 48431)~~

*(cf. 6184 - Continuation Education)*

~~The Superintendent or designee shall establish a specialized academic counseling program for students in the 10th grade.~~

**Beginning in grade 7, parents/guardians shall receive a general notice at least once before career counseling and course selection so that they may participate in the counseling sessions and decisions. (Education Code 221.5)**

*(cf. 5145.6 - Parental Notifications)*

**The counseling program for high school students may include, at appropriate grade levels:**

- 1. Information about courses needed for admission to colleges and universities, standardized admission tests, financial aid, and scholarships**



## **Chico Unified School District**

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

**Board Policy:**

**#6164.2**

**Section: 6000**

**Instruction**

**Page 2 of 5**

*(cf. 6141.5 - Advanced Placement)*

*(cf. 6143 - Courses of Study)*

*(cf. 6146.1- High School Graduation Requirements)*

*(cf. 6146.11 - Alternative Credits Toward Graduation)*

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

2. An opportunity for each student and, if practicable, his/her parent/guardian to meet with a counselor to discuss the student's career goals, available educational and career technical education options, and community and workplace experiences to support the student's goals

*(cf. 6178 - Career Technical Education)*

*(cf. 6178.1 - Work-Based Learning)*

*(cf. 6178.2 - Regional Occupational Center/Program)*

3. Monitoring of each student's fulfillment of required coursework and progress toward promotion and graduation, and notification of the student and his/her parent/guardian of remaining academic requirements

*(cf. 5123 - Promotion/Acceleration/Retention)*

*(cf. 6162.52 - High School Exit Examination)*

4. Additional specialized counseling services for students identified as at risk of not graduating with their class

*(cf. 6176 - Weekend/Saturday Classes)*

*(cf. 6177 - Summer Learning Programs)*

*(cf. 6179 - Supplemental Instruction)*

The Superintendent or designee shall establish and maintain a program of guidance, placement, and follow-up for all high school students subject to compulsory continuation education. (Education Code 48431)

*(cf. 6184 - Continuation Education)*

No counselor shall unlawfully discriminate against any student. Guidance counseling regarding school programs and career, vocational, or higher education opportunities shall not be differentiated on the basis of any protected category specified in BP 0410 - Nondiscrimination in District Programs and Activities.

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

*(cf. 5145.3 - Nondiscrimination/Harassment)*

In addition, counselors shall affirmatively explore with students the possibility of careers, or courses leading to careers, that are nontraditional for that student's sex. (Education Code 221.5)

For assessing or counseling students, the district shall not use testing or other materials that permit or require impermissible or unlawful differential treatment of students. (5 CCR 4931)

Colleges and prospective employers, including military recruiters, shall have the same access to students for recruiting purposes. (Education Code 49603; 10 USC 503; 20 USC 7908)

*(cf. 5125.1 - Release of Directory Information)*



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### Personal Counseling

Counseling staff shall assist and work with students whose personal problems may prevent them from functioning up to their potential. As appropriate, students shall be informed about agencies that offer qualified professional assistance with substance abuse, physical or emotional problems, or other personal problems.

~~(cf. 5113 - Absences and Excuses)~~  
~~(cf. 5113.1 - Truancy)~~  
~~(cf. 5131.6 - Alcohol and Other Drugs)~~  
~~(cf. 5137 - Positive School Climate)~~  
~~(cf. 5138 - Conflict Resolution/Peer Mediation)~~  
~~(cf. 5141.4 - Child Abuse Reporting Procedures)~~  
~~(cf. 5145.9 - Hate-Motivated Behavior)~~  
~~(cf. 5147 - Dropout Prevention)~~  
~~(cf. 5149 - At-Risk Students)~~  
~~(cf. 6164.5 - Student Success Teams)~~

Counselors shall respect student confidentiality as appropriate and shall consult with the Superintendent or designee whenever unsure of how to respond to a student's personal problem. Parental consultation and consent shall be obtained as appropriate.

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

A school counselor, school psychologist, or school social worker may provide individualized personal, mental health, or family counseling to students in accordance with the specialization(s) authorized by his/her credential. Such services may include, but are not limited to, support related to the student's social and emotional development, behavior, substance abuse, mental health assessment, depression, or mental illness. As appropriate, students and their parents/guardians shall be informed about community agencies, organizations, or health care providers that offer qualified professional assistance.

~~(cf. 1020 - Youth Services)~~  
~~(cf. 5113 - Absences and Excuses)~~  
~~(cf. 5113.1 - Chronic Absence and Truancy)~~  
~~(cf. 5131.6 - Alcohol and Other Drugs)~~  
~~(cf. 5137 - Positive School Climate)~~  
~~(cf. 5138 - Conflict Resolution/Peer Mediation)~~  
~~(cf. 5141.4 - Child Abuse Prevention and Reporting)~~  
~~(cf. 5141.6 - School Health Services)~~  
~~(cf. 5145.9 - Hate-Motivated Behavior)~~  
~~(cf. 5147 - Dropout Prevention)~~  
~~(cf. 5149 - At-Risk Students)~~  
~~(cf. 6164.5 - Student Success Teams)~~  
~~(cf. 6173 - Education for Homeless Children)~~  
~~(cf. 6173.1 - Education for Foster Youth)~~

Written parent/guardian consent shall be obtained before mental health counseling or treatment services are provided to a student, except when the student is authorized to consent to the service pursuant to Family Code 6920-6929, Health and Safety Code 124260, or other applicable law.

Any information of a personal nature disclosed to a school counselor by a student age 12 years or older or by his/her parent/guardian is confidential and shall not become part of the student record without the written consent of the person who disclosed the confidential information. The information shall not be revealed, released, discussed, or referred to except under the limited circumstances specified in Education Code 49602. (Education





## **Chico Unified School District**

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

Board Policy:

#6164.2

Section: 6000

Instruction

Page 4 of 5

---

### **Code 49602)**

(cf. 5022 - Student and Family Privacy Rights)

(cf. 5125 - Student Records)

A counselor shall consult with the Superintendent or designee and, as appropriate, with the district's legal counsel whenever unsure of how to respond to a student's personal problem or when questions arise regarding the possible release of confidential information regarding a student.

#### **Crisis Counseling**

The Board recognizes the need for a prompt and effective response when students are confronted with a traumatic incident. School counselors may assist in the development of the comprehensive school safety plan, emergency and disaster preparedness plan, and other prevention and intervention practices designed to assist students before and after a crisis.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

In addition, the Superintendent or designee shall identify crisis counseling resources to train district staff in effective threat assessment, appropriate response techniques, and/or methods to directly help students cope with a crisis if it occurs.

Early identification and intervention plans shall be developed to help identify those students who may be at risk for violence so that support may be provided before they engage in violent or disruptive behavior.

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5136 - Gangs)

(cf. 5141.52 - Suicide Prevention)

#### **Legal Reference:**

##### **EDUCATION CODE**

221.5 Prohibited sex discrimination

41505-41508 Pupil Retention Block Grant

44266 Pupil personnel services credential

48431 Establishing and maintaining high school guidance and placement program

49600-49604 Educational counseling

51250-51251 School age military dependents

51513 Personal beliefs

52378-52380 Supplemental School Counseling Program

##### **FAMILY CODE**

6920-6929 Consent by minor for treatment or counseling

##### **HEALTH AND SAFETY CODE**

124260 Mental health services; consent by minors age 12 and older

##### **PENAL CODE**

11166-11170 Reporting known or suspected cases of child abuse

##### **WELFARE AND INSTITUTIONS CODE**

5850-5883 Mental Health Services Act

##### **CODE OF REGULATIONS, TITLE 5**

4930-4931 Counseling

80049-80049.1 Pupil personnel services credential

80632-80632.5 Preparation programs for pupil personnel services

##### **UNITED STATES CODE, TITLE 10**

503 Military recruiter access to directory information





**Chico Unified School District**

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

**Board Policy:**

**#6164.2**

**Section: 6000**

**Instruction**

**Page 5 of 5**

---

**UNITED STATES CODE, TITLE 20**

1232g Family Educational Rights and Privacy Act

7908 Armed forces recruiter access to students and student recruiting information

**CODE OF FEDERAL REGULATIONS, TITLE 34**

99.1-99.67 Family educational rights and privacy

**Management Resources:**

**CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS**

California Results-Based School Counseling and Student Support Guidelines, 2007

**WEB SITES**

American School Counselor Association: <http://www.schoolcounselor.org>

California Association of School Counselors: <http://www.schoolcounselor-ca.org>

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

Commission on Teacher Credentialing: <http://www.ctc.ca.gov>

U.S. Department of Education, access to military recruiters: <http://www.ed.gov/policy/gen/guid/fpco/hottopics/ht10-09-02.html>



## **Chico Unified School District**

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

Board Policy:

#6173.1

Section: 6000

Instruction

Page 1 of 3

---

### **EDUCATION FOR FOSTER YOUTH**

The Governing Board recognizes that foster youth may be at greater risk for poor academic performance due to their family circumstances, disruption of their educational program, and emotional, social, and other health needs. The district shall provide such students with full access to the district's educational program and other support services necessary to assist them in achieving state and district academic standards.

The Governing Board recognizes that foster youth may face significant barriers to achieving academic success due to their family circumstances, disruption to their educational program, and their emotional, social, and other health needs. To enable such students to achieve state and district academic standards, the Superintendent or designee shall provide them with full access to the district's educational program and implement strategies identified as necessary for the improvement of the academic achievement of foster youth in the district's local control and accountability plan (LCAP).

(cf. 0460 - Local Control and Accountability Plan)

(cf. 3100 - Budget)

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5147 - Dropout Prevention)

(cf. 5149 - At-Risk Students)

(cf. 6011- Academic Standards)

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

(cf. 6164.2 - Guidance/Counseling Services)

(cf. 6173 - Education for Homeless Children)

(cf. 6179 - Supplemental Instruction)

The Superintendent or designee shall ensure that placement decisions for foster youth are based on the students' best interests as defined in law and administrative regulation. To that end, he/she shall designate a staff person as a district liaison for foster youth to help facilitate the enrollment, placement, and transfer of foster youth. That staff person shall be:

Director of State and Federal Programs  
Chico Unified School District  
1163 East Seventh Street  
Chico, CA 95928-5999  
(530) 891-3000

The Superintendent or designee and district liaison shall ensure that all appropriate staff, including, but not limited to, each principal, school registrar, and attendance clerk, receive training regarding the enrollment, placement, and rights of foster youth.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

The Board desires to provide foster youth with a safe, positive learning environment that promotes student success and academic achievement.

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

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5131 - Conduct)

(cf. 5137 - Positive School Climate)

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

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



## **Chico Unified School District**

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

**Board Policy:**

**#6173.1**

**Section: 6000**

**Instruction**

**Page 2 of 3**

~~(cf. 6020 - Parent Involvement)~~

~~To address the needs of foster youth and help ensure the maximum utilization of available funds, the Superintendent or designee shall collaborate with local agencies including, but not limited to, the county placing agency, social services, probation officers, juvenile court officers, nonprofit organizations, and advocates.~~

~~(cf. 1020 - Youth Services)~~

In accordance with the established timelines, the Superintendent or designee shall report to the Board on the outcomes for foster youth regarding the goals and specific actions identified in the Local Control Accountability Plan (LCAP).

~~(cf. 0500 - Accountability)~~

~~(cf. 5123 - Promotion/Acceleration/Retention)~~

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

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

~~(cf. 6162.51 - State Academic Achievement Tests)~~

~~(cf. 6162.52 - High School Exit Examination)~~

### **Legal Reference:**

#### **EDUCATION CODE**

32228-32228.5 Student safety and violence prevention

42238.01-42238.07 Local control funding formula

42920-42925 Foster children educational services

48645-48646 Juvenile court schools

48850-48859 Educational placement of students residing in licensed children's institutions

48915.5 Suspension and expulsion; students with disabilities, including foster youth

48918.1 Notice of expulsion hearing for foster youth

49061 Student records

49069.5 Foster care students, transfer of records

49076 Access to student records

51225.1 Exemption from district graduation requirements

51225.2 Pupil in foster care defined; acceptance of coursework, credits, retaking of course

51225.3 High school graduation

52060-52077 Local control and accountability plan

56055 Rights of foster parents in special education

60851 High school exit examination

#### **HEALTH AND SAFETY CODE**

1522.41 Training and certification of group home administrators

1529.2 Training of licensed foster parents

120341 Foster youth: school placement: immunization records

#### **WELFARE AND INSTITUTIONS CODE**

300 Children subject to jurisdiction

309 Investigation and release of child

317 Appointment of legal counsel

361 Limitations on parental or guardian control

366.27 Educational decision by relative providing living arrangements

602 Minors violating law; ward of court

726 Limitations on parental or guardian control

727 Order of care, ward of court

16000-16014 Foster care placement

#### **UNITED STATES CODE, TITLE 20**

1415 Procedural safeguards; placement in alternative educational setting

#### **UNITED STATES CODE, TITLE 29**



## **Chico Unified School District**

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

**Board Policy:**

**#6173.1**

**Section: 6000**

**Instruction**

**Page 3 of 3**

---

794 Rehabilitation Act of 1973, Section 504  
UNITED STATES CODE, TITLE 42  
670-679b Federal assistance for foster care programs  
11431-11435 McKinney-Vento Homeless Assistance Act

### **Management Resources:**

#### **CSBA PUBLICATIONS**

*Educating Foster Youth: Best Practices and Board Considerations, Policy Brief, March 2008*

#### **AMERICAN BAR ASSOCIATION PUBLICATIONS**

*Mythbusting: Breaking Down Confidentiality and Decision-Making Barriers to Meet the Education Needs of Children in Foster Care, 2005*

#### **CALIFORNIA CHILD WELFARE COUNCIL**

*Partial Credit Model Policy and Practice Recommendations*

#### **CITIES, COUNTIES AND SCHOOLS PARTNERSHIP PUBLICATIONS**

*Our Children: Emancipating Foster Youth, A Community Action Guide*

#### **WEB SITES**

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

American Bar Association: <http://www.americanbar.org>

California Child Welfare Council: <http://www.chhs.ca.gov/Pages/CACildWelfareCouncil.aspx>

California Department of Education, Foster Youth Services: <http://www.cde.ca.gov/ls/pf/fy>

California Department of Social Services, Foster Youth Ombudsman Office: <http://www.fosteryouthhelp.ca.gov>

California Youth Connection: <http://www.calyouthconn.org/site/cyc>

Cities, Counties and Schools Partnership: <http://www.ccspartnership.org>



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## **WEEKEND/SATURDAY CLASSES**

The Board of Education may provide classes on Saturday and/or Sunday in order to meet the academic needs of students.

(cf. 4113 - Assignment)  
(cf. 5148.2 - Before/After School Programs)  
(cf. 6111 - School Calendar)

Any class offered on a Saturday or Sunday pursuant to Education Code 37223, except in regional occupational centers or programs (ROC/Ps), shall be one offered Monday through Friday during the regular school week. (Education Code 37223)

Weekend classes may include but are not limited to: (Education Code 37223)

1. Continuation classes

(cf. 6184 - Continuation Education)

2. Special day classes for mentally gifted minors

(cf. 6172 - Gifted and Talented Student Program)

3. Makeup classes for unexcused absences occurring during the week

(cf. 5113 - Absences and Excuses)  
(cf. 5113.1 - Truancy)  
(cf. 6154 - Homework/Makeup Work)

4. The programs of a regional occupational center or regional occupational program (ROC/Ps)

(cf. 6178 - Career Technical Education)  
(cf. 6178.2 - Regional Occupational Center/Program)

Saturday classes also may be used to provide supplemental instruction for students who are failing to meet academic requirements and/or students who desire enrichment in core academic subjects in accordance with law, Board policy and administrative regulation. (Education Code 423, 37252, 37252.5, 37252.6, 37253, 53029, 53093)

(cf. 5123 - Promotion/Acceleration/Retention)  
(cf. 6142.91 - Reading/Language Arts Instruction)  
(cf. 6142.92 - Mathematics Instruction)  
(cf. 6146.1 - High School Graduation Requirements)  
(cf. 6179 - Supplemental Instruction)

Except in ROC/Ps, weekend attendance shall not result in crediting any student with more than five days of attendance per week. (Education Code 37223)

Attendance at weekend classes offered pursuant to Education Code 37223 shall be voluntary, except that truants, as defined in Education Code 48260, may be required to attend classes on one day of a weekend in order to make up lost instructional time. (Education Code 37223)



***Chico Unified School District***

*1163 East Seventh Street, Chico, CA 95928-5999  
(530) 891-3000*

**Board Policy:**

**#6176**

**Section: 6000**

**Instruction**

**Page 2 of 2**

---

Unless the requirement is waived by the California Department of Education, the district shall provide at least one nutritionally adequate meal during the weekend session in accordance with Education Code 49550.

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

*(cf. 3553 - Free and Reduced-Price Meals)*

*(cf. 5030 - Student Wellness)*

***Legal Reference:***

***EDUCATION CODE***

*37223 Weekend classes*

*37252-37253 Supplemental instruction*

*41505-41508 Pupil Retention Block Grant*

*41601 Reports of average daily attendance*

*42239 Summer school attendance computation*

*44824 Weekend classes, assignment of certificated employees*

*48070-48070.5 Promotion and retention, supplemental instruction*

*48205 Excused absence for personal reasons*

*48260 Truants, definition*

*49550 Meals for needy students*

*52060-52077 Local control and accountability plan*

***Management Resources:***

***CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS***

*Requesting a Summer School Meal Waiver and/or a Saturday School Meal Waiver, Nutrition Services Division*

*Management Bulletin NSD-SNP-03-2013, February 2013*

***WEB SITES***

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





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## SUMMER SCHOOL

The Governing Board recognizes that an extended break from the instructional program may result in learning loss, especially among disadvantaged and low-achieving students, and desires to provide opportunities during the summer for students to practice essential skills and make academic progress.

Summer programs offered by the district shall be aligned with ~~the district's goals and curriculum~~ **local control and accountability plan (LCAP), other applicable district and school plans, and the educational program provided during the school year.** When feasible, summer programs shall blend high-quality academic instruction in core curricular and/or elective subjects with recreation, nutrition programs, social/emotional development, and support services that encourage attendance, student engagement in learning, and student wellness.

(cf. 0200 - Goals for the School District)  
(cf. 0460 – Local Control and Accountability Plan)  
(cf. 3552 - Summer Meal Program)  
(cf. 5030 - Student Wellness)  
(cf. 5141.6 - School Health Services)  
(cf. 5148 - Child Care and Development Program)  
(cf. 6011 – Academic Standards)  
(cf. 6142.7 - Physical Education and Activity)  
(cf. 6143 – Courses of Study)  
(cf. 6153 – School Sponsored Trips)

### Summer School

~~When specific funds are made available from the State, The Superintendent or designee,~~ **with Board approval and appropriate funding,** shall **may** establish summer school **day and/or evening** classes.

(cf. 5148.2 - Before/After School Program)  
(cf. 6171 - Title I Programs)  
(cf. 6175 - Migrant Education Program)

The district's summer school program may be used to provide supplemental instruction for students ~~failing to meet academic requirements~~ **needing remediation** and/or ~~students who desire~~ enrichment in core academic subjects. ~~in accordance with law, Board policy, and administrative regulation. (Education Code 37252, 37252.2, 37252.8, 37253, 41505-41506; 5 CCR 11472)~~

(cf. 5123 – Promotion/Acceleration/Retention)  
(cf. 5147 – Dropout Prevention)  
(cf. 6011 – Academic Standards)  
(cf. 6143 – Courses of Study)  
(cf. 6146.1 – High School Graduation Requirements)  
(cf. 6146.5 – Elementary/Middle School Graduation Requirements)  
(cf. 6162.52 – High School Exit Examination)  
(cf. 6176 - Weekend/Saturday Classes)  
(cf. 6179 - Supplemental Instruction)

### Enrollment Priorities

**As appropriate,** priority to enroll in summer programs shall be given to district students who:

1. Need course credits in order to graduate from high school ~~by September~~ **before the beginning of the next school year**
2. ~~Are eligible for supplemental instruction on the basis of retention, recommendation for retention, or insufficient progress toward the state high school exit examination pursuant to Education Code 37252 and 37252.2~~ **Have not made sufficient progress toward passing the state exit examination required for high school**



## **Chico Unified School District**

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

Board Policy:

#6177

Section: 6000

Instruction

Page 2 of 3

---

### graduation

(cf. 6162.52 - High School Exit Examination)

3. Have been retained or are at risk of being retained at their grade level

(cf. 5123 - Promotion/Acceleration/Retention)

4. Demonstrate academic deficiencies in core curriculum areas

(cf. 0460 - Local Control and Accountability Plan)

5. Are in targeted student groups identified in the district's LCAP as needing increased or improved services to succeed in the educational program

The remaining openings shall be offered to district students on a first-come first-serve basis.

~~To the extent that space is available after district students have enrolled, remaining openings in high school summer classes for core academic subjects may be open to private school students.~~

### **Attendance**

~~Because summer courses cover extensive instructional content in a relatively short time period, students who have more than two excused absences or one unexcused absence may not receive credit for summer session class(es).~~

~~(cf. 5113 - Absences and Excuses)~~

~~(cf. 6154 - Homework/Make-Up Work)~~

### Legal Reference:

#### EDUCATION CODE

8482-8484.6 After School Education and Safety Program

8484.7-8484.9 21st Century Community Learning Centers

37252-37254.1 Supplemental instruction

39837 Transportation to summer employment programs

41505-41508 Pupil Retention Block Grant

41976.5 Summer school programs, substantially disabled persons or graduating high school seniors

42238.01-42238.07 Local control funding formula

42238.8 Revenue limit per unit of average daily attendance

48070-48070.5 Promotion and retention

51210 Areas of study for elementary schools

51220 Areas of study for grades 1-6

51730-51732 Powers of governing boards (authorization for elementary summer school classes)

52060-52077 Local control and accountability plan

54444.3 Summer program for migrant students

56345 Extended-year program for special education students

58700-58702 Credit towards summer school apportionments for tutoring and homework assistance

58806 Summer school apportionments

60851 Supplemental instruction toward exit examination

#### CODE OF REGULATIONS, TITLE 5

3043 Extended school year, special education students

11470-11472 Summer school

#### UNITED STATES CODE, TITLE 20

6311-6322 Improving basic programs for disadvantaged students

7171-7176 21st Century Community Learning Centers



***Chico Unified School District***

*1163 East Seventh Street, Chico, CA 95928-5999  
(530) 891-3000*

**Board Policy:**

**#6177**

**Section: 6000**

**Instruction**

**Page 3 of 3**

---

**Management Resources:**

**CSBA PUBLICATIONS**

Summer Learning and Wellness Resource Guide

School's Out, Now What? How Summer Programs Are Improving Student Learning and Wellness, Policy Brief, April 2013

**NATIONAL SUMMER LEARNING ASSOCIATION PUBLICATIONS**

Healthy Summers for Kids: Turning Risk into Opportunity, May 2012

New Vision for Summer School, 2010

**RAND CORPORATION PUBLICATIONS**

Making Summer Count: How Summer Programs Can Boost Children's Learning, 2011

**WEB SITES**

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

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

National Summer Learning Association: <http://www.summerlearning.org>

Partnership for Children and Youth: <http://partnerforchildren.org>

RAND Corporation: <http://www.rand.org>

Summer Matters: <http://summermatters2you.net>



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## SUPPLEMENTAL INSTRUCTION

The Board of Education shall provide supplemental instructional programs to motivate and support students to overcome academic deficiencies, attain grade-level academic standards or enhance critical skills.

~~(cf. 0420.3 – School-Based Student Motivation and Maintenance Program)~~  
~~(cf. 5113.1 – Chronic Absence and Truancy)~~  
~~(cf. 5147 - Dropout Prevention)~~  
~~(cf. 5148.2 – Before/After School Programs)~~  
~~(cf. 5149 - At-Risk Students)~~  
~~(cf. 6011 - Academic Standards)~~  
~~(cf. 6146.1 - High School Graduation Requirements)~~  
~~(cf. 6146.5 - Elementary/Middle School Graduation Requirements)~~  
~~(cf. 6164.5 - Student Study Teams)~~

Supplemental instructional programs shall may be offered outside the regular school day. Such programs may be offered during the summer, before school, after school, on Saturday and/or during intersessions. ~~(Education Code 37252, 37252.2, 37252.8, 37253)~~ It may also be provided during the regular school day provided it does not supplant the student's instruction in the core curriculum areas or physical education.

~~(cf. 5148.2 – Before/After School Programs)~~  
~~(cf. 6111 - School Calendar)~~  
~~(cf. 6112 - School Day)~~  
~~(cf. 6176 - Weekend/Saturday Classes)~~  
~~(cf. 6177 - Summer Learning Programs)~~

~~The Board shall offer direct, systematic and intensive supplemental instruction for students in grades 2-9 who have been retained or recommended for retention pursuant to Education Code 48070.5. (Education Code 37252.2)~~

~~(cf. 5123 – Promotion/Acceleration/Retention)~~

~~The Board shall offer direct, systematic and intensive supplemental instruction for students in grades 7-12 who do not demonstrate "sufficient progress" toward passing the state exit examination required for high school graduation. (Education Code 37252, 60851)~~

~~(cf. 6162.52 – High School Exit Examination)~~

~~For purposes of determining students' eligibility for supplemental instruction, "sufficient progress" toward passing the high school exit examination shall be determined by students' results on the state Standardized Testing and Reporting assessments and the minimum levels of proficiency recommended by the State Board of Education, students' grades and other indicators of academic achievement designated by the Board.~~

~~(cf. 6162.51 – Standardized Testing and Reporting Program)~~

~~Whenever a school receiving federal Title I funds fails to make adequate yearly progress, as defined by the State Board of Education, for three or more consecutive school years, supplemental educational services shall be provided outside the regular school day to eligible students from low-income families. Services shall be selected by parents/guardians from an approved list of service providers and shall specifically be designed to increase eligible students' achievement on state academic assessments and to assist them in attaining state academic standards. (20 USC 6316)~~

~~(cf. 0520.2 – Title I Program Improvement Schools)~~



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

**Board Policy: #6179**

**Section: 6000 Instruction**  
**Page 2 of 4**

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As funding, facilities and staffing permit, supplemental instruction may be offered to:

1. ~~Students in grades 2-6 who have been identified as being at risk of retention pursuant to Education Code 48070.5 (Education Code 37252.8)~~
2. ~~Students in grades 2-6 who have been identified as having a deficiency in mathematics, reading or written expression based on the results of the Standardized Testing and Reporting Program (Education Code 37252.8)~~
3. ~~Students in grades K-12 who seek enrichment in mathematics, science or other core academic areas designated by the Superintendent of Public Instruction (Education Code 37253; 5 CCR 11472)~~

~~(cf. 6143 - Courses of Study)~~

4. ~~Students in grades K-12, including English language learners, who need or desire intensive English language and literacy instruction (Education Code 422-424)~~

~~(cf. 6174 - Education for English Language Learners)~~

~~The programs described above may be offered during summer school, before school, after school, on Saturday and/or during intersessions. (Education Code 423, 53029, 53093)~~

**Supplemental instruction shall be offered to:**

1. Eligible students from low-income families whenever the district or a district school receiving federal Title I funds has been identified by the California Department of Education for program improvement for two or more consecutive years (20 USC 6316)

*(cf. 0520.2 - Title I Program Improvement Schools)*

*(cf. 0520.3 - Title I Program Improvement Districts)*

2. Students who have been recommended for retention at their current grade level or are at risk of retention (Education Code 48070.5)

*(cf. 5123 - Promotion/Acceleration/Retention)*

3. Students in grades 7-12 who do not demonstrate "sufficient progress" toward passing the state exit examination required for high school graduation (Education Code 60851)

*(cf. 6162.52 - High School Exit Examination)*

"Sufficient progress" shall be determined based on a student's results on state assessments administered pursuant to Education Code 60640-60649 and the minimum levels of proficiency recommended by the State Board of Education.

*(cf. 6162.51 - State Academic Achievement Tests)*

The curriculum of the supplemental instructional program shall reflect state academic content standards to the extent that the district curriculum is aligned with those state standards, and shall be designed to assist students to succeed on the exit exam. (Education Code 60851)

Policy Adopted: 05-03-07



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

**Board Policy:**

**#6179**

**Section: 6000**

**Instruction**

**Page 3 of 4**

In addition, contingent on the district budget and local control and accountability plan (LCAP), supplemental instruction may be offered to students who:

1. Based on state assessment results, grades, or other indicators, demonstrate academic deficiencies in core curriculum areas that may jeopardize their attainment of academic standards
2. Have not passed one or both parts of the high school exit exam by the end of grade 12
3. Are in targeted student groups identified in the district's LCAP as needing increased or improved services to succeed in the educational program

(cf. 0460 - Local Control and Accountability Plan)  
(cf. 3100 - Budget)  
(cf. 3553 - Free and Reduced-Price Meals)  
(cf. 6173.1 - Education for Foster Youth)  
(cf. 6174 - Education for English Language Learners)

4. Desire enrichment in core academic areas, visual and performing arts, physical education, or other subjects as approved by the Board

(cf. 6142.6 - Visual and Performing Arts Education)  
(cf. 6142.7 - Physical Education and Activity)  
(cf. 6142.91 - Reading/Language Arts Instruction)  
(cf. 6142.92 - Mathematics Instruction)  
(cf. 6142.93 - Science Instruction)  
(cf. 6142.94 - History-Social Science Instruction)  
(cf. 6143 - Courses of Study)  
(cf. 6172 - Gifted and Talented Student Program)

As appropriate, supplemental instruction may be provided through a classroom setting, individual or small group instruction, technology-based instruction, and/or an arrangement with a community or other external service provider.

(cf. 1020 - Youth Services)

When determined to be necessary by the principal or designee, a student may be required to participate in a supplemental instruction. In such cases, written parent/guardian consent shall be obtained for the student's participation.

**Legal Reference:**

EDUCATION CODE  
37200-37202 School calendar  
37223 Weekend classes  
37252-37254.1 Supplemental instruction, summer school  
41505-41508 Pupil Retention Block Grant  
42238.01-42238.07 Local control funding formula  
46100 Length of school day  
48070-48070.5 Promotion and retention  
48200 Compulsory education  
48985 Translation of notices  
51210-51212 Courses of study, elementary schools  
51220-51228 Courses of study, secondary schools

Policy Adopted: 05-03-07





***Chico Unified School District***

*1163 East Seventh Street, Chico, CA 95928-5999  
(530) 891-3000*

**Board Policy:**

**#6179**

**Section: 6000**

**Instruction**

**Page 4 of 4**

---

52060-52077 *Local control and accountability plan*  
60603 *Definitions, core curriculum areas*  
60640-60649 *California Assessment of Student Performance and Progress*  
60850-60859 *High school exit examination*  
CODE OF REGULATIONS, TITLE 5  
11470-11472 *Summer school*  
UNITED STATES CODE, TITLE 20  
6316 *Program improvement schools and districts*

**Management Resources:**

U.S. DEPARTMENT OF EDUCATION GUIDANCE  
*Supplemental Educational Services, January 14, 2009*  
*Creating Strong Supplemental Educational Services Programs, May 2004*  
WEB SITES  
CSBA: <http://www.csba.org>  
California Department of Education: <http://www.cde.ca.gov>  
U.S. Department of Education: <http://www.ed.gov>



## Chico Unified School District

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

Board Policy:

#6184

Section: 6000

Instruction

Page 1 of 4

---

### CONTINUATION EDUCATION

The Board of Education shall provide a continuation education program to meet the educational needs of district students who are not attending a high school or other appropriate educational institution and who are not legally exempted from compulsory continuation school attendance.

~~(cf. 0420.4 – Charter Schools)~~  
~~(cf. 5112.1 – Exemptions from Attendance)~~  
~~(cf. 6030 – Integrated Academic and Vocational Instruction)~~  
~~(cf. 6158 – Independent Study)~~  
~~(cf. 6164.2 – Guidance/Counseling Services)~~  
~~(cf. 6178 – Vocational Education)~~  
~~(cf. 6178.1 – Work Experience Education)~~  
~~(cf. 6181 – Alternative Schools)~~  
~~(cf. 6182 – Opportunity School/Class/Program)~~  
~~(cf. 6183 – Home and Hospital Instruction)~~  
~~(cf. 6185 – Community Day School)~~

The Board shall establish a plan to coordinate instruction and training in the school with the home, employment and other agencies and shall designate one or more persons as coordinators. (5 CCR 11003)

The Superintendent or designee shall develop administrative regulations governing the involuntary transfer of students into the continuation education program. (Education Code 48432.5)

The Superintendent or designee may allow the voluntary enrollment of students in the continuation education program as space permits and when it is determined to be in the best interests of the student.

Minors otherwise subject to compulsory attendance in continuation education classes may be exempted if they meet any of the conditions specified in Education Code 48410.

~~(cf. 5112.1 – Exemptions from Attendance)~~

The Board may maintain continuation classes during the district's regular school hours, during special school hours for these classes established by the Board, or during such hours and for such length of time during the day or evening that adult education classes are maintained. (Education Code 48434)

~~(cf. 6112 – School Day)~~  
~~(cf. 6200 – Adult Education)~~

#### Legal Reference:

##### EDUCATION CODE

~~48400-48454 Compulsory continuation education in general, especially:~~

~~48401 Weekly minimum attendance requirement~~

~~48402 Minors not regularly employed~~

~~48410-48416 Compulsory continuation education~~

~~48430-48438 Continuation classes~~

~~48450-48454 Violation~~

~~48900 Grounds for suspension and expulsion~~

~~48903 Limitations on days of suspension~~

~~51224 Courses of study~~

~~51225.3 Requirements for graduation~~

~~60850-60856 High school exit examination~~



## **Chico Unified School District**

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

**Board Policy:**

**#6184**

**Section: 6000**

**Instruction**

**Page 2 of 4**

---

### FAMILY CODE

~~7000-7002 Emancipation of minors law~~

~~7050 Purposes for which emancipated minor considered an adult~~

### CODE OF REGULATIONS, TITLE 5

~~11000-11010 Continuation education~~

#### **Management Resources:**

#### WEB SITES

CDE: [www.cde.ca.gov](http://www.cde.ca.gov)

The Governing Board shall provide a continuation education program as an option for at-risk students who may need a flexible educational environment. The continuation education program shall be designed to meet the educational needs of each student, provide an opportunity for participating students to complete the required course of instruction necessary to graduate from high school, emphasize occupational orientation or a work study schedule, and offer intensive guidance services.

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6146.11 - Alternative Credits Toward Graduation)

(cf. 6164.2 - Guidance/Counseling Services)

(cf. 6178 - Career Technical Education)

(cf. 6178.1 - Work-Based Learning)

The continuation education program shall be aligned with the goals identified in the district's local control and accountability plan, designed and implemented in collaboration with other high schools within the district, and coordinated with other educational options available to district students.

(cf. 0420.4 - Charter School Authorization)

(cf. 0460 - Local Control and Accountability Plan)

(cf. 6158 - Independent Study)

(cf. 6172 - Gifted and Talented Student Program)

(cf. 6181 - Alternative Schools/Programs of Choice)

(cf. 6183 - Home and Hospital Instruction)

(cf. 6185 - Community Day School)

(cf. 6200 - Adult Education)

The Superintendent or designee shall appoint a director of continuation education who shall be responsible for the organization and administration of the district's continuation education program and guidance, placement, and follow-up services for participating students. (5 CCR 11000, 11003)

The continuation high school shall be conducted for not less than 175 days during a school year. The Board may maintain continuation classes during the district's regular school hours, during special school hours for these classes established by the Board, or during such hours and for such length of time during the day or evening that adult education classes are maintained. (Education Code 48434; 5 CCR 11004)

(cf. 6111 - School Calendar)

(cf. 6112 - School Day)

Students eligible for continuation education classes shall be age 16 or 17 years at the time of their enrollment and shall not have graduated from high school. (Education Code 48400, 48413)

A student may be involuntarily transferred into a continuation education program in accordance with law and administrative regulation. (Education Code 48432.5)



## **Chico Unified School District**

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

**Board Policy:**

**#6184**

**Section: 6000**

**Instruction**

**Page 3 of 4**

With the consent of the Superintendent or designee, a student may voluntarily enroll in continuation classes in order to receive special attention such as individualized instruction. (Education Code 48432, 48432.3, 48432.5)

Priority for voluntary enrollment in continuation classes shall be given to students who need credit recovery in order to graduate with their peers and to students who, due to employment, pregnancy, parenting responsibilities, or other circumstances, are unable to attend a comprehensive high school. A student with a disability shall be admitted only if his/her individualized education program specifically states that a continuation high school setting meets his/her needs.

(cf. 5146 - Married/Pregnant/Parenting Students)

(cf. 5147 - Dropout Prevention)

(cf. 5149 - At-Risk Students)

(cf. 6159 - Individualized Education Program)

Enrollment criteria shall be applied consistently throughout the district. (Education Code 48432.3)

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

Students may be enrolled in a regional occupational center or program within the county in lieu of, or in combination with, continuation education. (Education Code 48432)

(cf. 6178.2 - Regional Occupational Center/Program)

Students otherwise subject to compulsory attendance in continuation education classes may be exempted if they meet any of the conditions specified in Education Code 48410 and AR 5112.1 - Exemptions from Attendance.

(cf. 5112.1 - Exemptions from Attendance)

### **Legal Reference:**

#### EDUCATION CODE

46170 Minimum school day for continuation schools and classes

48400-48454 Compulsory continuation education, especially:

48400 Weekly minimum attendance requirement

48402 Minors not regularly employed

48410-48416 Compulsory continuation education

48430-48438 Continuation classes

48450-48454 Violation

48900 Grounds for suspension and expulsion

48900.5 Student discipline

48903 Limitations on days of suspension

51224-51225.3 Courses of study

60850-60856 High school exit examination

#### FAMILY CODE

7000-7002 Emancipation of minors law

7050 Purposes for which emancipated minor considered an adult

#### CODE OF REGULATIONS, TITLE 5

11000-11010 Continuation education

#### COURT DECISIONS

Nathan G. v. Clovis Unified School District (2014) Cal.App.5th (No. F065485)

### **Management Resources:**

JOHN W. GARDNER CENTER FOR YOUTH AND THEIR COMMUNITIES PUBLICATIONS

Raising the Bar, Building Capacity: Driving Improvement in California's Continuation High Schools, May 2012



***Chico Unified School District***

*1163 East Seventh Street, Chico, CA 95928-5999  
(530) 891-3000*

**Board Policy:**

**#6184**

**Section: 6000**

**Instruction**

**Page 4 of 4**

---

*Intake Processes at Continuation High Schools: Shaping School Climate Through Selection and Enrollment Strategies, February 2011*

**WEB SITES**

*California Continuation Education Association: <http://www.cceanet.org>*

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

*John W. Gardner Center for Youth and Their Communities, Stanford School of Education: <http://jgc.stanford.edu>*



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## **MINUTES AND RECORDINGS**

The Governing Board recognizes that maintaining accurate minutes of Board meetings provides a record of Board actions for use by district staff and the public and helps foster public trust in Board governance.

*(cf. 9000 - Role of the Board)*  
*(cf. 9005 - Governance Standards)*  
*(cf. 9323 - Meeting Conduct)*

The secretary of the Board of Education shall keep minutes and record all official Board actions. **The Board's minutes shall be public records and shall be made available to the public upon request.** (Education Code 35145, 35163)

*(cf. 1340 - Access to District Records)*  
*(cf. 9122 - Secretary)*  
*(cf. 9323.2 - Actions by the Board)*

~~Copies of the minutes of each regular or special meeting shall be distributed to all Board members with the agenda for the next regular meeting.~~

The minutes shall reflect which members are present and whether a member is not present for part of the meeting due to late arrival and/or early departure.

*(cf. 9250 - Remuneration, Reimbursement and Other Benefits)*

In order to ensure that the minutes are focused on Board action, the minutes shall include only a brief summary of the Board's discussion, but shall not include a verbatim record of the Board's discussion on each agenda topic or the names of Board members who made specific points during the discussion.

The minutes shall include the specific language of each motion and the names of the Board members who made and seconded the motion.

The minutes shall also report any action taken and the vote or abstention on that action of each member present. (Government Code 54953)

The Superintendent or designee shall distribute a copy of the "unapproved" minutes of the previous meeting(s) with the agenda for the next regular meeting. The Board shall approve the minutes as circulated or with necessary amendments.

Upon approval by the Board, the minutes shall be signed by the Board President and the Superintendent.

Official Board minutes and recordings shall be stored in a secure location and shall be retained in accordance with law.

*(cf. 3580 - District Records)*

Any minutes or recordings kept for Board meetings held in closed session shall be kept separately from the minutes or recordings of regular and special meetings. Minutes or recordings of closed sessions are not public records. (Government Code 54957.2)

*(cf. 9321.1 - Closed Session Actions and Reports)*





## **Chico Unified School District**

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

Board Bylaws:

#9324

Section: Bylaws of the Board

Page 2 of 2

Official Board minutes and recordings shall be stored in a fire-proof location.

### **Recording of Votes**

~~Motions or resolutions shall be recorded as having passed or failed. Individual votes shall be recorded unless the action was unanimous. All motions and Board resolutions shall be numbered consecutively from the beginning of each fiscal year.~~

### **Video or Audio Recording or Broadcasting of Meetings**

~~The district may tape, film or broadcast any open Board meeting. An electronic video or audio recording may be made at any Board meeting. At the beginning of the meeting, the presiding officer shall announce that a video recording is being made and that all comments and images are being carried on live cable TV and recorded as a matter of public record.~~

~~Recordings made during regular or special Board meetings are public records. They shall be kept for at least 30 days and upon request shall be made available for inspection by members of the public on a district recorder without charge. (Government Code 54953.5)~~

**Any district recording may be erased or destroyed 30 days after the meeting. Recordings made at the direction of the Board during a meeting are public records and, upon request, shall be made available for inspection by members of the public on district equipment without charge. (Government Code 54953.5)**

#### *Legal Reference:*

##### *EDUCATION CODE*

*35145 Public meetings*

*35163 Official actions, minutes and journals*

*35164 Vote requirements*

##### *GOVERNMENT CODE*

*54952.2 Meeting defined*

*54953 Meetings*

*54953.5 Audio or video recording of proceedings*

*54953.6 Broadcasting of proceedings*

*54957.2 Closed sessions; clerk; minute book*

*54960 Violations and remedies*

##### *PENAL CODE*

*632 Unlawful to intentionally record a confidential communication without consent*

##### *CODE OF REGULATIONS, TITLE 5*

*16020-16027 Classification and retention of records*

#### *Management Resources:*

##### *CSBA PUBLICATIONS*

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

*Guide to Effective Meetings, rev. 2007*

##### *WEB SITES*

*CSBA, Agenda Online: <http://www.csba.org>*