

EXHIBIT A

October 23, 2019

Straight Line General Contractors, Inc.

CONTRACT TITLE:	Palmer Way Parking Lot	DATE:	5/9/2019
Change Order #:	COR 01		

CHANGE DESCRIPTION: Remove 8' Fence and Gate per RFI 4

PAYMENT - EXTRA, ADDITIONAL, OR DELETED WORK	Extra or Credit
SELF PERFORMED WORK	
<u>General Contractor Self Performed - Material & Labor & Equipment</u>	\$ -
<u>General Contractor's overhead, profit 15%</u>	\$ -
Total General Contractor	\$ -
<u>Subcontractor #1 Material & Labor & Equipment including profit</u>	\$ 1,064.00
<u>Subcontractor #2 Material & Labor & Equipment including profit</u>	
<u>Subcontractor #3 Material & Labor & Equipment including profit</u>	\$ -
<u>General Contractor's overhead, profit, supervision, bond fees and profit for Sub work 5%</u>	\$ 53.20
Total Subcontractor	\$ 1,117.20
<u>General Contractor's bond, insurance, warranty, as builts, clean up 5%</u>	
Bond 2%, Warranty 1.5% (Historical Data), As-builts 1% (RS Means 01320-200-0100) Cleanup 1% (RS Means 01740-500-0040)	\$ 55.86
TOTAL	\$ 1,173.06

EXTRA OR CREDIT CHANGE ORDERS WILL NOT BE CONSIDERED UNLESS THIS EXHIBIT IS COMPLETELY FILLED IN WITH ALL ADDS AND DEDUCTS ACCOUNTED FOR ALONG WITH APPROPRIATE BACKUP DOCUMENTATION



License# 833490
Highlands View Rd. Alpine CA 91901
619.722.7505 - FAX 619.722.1880

May 8, 2019

Re: Palmer Way Elementary

This letter is written as a change order request for demo and removal of 45' x 8' high chain-link fence. This fencing was not shown on plans to be removed

- 45' chain-link fence demo @ \$15.00 per foot \$675.00
- Haul fencing to recycler \$250.00

O/P \$139.00

Total COR \$1,064.00

Respectfully Submitted


Bill Johnston

Straight Line General Contractors, Inc.

CONTRACT TITLE:	Palmer Way Parking Lot	DATE:	5/9/2019
Change Order #:	COR 03		

CHANGE DESCRIPTION: Remove existing tree not shown on plans

PAYMENT - EXTRA, ADDITIONAL, OR DELETED WORK	Extra or Credit
SELF PERFORMED WORK	
<u>General Contractor Self Performed - Material & Labor & Equipment</u>	\$ -
<u>General Contractor's overhead, profit 15%</u>	\$ -
Total General Contractor	\$ -
<u>Subcontractor #1 Material & Labor & Equipment including profit</u>	\$ 1,092.50
<u>Subcontractor #2 Material & Labor & Equipment including profit</u>	
<u>Subcontractor #3 Material & Labor & Equipment including profit</u>	\$ -
<u>General Contractor's overhead, profit, supervision, bond fees and profit for Sub work 5%</u>	\$ 54.63
Total Subcontractor	\$ 1,147.13
<u>General Contractor's bond, insurance, warranty, as builds, clean up 5%</u>	
<small>Bond 2%, Warranty 1.5% (Historical Data), As-builds 1% (RS Means 01320-200-0100) Cleanup 1% (RS Means 01740-500-0040)</small>	\$ 57.36
TOTAL	\$ 1,204.48

EXTRA OR CREDIT CHANGE ORDERS WILL NOT BE CONSIDERED UNLESS THIS EXHIBIT IS COMPLETELY FILLED IN WITH ALL ADDS AND DEDUCTS ACCOUNTED FOR ALONG WITH APPROPRIATE BACKUP DOCUMENTATION



License# 833490
Highlands View Rd. Alpine CA 91901
619.722.7505 - FAX 619.722.1880

May 9, 2019

Re: Palmer Way Elementary

This letter is written as a change order request for removal of tree, stump and haul away for the tree that is near the proposed lunch shelter and not shown on drawings to be removed.

- * (1) Tree, chip and haul away \$700.00
- Stump removal \$250.00

O/P \$142.50

Total COR \$1,092.50

Respectfully Submitted


Bill Johnston

Straight Line General Contractors, Inc.

CONTRACT TITLE: Palmer Way Parking Lot	DATE: 5/22/2019
Change Order #: COR 04Rev	

CHANGE DESCRIPTION: Credit for AC removed per RFI 3

PAYMENT - EXTRA, ADDITIONAL, OR DELETED WORK	Extra or Credit
SELF PERFORMED WORK	
<u>General Contractor Self Performed - Material & Labor & Equipment</u>	\$ -
<u>General Contractor's overhead, profit 15%</u>	\$ -
Total General Contractor	\$ -
<u>Subcontractor #1 Material & Labor & Equipment including profit</u>	\$ (5,023.00)
<u>Subcontractor #2 Material & Labor & Equipment including profit</u>	
<u>Subcontractor #3 Material & Labor & Equipment including profit</u>	\$ -
<u>General Contractor's overhead, profit, supervision, bond fees and profit for Sub work 5%</u>	\$ (251.15)
Total Subcontractor	\$ (5,274.15)
<u>General Contractor's bond, insurance, warranty, as built, clean up 5%</u>	
Bond 2%, Warranty 1.5% (Historical Data), As-builts 1% (RS Means 01320-200-0100) Cleanup 1% (RS Means 01740-500-0040)	\$ -
TOTAL	\$ (5,274.15)

EXTRA OR CREDIT CHANGE ORDERS WILL NOT BE CONSIDERED UNLESS THIS EXHIBIT IS COMPLETELY FILLED IN WITH ALL ADDS AND DEDUCTS ACCOUNTED FOR ALONG WITH APPROPRIATE BACKUP DOCUMENTATION

Approved:			
	Date: _____		Date: _____
District		Contractor	

Description of work: Credit for AC removed per RFI 3

BREAKDOWN ESTIMATE OF DIRECT COSTS

Contract Name:Palmer Way Parking Lot

Change Order # COR 04Rev

General Contractor Work

Item of Work	Units	Number Manhours	Labor		Material		Equipment			
			Unit Cost	Total Cost	Unit Cost	Total Cost	Equ Days	Rate	Total Cost	
Scope of Work										
Subtotal				\$0.00		\$0.00				\$0.00



8722 Winter Gardens Blvd.
Lakeside, CA 92046

License #749286
SBE #2001432
SLE #11KP0127

Estimate/Contract

DOB# 100002341

Customer Name & Address		Estimate Date	Estimate Number	
Straightline General Contractors 4747 Oceanside Blvd. Ste. C Oceanside, Ca. 92056		5/22/2019	13685	
Project				
Palmer Change Order				
Customer Phone	Customer Fax	Customer E-mail		Rep
760-630-7112		dan@slginc.net		JDN
Description		Quantity	Measure	Total
Credit for area of 4" ac on 12" Class II base being reduced in size by approximately 2,100 sqft. If the above price(s) is/are acceptable, please sign this estimate below and return it to our office. An executed copy will be mailed to you. _____ (SIGNATURE)				- 5,023.00
Jon Kirk 619-921-4496		Total		-\$5,023.00
<small> Terms: Net 30, unless otherwise specified above. All part and amount are subject to a service charge at the maximum rate allowed by state law plus costs of collection, including attorney fees (if incurred, at the highest rate legally available). We recommend 24 hrs. in advance, more time (closed to traffic). Opening cooled areas less than minimum specified time may cause premature wear to quality of materials & workmanship. If base is found to be unacceptable at depth, additional excavation & installation of new base may be needed, in which case additional costs will be charged at "T&M" +15% overhead & profit, upon approval of public superintendent. Kirk Paving, Inc. is not liable for damage or injury to pedestrians or vehicles in barricaded construction areas. When cool curing, paving & curing contractor places barricades, rapid egress, safety cones, delineators, etc. around all work areas. If animals or people walk, drive through or around our barricades & upon, tracking materials onto sidewalks, curbs, etc., Contractor will not be responsible. </small>				

Straight Line General Contractors, Inc.

CONTRACT TITLE: Palmer Way Parking Lot	DATE: 5/28/2019
Change Order #: COR 05	

CHANGE DESCRIPTION: Costs associated with CCD 1

PAYMENT - EXTRA, ADDITIONAL, OR DELETED WORK	Extra or Credit
SELF PERFORMED WORK	
<u>General Contractor Self Performed - Material & Labor & Equipment</u>	\$ -
<u>General Contractor's overhead, profit 15%</u>	\$ -
Total General Contractor	\$ -
<u>Subcontractor #1 Material & Labor & Equipment including profit</u>	\$ (34,405.00)
<u>Subcontractor #2 Material & Labor & Equipment including profit</u>	\$ 13,050.00
<u>Subcontractor #3 Material & Labor & Equipment including profit</u>	\$ -
<u>General Contractor's overhead, profit, supervision, bond fees and profit for Sub work 5%</u>	\$ (1,067.75)
Total Subcontractor	\$ (22,422.75)
<u>General Contractor's bond, insurance, warranty, as builds, clean up 5%</u>	\$ -
<small>Bond 2%, Warranty 1.5% (Historical Data), As-built 1% (RS Means 01320-200-0100) Cleanup 1% (RS Means 01740-500-0040)</small>	\$ -
TOTAL	\$ (22,422.75)

EXTRA OR CREDIT CHANGE ORDERS WILL NOT BE CONSIDERED UNLESS THIS EXHIBIT IS COMPLETELY FILLED IN WITH ALL ADDS AND DEDUCTS ACCOUNTED FOR ALONG WITH APPROPRIATE BACKUP DOCUMENTATION

Approved:	
_____ Date: _____ District Contractor	_____ Date: _____



Gotham
 3005 G Street
 San Diego, CA 92102
 619.696.8841
 info@GothamPouredRubber.com

ADDRESS
 National School District
 Palmer Way Elementary
 2900 Palmer St
 National City, CA 91950

ESTIMATE 2796

DATE 04/08/2019

EXPIRATION DATE 05/08/2019

SALES REP
 John Rooney

JOB NAME
 Play Structure/PIP

ACTIVITY	QTY	RATE	AMOUNT
PIP Gotham Poured Rubber, 3.5", 50/50 Red, Green or Blue Mixed with Black. Includes: Materials, Labor and Freight. QUOTE IS FOR 50/50 STANDARD COLOR AND BLACK EPDM WITH AROMATIC BINDER;	3,500	11.83	34,405.00
QUOTE IS FOR PREVAILING WAGES			
GOTHAM POURED RUBBER IS IPEMA CERTIFIED			
GOTHAM DIR #1000012699			
QUOTE FOR PIP RUBBER SURFACING ONLY. PLAY STRUCTURE INSTALLATION AND CLASS 2 BASE FOR PIP ON SEPARATE QUOTE			

CA Contractors License #618468
 IPEMA Certified
 Quote Good For 30 Days.

TOTAL \$34,405.00

Accepted By

Accepted Date

We are a HUB ZONE, ELBE, WOSB and Section 3 Certified Corporation



Gotham
 3005 G Street
 San Diego, CA 92102
 619.696.8841
 info@GothamPouredRubber.com

ADDRESS
 National School District
 Palmer Way Elementary
 2900 Palmer St.
 National City, CA 91950

ESTIMATE 2799

DATE 04-28-2019

EXPIRATION DATE 05-08-2019

SALES REP
 John Rooney

JOB NAME
 Class 2 Install

ACTIVITY	QTY	RATE	AMOUNT
Class 2 4.0" compacted class 2 as sub base for PIP; Quote includes all Materials, Labor and Delivery Quote is for 4" of base for PIP which is the standard thickness.	3.500	3.15	11,025.00
QUOTE IS FOR PREVAILING WAGES			
QUOTE IS FOR BASE WORK ONLY			
GOTHAM DIR 1000012699			

CA Contractors License #818468
 IPEMA Certified
 Quote Good For 30 Days.

TOTAL \$11,025.00

Accepted By

Accepted Date

We are a HUB ZONE, ELBE, WOSB and Section 3 Certified Corporation



Gotham
 3005 G Street
 San Diego, CA 92102
 619.896.8841
 info@GothamPouredRubber.com

ADDRESS
 Straight Line GC
 4747 Oceanside Blvd., Suite C
 Oceanside, CA 92056

ESTIMATE 2856

DATE 05/23/2019

EXPIRATION DATE 06/23/2019

SALES REP
 John Rooney

JOB NAME
 Palmer Elem. wood fiber

ACTIVITY	QTY	RATE	AMOUNT
Labor IPEMA Certified Engineered Wood Fiber 12" depth, 150cy, for 3,500sf. Includes material, labor and freight.	150	87.00	13,050.00
Class 2 4.0" compacted class 2 as sub base for wood fiber. Includes material labor and freight. 3,500sf area.	3,500	3.15	11,025.00
excavation by others			
border by others			
sub base compaction by others			
DIR # 1000012699			
Prevailing wage rates.			

CA Contractors License #618468
 IPEMA Certified
 Quote Good For 30 Days.

TOTAL \$24,075.00

Accepted By

Accepted Date

We are a HUB ZONE, ELBE, WOSB and Section 3 Certified Corporation

Straight Line General Contractors, Inc.

CONTRACT TITLE:	Palmer Way Parking Lot	DATE:	6/11/2019
Change Order #:	COR 06Rev		

CHANGE DESCRIPTION: Costs associated with CCD 2 New Sidewalk Slot Wall (125' long x 3' tall)

PAYMENT - EXTRA, ADDITIONAL, OR DELETED WORK	Extra or Credit
SELF PERFORMED WORK	
<u>General Contractor Self Performed - Material & Labor & Equipment</u>	\$ 9,660.00
<u>General Contractor's overhead, profit 15%</u>	\$ 1,449.00
Total General Contractor	\$ 11,109.00
<u>Subcontractor #1 Material & Labor & Equipment including profit</u>	\$ 1,702.00
<u>Subcontractor #2 Material & Labor & Equipment including profit</u>	\$ 1,947.00
<u>Subcontractor #3 Material & Labor & Equipment including profit</u>	\$ -
<u>General Contractor's overhead, profit, supervision, bond fees and profit for Sub work 5%</u>	\$ 182.45
Total Subcontractor	\$ 3,831.45
<u>General Contractor's bond, insurance, warranty, as builts, clean up 5%</u>	\$ 191.57
Bond 2%, Warranty 1.5% (Historical Data), As-builts 1% (RS Means 01320-200-0100) Cleanup 1% (RS Means 01740-500-0040)	\$ 191.57
TOTAL	\$ 15,132.02

EXTRA OR CREDIT CHANGE ORDERS WILL NOT BE CONSIDERED UNLESS THIS EXHIBIT IS COMPLETELY FILLED IN WITH ALL ADDS AND DEDUCTS ACCOUNTED FOR ALONG WITH APPROPRIATE BACKUP DOCUMENTATION

Approved:	
_____ Date: _____ District	_____ Date: _____ Contractor

Description of work: Costs associated with CCD 2 New Sidewalk Slot Wall (125' long x 3' tall)

BREAKDOWN ESTIMATE OF DIRECT COSTS

Contract Name:Palmer Way Parking Lot

Change Order #		COR 06Rev		General Contractor Work					
Item of Work		Units	Number Manhours	Labor		Material		Equipment	
				Unit Cost	Total Cost	Unit Cost	Total Cost	Equ Days	Rate
Scope of Work									
1	Install 8"x 24" slot wall per 4/CCD2-A1.2	125				\$82.50	\$10,312.50		
	Credit for reduced width of 4" sidewalk	-145				\$4.50	(\$652.50)		
	Subtotal				\$0.00		\$9,660.00		\$0.00



Change Order Re

#19053M – PALMER ELEMENTARY SCHOOL

COR Subject: CCD

To Dan Williams
 Straight Line General Contractors,
 Inc.

COR Number: #19053M-01
 COR Revision Number: 0
 COR Date: 6/11/2019

Return To Julia Vaughn
 Quality Reinforcing, Inc.
 8587488400
 rfis@qualityreinforcing.com

Price / Do Not Proceed
 Work Type:
 GC COR / RFI No: CCD #002-A1.2
 Days Valid: 30

RE

Per CCD #002-A1.2, replace FOB mow curb with slot wall and revise sidewalk from #3 @ 18" per Detail 4/C #002-A1.2 at Lot A sidewalk.

Details

Line No	Code	Description	Type	Cost / Rate	Qty / Hrs	Workers
001		Detailing	Labor	\$50.00	1.00 Hrs	1.00
002		Man Hours	Labor	\$86.00	10.00 Hrs	1.00
003		Material	Material	\$0.60	1,200.00 POUNDS	-

Breakout

Labor :
 Overhead @ 10%:
 Profit @ 5%:
 Material :
 Sales Tax @ 7.75%:
 Overhead @ 10%:

Profit @ 5%:

quest

#002-A1.2

CD

Ext
\$50.00
\$860.00
\$720.00

--

\$910.00
\$91.00
\$50.05
\$720.00
\$55.80
\$77.58

\$42.67



License# 833490
Highlands View Rd. Alpine CA 91901
619.722.7505 - FAX 619.722.1880

June 10, 2019

Re: Palmer Way Elementary

This letter is written to provide pricing per your request for the work associated with the new wall that is being proposed for the ramp down to lunch shelter, sheet AD1-C1.1. this cost is for creating a flat bench for the excavation of the footing and then to backfill the wall (front and back).

• Skid steer and operator	\$125 hr. @ 8hrs	\$1,000.00
• Laborer	\$60 hr. @ 8hrs	\$480.00
	O/P	\$222.00
	Total COR	\$1,702.00

Respectfully Submitted


Bill Johnston

Straight Line General Contractors, Inc.

CONTRACT TITLE:	Palmer Way Parking Lot	DATE:	6/14/2019
Change Order #:	COR 06.1		

CHANGE DESCRIPTION: Costs associated with CCD 2 New Sidewalk Slot Wall (125' long x 3' tall)

PAYMENT - EXTRA, ADDITIONAL, OR DELETED WORK	Extra or Credit
SELF PERFORMED WORK	
<u>General Contractor Self Performed - Material & Labor & Equipment</u>	\$ 750.00
<u>General Contractor's overhead, profit 15%</u>	\$ 112.50
Total General Contractor	\$ 862.50
<u>Subcontractor #1 Material & Labor & Equipment including profit</u>	\$ -
<u>Subcontractor #2 Material & Labor & Equipment including profit</u>	\$ -
<u>Subcontractor #3 Material & Labor & Equipment including profit</u>	\$ -
<u>General Contractor's overhead, profit, supervision, bond fees and profit for Sub work 5%</u>	\$ -
Total Subcontractor	\$ -
<u>General Contractor's bond, insurance, warranty, as builts, clean up 5%</u>	\$ 43.13
<small>Bond 2%, Warranty 1.5% (Historical Data), As-builts 1% (RS Means 01320-200-0100) Cleanup 1% (RS Means 01740-500-0040)</small>	
TOTAL	\$ 905.63

EXTRA OR CREDIT CHANGE ORDERS WILL NOT BE CONSIDERED UNLESS THIS EXHIBIT IS COMPLETELY FILLED IN WITH ALL ADDS AND DEDUCTS ACCOUNTED FOR ALONG WITH APPROPRIATE BACKUP DOCUMENTATION

Approved:		
Date: _____	Date: _____	
District	Contractor	

Description of work: Costs associated with CCD 2 New Sidewalk Slot Wall (125' long x 3' tall)

BREAKDOWN ESTIMATE OF DIRECT COSTS

Contract Name:Palmer Way Parking Lot

Change Order # COR 06.1

General Contractor Work

Item of Work	Units	Number Manhours	Labor		Material		Equipment		
			Unit Cost	Total Cost	Unit Cost	Total Cost	Equ Days	Rate	Total Cost
Scope of Work									
1 Install 8"x 24" slot wall per 4/CCD2-A1.2	6				\$125.00	\$750.00			
Subtotal				\$0.00		\$750.00			\$0.00

Straight Line General Contractors, Inc.

CONTRACT TITLE:	Palmer Way Parking Lot	DATE:	6/17/2019
Change Order #:	COR 06.2		

CHANGE DESCRIPTION: Costs associated with CCD 2 (45' section of wall ran 4' tall)

PAYMENT - EXTRA, ADDITIONAL, OR DELETED WORK	Extra or Credit
SELF PERFORMED WORK	
<u>General Contractor Self Performed - Material & Labor & Equipment</u>	\$ 1,867.50
<u>General Contractor's overhead, profit 15%</u>	\$ 280.13
Total General Contractor	\$ 2,147.63
<u>Subcontractor #1 Material & Labor & Equipment including profit</u>	
<u>Subcontractor #2 Material & Labor & Equipment including profit</u>	
<u>Subcontractor #3 Material & Labor & Equipment including profit</u>	\$ -
<u>General Contractor's overhead, profit, supervision, bond fees and profit for Sub work 5%</u>	\$ -
Total Subcontractor	\$ -
<u>General Contractor's bond, insurance, warranty, as built, clean up 5%</u>	
<small>Bond 2%, Warranty 1.5% (Historical Data), As-built 1% (RS Means 01320-200-0100) Cleanup 1% (RS Means 01740-500-0040)</small>	\$ -
TOTAL	\$ 2,147.63

EXTRA OR CREDIT CHANGE ORDERS WILL NOT BE CONSIDERED UNLESS THIS EXHIBIT IS COMPLETELY FILLED IN WITH ALL ADDS AND DEDUCTS ACCOUNTED FOR ALONG WITH APPROPRIATE BACKUP DOCUMENTATION

Approved:	
_____ Date: _____	_____ Date: _____
District	Contractor

Description of work: Costs associated with CCD 2 (45' section of wall ran 4' tall)

BREAKDOWN ESTIMATE OF DIRECT COSTS

Contract Name:Palmer Way Parking Lot

Change Order #		General Contractor Work								
COR 06.2										
Item of Work	Units	Number Manhours	Labor		Material		Equipment			
			Unit Cost	Total Cost	Unit Cost	Total Cost	Equ Days	Rate	Total Cost	
Scope of Work										
1	Install 8"x 24" slot wall per 4/CCD2-A1.2	45			\$41.50	\$1,867.50				
Subtotal				\$0.00		\$1,867.50				\$0.00

Straight Line General Contractors, Inc.

CONTRACT TITLE: Palmer Way Parking Lot	DATE: 6/12/2019
Change Order #: COR 07Rev	

CHANGE DESCRIPTION: Irrigation main line repair per RFI 13

PAYMENT - EXTRA, ADDITIONAL, OR DELETED WORK	Extra or Credit
SELF PERFORMED WORK	
<u>General Contractor Self Perfomed - Material & Labor & Equipment</u>	\$ 889.40
<u>General Contractor's overhead, profit 15%</u>	\$ 133.41
Total General Contractor	\$ 1,022.81
<u>Subcontractor #1 Material & Labor & Equipment including profit</u>	\$ -
<u>Subcontractor #2 Material & Labor & Equipment including profit</u>	\$ -
<u>Subcontractor #3 Material & Labor & Equipment including profit</u>	\$ -
<u>General Contractor's overhead, profit, supervision, bond fees and profit for Sub work 5%</u>	\$ -
Total Subcontractor	\$ -
<u>General Contractor's bond, insurance, warranty, as builts, clean up 5%</u>	\$ -
Bond 2%, Warranty 1.5% (Historical Data), As-builts 1% (RS Means 01320-200-0100) Cleanup 1% (RS Means 01740-500-0040)	\$ -
TOTAL	\$ 1,022.81

EXTRA OR CREDIT CHANGE ORDERS WILL NOT BE CONSIDERED UNLESS THIS EXHIBIT IS COMPLETELY FILLED IN WITH ALL ADDS AND DEDUCTS ACCOUNTED FOR ALONG WITH APPROPRIATE BACKUP DOCUMENTATION

Approved:		
_____	Date: _____	Date: _____
District	Contractor	

Description of work: Irrigation main line repair per RFI 13

BREAKDOWN ESTIMATE OF DIRECT COSTS

Contract Name:Palmer Way Parking Lot

Change Order # COR 07Rev

General Contractor Work

Item of Work	Units	Number Manhours	Labor		Material		Equipment		
			Unit Cost	Total Cost	Unit Cost	Total Cost	Equ Days	Rate	Total Cost
Scope of Work									
1 Re-route main line at sidewalk and move valve box to LS area		12	\$65.00	\$780.00	\$109.40	\$109.40			
Subtotal				\$780.00		\$109.40			\$0.00



More saving.
More doing.™

355 MARKETPLACE AVENUE
SAN DIEGO, CA 92113 (619) 2631533

1032 00007 49199 06/11/19 10:50 AM
CASHIER YWETT

062086010754 2X108LUE COP -A-	05 60
11MM10FT RDG TYPE L BLUE WORKER PIPE	
014045324779 140ZMAP -A-	11 97
BEFLECTOMATIC 14 10Z MAP-PAC CYLINDER	
039923312969 11N COP EL 90 -A-	4 30
1" COP EL 90 DEG CXC	
039923301604 1 COP F ADPT -A-	
1" COP FEMALE ADPTR EXEPT	
2810 21	
039923309600 11N COP CPLG -A-	20 42
1" COP COMPLTNG NO STOP CXC	4 26
038753314112 2YD CLOTH -A-	
1-1/2"X2YD ABRRACTIVE CLOTH 120 GRIT	3 86
REL Savings \$0.43	
060857807223 1/2"X6" ACTD -A-	0 57
HDX 1-2"X6" ACTD BRUSH	
068753302741 1 7OZ FLUX -A-	2 85
1 7 OZ NO.90 TINKING FLUX	
REL Savings \$0.32	
038753290245 1/2LB SOLDER -A-	12 48
1/2LB LEAD FREE SILVER SOLDER	
NLP Savings \$1.50	
049081143183 PVC PLUG -6-	
1 PVC PLUG RPT	
281 80	
	0 20
SUBTOTAL	
SALES TAX	101 53
TOTAL	7 87
*****9924 HOME DEPOT	\$109 40
AUTH CODE 011685/1071963	109 40
	74

Straight Line General Contractors, Inc.

CONTRACT TITLE:	Palmer Way Parking Lot	DATE:	6/12/2019
Change Order #:	COR 08		

CHANGE DESCRIPTION: Unforeseen Irrigation main line repair per RFI 10

PAYMENT - EXTRA, ADDITIONAL, OR DELETED WORK	Extra or Credit
SELF PERFORMED WORK	
<u>General Contractor Self Performed - Material & Labor & Equipment</u>	\$ 830.72
<u>General Contractor's overhead, profit 15%</u>	\$ 124.61
Total General Contractor	\$ 955.33
<u>Subcontractor #1 Material & Labor & Equipment including profit</u>	\$ -
<u>Subcontractor #2 Material & Labor & Equipment including profit</u>	\$ -
<u>Subcontractor #3 Material & Labor & Equipment including profit</u>	\$ -
<u>General Contractor's overhead, profit, supervision, bond fees and profit for Sub work 5%</u>	\$ -
Total Subcontractor	\$ -
<u>General Contractor's bond, insurance, warranty, as builts, clean up 5%</u>	\$ -
<small>Bond 2%, Warranty 1.5% (Historical Data), As-builts 1% (RS Means 01320-200-0100) Cleanup 1% (RS Means 01740-500-0040)</small>	\$ -
TOTAL	\$ 955.33

EXTRA OR CREDIT CHANGE ORDERS WILL NOT BE CONSIDERED UNLESS THIS EXHIBIT IS COMPLETELY FILLED IN WITH ALL ADDS AND DEDUCTS ACCOUNTED FOR ALONG WITH APPROPRIATE BACKUP DOCUMENTATION

Approved:	
_____ Date: _____	_____ Date: _____
District	Contractor

Description of work: Unforeseen Irrigation main line repair per RFI 10

BREAKDOWN ESTIMATE OF DIRECT COSTS

Contract Name: Palmer Way Parking Lot

Change Order # COR 08

General Contractor Work

Item of Work	Units	Number Manhours	Labor		Material		Equipment			
			Unit Cost	Total Cost	Unit Cost	Total Cost	Equ Days	Rate	Total Cost	
			Scope of Work							
1 Lower main line at circle and move valve box to LS area		12	\$65.00	\$780.00						
2 1" PVC pipe	2				\$5.25	\$10.50				
1" PVC 90	6				\$1.14	\$6.84				
1" PVC coupling	4				\$0.58	\$2.32				
1" Copper 90	2				\$5.32	\$10.64				
1" Copper Female Adaptor	2				\$10.21	\$20.42				
Subtotal				\$780.00		\$50.72				\$0.00

Straight Line General Contractors, Inc.

CONTRACT TITLE: Palmer Way Parking Lot	DATE: 6/12/2019
Change Order #: COR 09	

CHANGE DESCRIPTION: Unforeseen Irrigation main line repair per RFI 16

PAYMENT - EXTRA, ADDITIONAL, OR DELETED WORK	Extra or Credit
SELF PERFORMED WORK	
General Contractor Self Performed - Material & Labor & Equipment	\$ 953.96
General Contractor's overhead, profit 15%	\$ 143.09
Total General Contractor	\$ 1,097.05
Subcontractor #1 Material & Labor & Equipment including profit	\$ -
Subcontractor #2 Material & Labor & Equipment including profit	\$ -
Subcontractor #3 Material & Labor & Equipment including profit	\$ -
General Contractor's overhead, profit, supervision, bond fees and profit for Sub work 5%	\$ -
Total Subcontractor	\$ -
General Contractor's bond, insurance, warranty, as built, clean up 5%	\$ -
<small>Bond 2%, Warranty 1.5% (Historical Data), As-builts 1% (RS Means 01320-200-0100) Cleanup 1% (RS Means 01740-500-0040)</small>	\$ -
TOTAL	\$ 1,097.05

EXTRA OR CREDIT CHANGE ORDERS WILL NOT BE CONSIDERED UNLESS THIS EXHIBIT IS COMPLETELY FILLED IN WITH ALL ADDS AND DEDUCTS ACCOUNTED FOR ALONG WITH APPROPRIATE BACKUP DOCUMENTATION

Approved:	
_____ Date: _____ District Contractor	_____ Date: _____

Straight Line General Contractors, Inc.

CONTRACT TITLE:	Palmer Way Parking Lot	DATE:	6/17/2019
Change Order #:	COR 10		

CHANGE DESCRIPTION: Unforeseen second Irrigation main line and lateral repairs per RFI 21

PAYMENT - EXTRA, ADDITIONAL, OR DELETED WORK	Extra or Credit
SELF PERFORMED WORK	
<u>General Contractor Self Performed - Material & Labor & Equipment</u>	\$ 1,348.82
<u>General Contractor's overhead, profit 15%</u>	\$ 202.32
Total General Contractor	\$ 1,551.14
<u>Subcontractor #1 Material & Labor & Equipment including profit</u>	\$ -
<u>Subcontractor #2 Material & Labor & Equipment including profit</u>	\$ -
<u>Subcontractor #3 Material & Labor & Equipment including profit</u>	\$ -
<u>General Contractor's overhead, profit, supervision, bond fees and profit for Sub work 5%</u>	\$ -
Total Subcontractor	\$ -
<u>General Contractor's bond, insurance, warranty, as built, clean up 5%</u>	\$ -
<small>Bond 2%, Warranty 1.5% (Historical Data), As-built 1% (RS Means 01320-200-0100) Cleanup 1% (RS Means 01740-500-0040)</small>	\$ -
TOTAL	\$ 1,551.14

EXTRA OR CREDIT CHANGE ORDERS WILL NOT BE CONSIDERED UNLESS THIS EXHIBIT IS COMPLETELY FILLED IN WITH ALL ADDS AND DEDUCTS ACCOUNTED FOR ALONG WITH APPROPRIATE BACKUP DOCUMENTATION

Approved:			
Date: _____	Date: _____	Date: _____	Date: _____
District	Contractor	Contractor	Contractor

Description of work: Unforeseen second Irrigation main line and lateral repairs per RFI 21

BREAKDOWN ESTIMATE OF DIRECT COSTS

Contract Name:Palmer Way Parking Lot

Change Order #		COR 10		General Contractor Work						
Item of Work	Units	Number Manhours	Labor		Material		Equipment			
			Unit Cost	Total Cost	Unit Cost	Total Cost	Equ Days	Rate	Total Cost	
Scope of Work										
1	Lower main line at shade shelter		16	\$65.00	\$1,040.00			1	\$250.00	\$250.00
2	3/4" PVC pipe	3				\$2.74	\$8.22			
	3/4" PVC 90	12				\$1.14	\$13.68			
	3/4" PVC coupling	8				\$0.76	\$6.08			
	1 1/4" PVC pipe	4				\$5.51	\$22.04			
	1 1/4" PVC 90	4				\$1.34	\$5.36			
	1 1/4" PVC coupling	4				\$0.86	\$3.44			
	Subtotal				\$1,040.00		\$58.82			\$250.00

Straight Line General Contractors, Inc.

CONTRACT TITLE: Palmer Way Parking Lot	DATE:	6/24/2019
Change Order #: COR 12		

CHANGE DESCRIPTION: Remove unforeseen curbs per RFI 9

PAYMENT - EXTRA, ADDITIONAL, OR DELETED WORK	Extra or Credit
SELF PERFORMED WORK	
<u>General Contractor Self Performed - Material & Labor & Equipment</u>	\$ -
<u>General Contractor's overhead, profit 15%</u>	\$ -
Total General Contractor	\$ -
<u>Subcontractor #1 Material & Labor & Equipment including profit</u>	\$ 1,434.00
<u>Subcontractor #2 Material & Labor & Equipment including profit</u>	\$ -
<u>Subcontractor #3 Material & Labor & Equipment including profit</u>	\$ -
<u>General Contractor's overhead, profit, supervision, bond fees and profit for Sub work 5%</u>	\$ 71.70
Total Subcontractor	\$ 1,505.70
<u>General Contractor's bond, insurance, warranty, as built, clean up 5%</u>	\$ 75.29
<small>Bond 2%, Warranty 1.5% (Historical Data), As-builts 1% (RS Means 01320-200-0100) Cleanup 1% (RS Means 01740-500-0040)</small>	
TOTAL	\$ 1,580.99

EXTRA OR CREDIT CHANGE ORDERS WILL NOT BE CONSIDERED UNLESS THIS EXHIBIT IS COMPLETELY FILLED IN WITH ALL ADDS AND DEDUCTS ACCOUNTED FOR ALONG WITH APPROPRIATE BACKUP DOCUMENTATION

Approved:	
Date: _____	Date: _____
District _____	Contractor _____

Description of work: Remove unforeseen curbs per RFI 9

BREAKDOWN ESTIMATE OF DIRECT COSTS

Contract Name:Palmer Way Parking Lot

Change Order # COR 12

General Contractor Work

Item of Work	Units	Number Manhours	Labor		Material		Equipment			
			Unit Cost	Total Cost	Unit Cost	Total Cost	Equ Days	Rate	Total Cost	
Scope of Work										
Subtotal				\$0.00		\$0.00				\$0.00



License# 833490
Highlands View Rd. Alpine CA 91901
619.722.7505 - FAX 619.722.1880

June 18, 2019

Re: Palmer Way Elementary

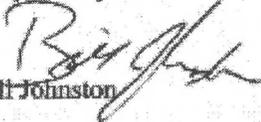
This letter is written to provide pricing per your request for the work to demo two curbs/stem walls that were not indicated on the drawings to be removed.

• Skid Steer/Breaker and operator	\$125 hr. @ 4hrs	\$500.00
• Laborer	\$60 hr. @ 4hrs	\$240.00
• Saw cut asphalt	70' @ \$3.60 per ft	\$252.00
• ½ load of demo		\$255.00

O/P \$187.00

Total COR \$1,434.00

Respectfully Submitted


Bill Johnston

Straight Line General Contractors, Inc.

CONTRACT TITLE: Palmer Way Parking Lot	DATE: 6/24/2019
Change Order #: COR 13	

CHANGE DESCRIPTION: Remove and replace concrete at Entry per RFI 20

PAYMENT - EXTRA, ADDITIONAL, OR DELETED WORK	Extra or Credit
SELF PERFORMED WORK	
<u>General Contractor Self Performed - Material & Labor & Equipment</u>	\$ 2,005.00
<u>General Contractor's overhead, profit 15%</u>	\$ 300.75
Total General Contractor	\$ 2,305.75
<u>Subcontractor #1 Material & Labor & Equipment including profit</u>	
<u>Subcontractor #2 Material & Labor & Equipment including profit</u>	\$ -
<u>Subcontractor #3 Material & Labor & Equipment including profit</u>	\$ -
<u>General Contractor's overhead, profit, supervision, bond fees and profit for Sub work 5%</u>	\$ -
Total Subcontractor	\$ -
<u>General Contractor's bond, insurance, warranty, as built, clean up 5%</u>	
Bond 2%, Warranty 1.5% (Historical Data), As-builts 1% (RS Means 01320-200-0100) Cleanup 1% (RS Means 01740-500-0040)	\$ -
TOTAL	\$ 2,305.75

EXTRA OR CREDIT CHANGE ORDERS WILL NOT BE CONSIDERED UNLESS THIS EXHIBIT IS COMPLETELY FILLED IN WITH ALL ADDS AND DEDUCTS ACCOUNTED FOR ALONG WITH APPROPRIATE BACKUP DOCUMENTATION

Approved:	
Date: _____	Date: _____
District _____	Contractor _____

Description of work: Remove and replace concrete at Entry per RFI 20

BREAKDOWN ESTIMATE OF DIRECT COSTS

Contract Name:Palmer Way Parking Lot

Change Order # COR 13

General Contractor Work

Item of Work	Units	Number Manhours	Labor		Material		Equipment			
			Unit Cost	Total Cost	Unit Cost	Total Cost	Equ Days	Rate	Total Cost	
Scope of Work										
1 Saw cut concrete				\$250.00						
2 Demo Concrete	80				\$5.00	\$400.00				
3 Dowels for concrete	14				\$22.50	\$315.00				
4 Pour concrete	80				\$13.00	\$1,040.00				
Subtotal				\$250.00		\$1,755.00				\$0.00

Straight Line General Contractors, Inc.

CONTRACT TITLE: Palmer Way Parking Lot	DATE: 6/26/2019
Change Order #: COR 14	

CHANGE DESCRIPTION: Install 144' of 3' high black chain link in lieu of galvanized

PAYMENT - EXTRA, ADDITIONAL, OR DELETED WORK	Extra or Credit
SELF PERFORMED WORK	
General Contractor Self Performed - Material & Labor & Equipment	\$ -
General Contractor's overhead, profit 15%	\$ -
Total General Contractor	\$ -
Subcontractor #1 Material & Labor & Equipment including profit	\$ 1,296.00
Subcontractor #2 Material & Labor & Equipment including profit	\$ -
Subcontractor #3 Material & Labor & Equipment including profit	\$ -
General Contractor's overhead, profit, supervision, bond fees and profit for Sub work 5%	\$ 64.80
Total Subcontractor	\$ 1,360.80
General Contractor's bond, insurance, warranty, as built, clean up 5%	\$ 68.04
<small>Bond 2%, Warranty 1.5% (Historical Data), As-built 1% (RS Means 01320-200-0100) Cleanup 1% (RS Means 01740-500-0040)</small>	
TOTAL	\$ 1,428.84

EXTRA OR CREDIT CHANGE ORDERS WILL NOT BE CONSIDERED UNLESS THIS EXHIBIT IS COMPLETELY FILLED IN WITH ALL ADDS AND DEDUCTS ACCOUNTED FOR ALONG WITH APPROPRIATE BACKUP DOCUMENTATION

Approved:	
_____ Date: _____ District Contractor	_____ Date: _____



Hurricane & Poway Fence Company

P.O. BOX 1636, RAMONA CA.

P.O. Box 1636

Ramona, CA 92085

Ph: (760)789-4142

Fax: (760)788-1537

e-mail: laurann@usa.net

QUOTE	
NO	6056
DATE	June 26, 2019

JOB & P.O.	
JOB	Palmer Parking Lot
PO	

TERMS: Upon Completion

SALESMAN Laurann Volk

TO Straight Line General Contractors, Inc
4747 OceanSide Blvd, Ste. C
Oceanside, Ca 92056

JOB LOCATION

Palmer Way Parking Lot
2900 Palmer Street
National City, Ca. 91950

DESCRIPTION	CONTRACT PRICE
(DIR# 1000011357) (891123 C-13 Cal-Trans D.B.E/W.B.E. Cert #49)	
Additional Price to Change Qty 144' of 3' Galvanized Chain Link to	
144' of 3' Black Vinyl Chain Link	\$1,296.00

COMMENTS:

(Exclusions)

No Clearing and Grading, Patching and Restoration, No Mow Curb

No Maintenance or Traffic Control, No Rock or Core Drilling

SUBTOTAL

\$1,296.00

TAX

\$0.00

TOTAL DUE

\$1,296.00

Straight Line General Contractors, Inc.

CONTRACT TITLE: Palmer Way Parking Lot	DATE: 6/27/2019
Change Order #: COR 15	

CHANGE DESCRIPTION: Demo AC at shade shelter per RFI 34

PAYMENT - EXTRA, ADDITIONAL, OR DELETED WORK	Extra or Credit
SELF PERFORMED WORK	
<u>General Contractor Self Perfomed - Material & Labor & Equipment</u>	\$ 850.00
<u>General Contractor's overhead, profit 15%</u>	\$ 127.50
Total General Contractor	\$ 977.50
<u>Subcontractor #1 Material & Labor & Equipment including profit</u>	
<u>Subcontractor #2 Material & Labor & Equipment including profit</u>	\$ -
<u>Subcontractor #3 Material & Labor & Equipment including profit</u>	\$ -
<u>General Contractor's overhead, profit, supervision, bond fees and profit for Sub work 5%</u>	\$ -
Total Subcontractor	\$ -
<u>General Contractor's bond, insurance, warranty, as builts, clean up 5%</u>	
Bond 2%, Warranty 1.5% (Historical Data), As-builts 1% (RS Means 01320-200-0100) Cleanup 1% (RS Means 01740-500-0040)	\$ -
TOTAL	\$ 977.50

EXTRA OR CREDIT CHANGE ORDERS WILL NOT BE CONSIDERED UNLESS THIS EXHIBIT IS COMPLETELY FILLED IN WITH ALL ADDS AND DEDUCTS ACCOUNTED FOR ALONG WITH APPROPRIATE BACKUP DOCUMENTATION

Approved:	
_____ Date: _____ District Contractor	_____ Date: _____

Description of work: Demo AC at shade shelter per RFI 34

BREAKDOWN ESTIMATE OF DIRECT COSTS

Contract Name:Palmer Way Parking Lot

Change Order #		COR 15		General Contractor Work					
Item of Work	Units	Number Manhours	Labor		Material		Equipment		
			Unit Cost	Total Cost	Unit Cost	Total Cost	Equ Days	Rate	Total Cost
Scope of Work									
1 Saw cut AC paving	30					\$250.00			
2 Demo AC paving	60				\$7.50	\$450.00			
3 Dispose of AC paving	1					\$150.00			
Subtotal				\$0.00		\$850.00			\$0.00

Straight Line General Contractors, Inc.

CONTRACT TITLE: Palmer Way Parking Lot	DATE:	7/1/2019
Change Order #: COR 17		

CHANGE DESCRIPTION: Change fence height to 8' per RFI 35R1

PAYMENT - EXTRA, ADDITIONAL, OR DELETED WORK	Extra or Credit
SELF PERFORMED WORK	
<u>General Contractor Self Performed - Material & Labor & Equipment</u>	\$ -
<u>General Contractor's overhead, profit 15%</u>	\$ -
Total General Contractor	\$ -
<u>Subcontractor #1 Material & Labor & Equipment including profit</u>	\$ 3,380.00
<u>Subcontractor #2 Material & Labor & Equipment including profit</u>	
<u>Subcontractor #3 Material & Labor & Equipment including profit</u>	\$ -
<u>General Contractor's overhead, profit, supervision, bond fees and profit for Sub work 5%</u>	\$ 169.00
Total Subcontractor	\$ 3,549.00
<u>General Contractor's bond, insurance, warranty, as builts, clean up 5%</u>	\$ 177.45
<small>Bond 2%, Warranty 1.5% (Historical Data), As-builts 1% (RS Means 01320-200-0100) Cleanup 1% (RS Means 01740-500-0040)</small>	
TOTAL	\$ 3,726.45

EXTRA OR CREDIT CHANGE ORDERS WILL NOT BE CONSIDERED UNLESS THIS EXHIBIT IS COMPLETELY FILLED IN WITH ALL ADDS AND DEDUCTS ACCOUNTED FOR ALONG WITH APPROPRIATE BACKUP DOCUMENTATION

Approved:	
_____ Date: _____	_____ Date: _____
District	Contractor



Hurricane & Poway Fence Company

P.O. BOX 1636, RAMONA CA.

P.O. Box 1636

Ramona, CA 92065

Ph: (760)789-4142

Fax: (760)788-1537

e-mail: laurann@usa.net

INVOICE	
NO:	6057
DATE:	July 01, 2019

JOB & P.O.	
JOB:	Palmer Parking Lot
PO:	

TERMS:	Upon Completion	SALESMAN:	Laurann Volk
--------	-----------------	-----------	--------------

TO	JOB LOCATION
Straight Line General Contractors, Inc	Palmer Way Parking Lot
4747 Oceanside Blvd, Ste. C	2900 Palmer Street
Oceanside, Ca. 92056	National City, Ca. 91950

DESCRIPTION	CONTRACT PRICE
(DIR# 1000011357) (891123 C-13 Cal-Trans D.B.E/W.B.E. Cert #49)	
Additional Price to Change 176' (Including 20' Dbl Gate & 3' Walk Gate) of 6' Galvanized Chain Link to 176' (Including 20' Double Gate & 3' Walk Gate) of 8' Galvanized Chain Link	\$3,380.00

COMMENTS: (Exclusions) No Clearing and Grading, Patching and Restoration, No Mow Curb No Maintenance or Traffic Control, No Rock or Core Drilling	SUBTOTAL	\$3,380.00
	TAX	\$0.00
	TOTAL DUE	\$3,380.00

Straight Line General Contractors, Inc.

CONTRACT TITLE:	Palmer Way Parking Lot	DATE:	7/3/19
Change Order #:	COR 18		

CHANGE DESCRIPTION: Demo existing catch basin not shown on plans

PAYMENT - EXTRA, ADDITIONAL, OR DELETED WORK	Extra or Credit
SELF PERFORMED WORK	
<u>General Contractor Self Perfomed - Material & Labor & Equipment</u>	\$ 1,960.00
<u>General Contractor's overhead, profit 15%</u>	\$ 294.00
Total General Contractor	\$ 2,254.00
<u>Subcontractor #1 Material & Labor & Equipment including profit</u>	
<u>Subcontractor #2 Material & Labor & Equipment including profit</u>	
<u>Subcontractor #3 Material & Labor & Equipment including profit</u>	\$ -
<u>General Contractor's overhead, profit, supervision, bond fees and profit for Sub work 5%</u>	\$ -
Total Subcontractor	\$ -
<u>General Contractor's bond, insurance, warranty, as builts, clean up 5%</u>	
Bond 2%, Warranty 1.5% (Historical Data), As-builts 1% (RS Means 01320-200-0100) Cleanup 1% (RS Means 01740-500-0040)	\$ -
TOTAL	\$ 2,254.00

EXTRA OR CREDIT CHANGE ORDERS WILL NOT BE CONSIDERED UNLESS THIS EXHIBIT IS COMPLETELY FILLED IN WITH ALL ADDS AND DEDUCTS ACCOUNTED FOR ALONG WITH APPROPRIATE BACKUP DOCUMENTATION

Approved:	
_____ Date: _____ District Contractor	_____ Date: _____

Description of work: Demo existing catch basin not shown on plans

BREAKDOWN ESTIMATE OF DIRECT COSTS

Contract Name:Palmer Way Parking Lot

Change Order #		COR 18		General Contractor Work					
Item of Work	Units	Number Manhours	Labor		Material		Equipment		
			Unit Cost	Total Cost	Unit Cost	Total Cost	Equ Days	Rate	Total Cost
Scope of Work									
1 Demo catch basin in South parking lot		24	\$65.00	\$1,560.00					
Equipment								1	\$225.00
Dump fees						\$175.00			\$225.00
Subtotal				\$1,560.00		\$175.00			\$225.00

Straight Line General Contractors, Inc.

CONTRACT TITLE:	Palmer Way Parking Lot	DATE:	7/3/2019
Change Order #:	COR 19		

CHANGE DESCRIPTION: Install new 24"x 24" catch basin not shown as new

PAYMENT - EXTRA, ADDITIONAL, OR DELETED WORK	Extra or Credit
SELF PERFORMED WORK	
General Contractor Self Performed - Material & Labor & Equipment	\$ -
General Contractor's overhead, profit 15%	\$ -
Total General Contractor	\$ -
Subcontractor #1 Material & Labor & Equipment including profit	\$ 2,134.31
Subcontractor #2 Material & Labor & Equipment including profit	\$ -
Subcontractor #3 Material & Labor & Equipment including profit	\$ -
General Contractor's overhead, profit, supervision, bond fees and profit for Sub work 5%	\$ 106.72
Total Subcontractor	\$ 2,241.03
General Contractor's bond, insurance, warranty, as built, clean up 5%	\$ 112.05
<small>Bond 2%, Warranty 1.5% (Historical Data), As-builts 1% (RS Means 01320-200-0100) Cleanup 1% (RS Means 01740-500-0040)</small>	
TOTAL	\$ 2,353.08

EXTRA OR CREDIT CHANGE ORDERS WILL NOT BE CONSIDERED UNLESS THIS EXHIBIT IS COMPLETELY FILLED IN WITH ALL ADDS AND DEDUCTS ACCOUNTED FOR ALONG WITH APPROPRIATE BACKUP DOCUMENTATION

Approved:		
	Date: _____	Date: _____
District	Contractor	



Change Order# 1
Original Contract #18-19-184B

License#1002104
DIR #1000043451

Submitted To: Dan Williams
Straightline General Contracting
4747 Oceanside Blvd, Suite C
Oceanside, Ca 92056

Date: July 1, 2019
Job Name: Palmer Way Elementary School
2900 Palmer St.
National City, Ca 91950

Scope of Work: Demo and remove old catch basin and install 1- 24x24 catch basin.

Itemized Breakdown

- 3- bags of 60lb mortar
- 3- bags of 60lb ready mix concrete
- 1- 24x24 catch basin
- 1- 24 x24 traffic grate

Summary

General Materials	\$675.42
Materials Taxes (@7.750%)	\$52.34
Total Materials	\$727.76
Journeyman (4 Hrs @ \$74.30)	\$297.20
Labor Burden (@34.73%)	\$103.21
Profit/ Overhead @ 15%	\$278.38

Subtotal \$ 2,134.31

Final Amount \$2,134.31

All material is guaranteed to be as specified, and all work to be performed according to plans and specifications as noted or in the absence thereof, acceptable standard practice and completed in a substantial workmanlike manner for the sum of:

Total Price
\$2,134.31
(Two Thousand One Hundred and Thirty Four Dollars and Thirty one Cents)

Any invoice amount that remains unpaid after the due date is subject to a monthly finance charge of 1.5%

This proposal is not valid unless originally or subsequently signed by an authorized Officer of PEG Enterprise, Inc.:

Authorized Signature: Tai Quach Date: 7/2/19
Tai Quach, President

This proposal may be withdrawn by the contractor if not accepted within 30 days. Proposal is not accepted within this time shall be expired.

Acceptance of Proposal - I/We do hereby agree to the price, specifications and conditions referred to herein, and authorized the contractor named here in to perform the work as specified with payment to be made as outlined above.

Date of Acceptance: _____ Print Name and Title: _____
Signature: _____

Terms and Conditions

1. PEG Enterprise, Inc. shall be installed to the standards of the California Building Code and is guaranteed for one year. No other warranties are expressed or implied.
2. PEG Enterprise, Inc. is not responsible or liable in any way, for any parts of the existing plumbing systems.
3. PEG Enterprise, Inc. shall make holes in the building to gain access for piping and shall not be liable in any way for labor or costs incurred for painting, staining or repairing walls, ceilings or flooring.
4. Time and Material - Work shall be charged TRD on hour plus materials. Service calls shall be charged TRD for the first half-hour, then TRD per hour. TRD is the minimum charge.
5. Permits, inspections and/or plans required for this work are the responsibility and liability of the party listed as customer/client.
6. Change orders - Any alteration or deviation from the above specifications involving extra costs will be made only upon written agreement, and will become an extra charge above the contract price to be paid immediately.
7. Delays - PEG Enterprise, Inc. will be excused for any delay beyond our control. These delays may include, but are not limited to Acts of God, labor disputes, inclement weather, acts of owner or public authority, or other unforeseen contingencies.
8. Right to Stop Work - If any payment under this Contract is not made when due, PEG Enterprise, Inc. may stop and suspend work until all payments have been made.
9. Any failure to make payments to PEG Enterprise, Inc. is subject to a claim against the property in accordance with applicable laws.
10. It is agreed that payments to PEG Enterprise, Inc. shall not be withheld due to any delay or failed payments.
11. Malicious mischief and vandalism on the job is the responsibility of the owner. PEG Enterprise, Inc. shall not be responsible for any damages resulting from them.
12. In the event any party to this Contract commences any action, legal or otherwise, to collect the contract price, the prevailing party shall be entitled to recover attorney's fees and all the other costs incurred in connection with the action.
13. The language of all parts of this Contract shall in all cases be construed as a whole, according to its fair meaning, and not strictly for or against any of the parties. No provision shall be deemed dependent upon any other.
14. If any provision of this Contract is held by an arbitrator or court to be unenforceable, invalid or illegal, said provision shall be deleted and shall not affect the validity of the remaining provisions of this contract.
15. General Contractor shall give written notice of a back charge to PEG Enterprise, Inc. within ten days of the act of giving notice a back charge.
16. In the event General Contractor does not request work to begin and/or the project is not in good condition to commence the work within thirty days after the acceptance of this Contract, PEG Enterprise, Inc. shall have the option to terminate this Contract.
17. This Proposal shall be effective for thirty days from the date first set forth above. If this Proposal is not accepted within this time it shall be expired. This Proposal may be withdrawn any time before acceptance.



a MORSCO brand
 BRANCH: 2010 CHULA VISTA
 117 PRESS LANE
 CHULA VISTA, CA 91910-1011
 Phone: 619-425-4499
 Fax: 619-425-4497



Ship Ticket

SHIP DATE		ORDER NUMBER	
06/28/2019		S106591302.001	
PLEASE PRINT TO: EXPRESS PIPE & SUPPLY 120 S SOUTH LEWIS ST 404-THRU, CA 91903-9138 Phone: 619-425-4499			PAGE NO.
			1 of 1

SOLD TO:

SHIP TO:

PEG ENTERPRISE INC
 800 EL CAJON BLVD SUITE 201
 EL CAJON, CA 92020

PEG ENTRPR 1 PALMER WAY PARKING LOT
 2900 PALMER STREET
 PO#19-79
 NATIONAL CITY, CA 91950-5251

CUSTOMER NUMBER		CUSTOMER PO NUMBER		JOB NAME		ORDERED BY	
559164		catch basin					
WRITER			SHIP VIA		WAREHOUSE	ORDER DATE	FREIGHT ALLOWED
Dense Gases			OT OUR TRUCK		Ship: 2010 Price: 2010	06/28/2019	No
QUANTITY ORDERED	ACTUAL SHIPPED	S/O	PRODUCT ID	DESCRIPTION		UNIT PRICE	EXT PRICE
1ea	1ea		1053391	** OLDCASTLE 2424VF CATCH BASIN W/FRAME *Special Order-Price Subj to Change		208.685/ea	208.69
1ea	1ea		1053393	** OLDCASTLE 2424GSTFA TRAFFIC RATED GRATE ADA *Special Order-Price Subj to Change		346.652/ea	346.65
						Subtotal	555.34
						S&H Charges	0.00
						Tax	48.60
						Payments	0.00
						Amount Due	603.94

www.morSCO.com

Straight Line General Contractors, Inc.

CONTRACT TITLE: Palmer Way Parking Lot	DATE:	7/3/2019
Change Order #: COR 20		

CHANGE DESCRIPTION: Demo additional AC section per RFI 31R1

PAYMENT - EXTRA, ADDITIONAL, OR DELETED WORK	Extra or Credit
SELF PERFORMED WORK	
<u>General Contractor Self Performed - Material & Labor & Equipment</u>	\$ 2,080.00
<u>General Contractor's overhead, profit 15%</u>	\$ 312.00
Total General Contractor	\$ 2,392.00
<u>Subcontractor #1 Material & Labor & Equipment including profit</u>	\$ 11,787.00
<u>Subcontractor #2 Material & Labor & Equipment including profit</u>	\$ -
<u>Subcontractor #3 Material & Labor & Equipment including profit</u>	\$ -
<u>General Contractor's overhead, profit, supervision, bond fees and profit for Sub work 5%</u>	\$ 589.35
Total Subcontractor	\$ 12,376.35
<u>General Contractor's bond, insurance, warranty, as built, clean up 5%</u>	\$ 618.82
<small>Bond 2%, Warranty 1.5% (Historical Data), As-built 1% (RS Means 01320-200-0100) Cleanup 1% (RS Means 01740-500-0040)</small>	
TOTAL	\$ 15,387.17

EXTRA OR CREDIT CHANGE ORDERS WILL NOT BE CONSIDERED UNLESS THIS EXHIBIT IS COMPLETELY FILLED IN WITH ALL ADDS AND DEDUCTS ACCOUNTED FOR ALONG WITH APPROPRIATE BACKUP DOCUMENTATION

Approved:	
_____ Date: _____ District	_____ Date: _____ Contractor

Description of work: Demo additional AC section per RFI 31R1

BREAKDOWN ESTIMATE OF DIRECT COSTS

Contract Name:Palmer Way Parking Lot

Change Order # COR 20

General Contractor Work

Item of Work	Units	Number Manhours	Labor		Material		Equipment			
			Unit Cost	Total Cost	Unit Cost	Total Cost	Equ Days	Rate	Total Cost	
			Scope of Work							
1 Premium time for Saturday work		64	\$32.50	\$2,080.00						
Subtotal				\$2,080.00		\$0.00				\$0.00



License# 833490
Highlands View Rd. Alpine CA 91901
619.722.7505 - FAX 619.722.1880

July 3, 2019

Re: Palmer Way Elementary

This letter is written to provide pricing per your request for demo and grading for the additional section of asphalt at parking lot in rear that is not shown to be demoed on the plans. This cost includes all work associated with saw cut, demo of asphalt with petro mat, haul off, disposal fees, trucking fees, export of excess soil, scarify 6" and finish grade for new 16" asphalt section.

• Mobilization	\$1,500.00
• Demo 1,300 square feet @ \$4.50 per sf.	\$5,850.00
• Export	\$1,600.00
• Scarify 6"	\$500.00
• Finish Grade	\$800.00
	Subtotal \$10,250.00
	O/P \$1,537.00
	Total \$11,787.00

Respectfully Submitted


Bill Johnston

Straight Line General Contractors, Inc.

CONTRACT TITLE:	Palmer Way Parking Lot	DATE:	7/3/2019
Change Order #:	COR 21		

CHANGE DESCRIPTION: Costs for Petro mat in AC paving demo

PAYMENT - EXTRA, ADDITIONAL, OR DELETED WORK	Extra or Credit
SELF PERFORMED WORK	
<u>General Contractor Self Performed - Material & Labor & Equipment</u>	\$ -
<u>General Contractor's overhead, profit 15%</u>	\$ -
Total General Contractor	\$ -
<u>Subcontractor #1 Material & Labor & Equipment including profit</u>	\$ 4,025.00
<u>Subcontractor #2 Material & Labor & Equipment including profit</u>	\$ -
<u>Subcontractor #3 Material & Labor & Equipment including profit</u>	\$ -
<u>General Contractor's overhead, profit, supervision, bond fees and profit for Sub work 5%</u>	\$ 201.25
Total Subcontractor	\$ 4,226.25
<u>General Contractor's bond, insurance, warranty, as builts, clean up 5%</u>	\$ 211.31
<small>Bond 2%, Warranty 1.5% (Historical Data), As-builts 1% (RS Means 01320-200-0100) Cleanup 1% (RS Means 01740-500-0040)</small>	
TOTAL	\$ 4,437.56

EXTRA OR CREDIT CHANGE ORDERS WILL NOT BE CONSIDERED UNLESS THIS EXHIBIT IS COMPLETELY FILLED IN WITH ALL ADDS AND DEDUCTS ACCOUNTED FOR ALONG WITH APPROPRIATE BACKUP DOCUMENTATION

Approved:	
_____ Date: _____	_____ Date: _____
District	Contractor



License# 833490
Highlands View Rd. Alpine CA 91901
619.722.7505 - FAX 619.722.1880

July 5, 2019

Re: Palmer Way Elementary

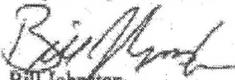
This letter is written as a Change Order Request for the unforeseen condition of the asphalt demo with petro mat. At bid time there was no information provided that asphalt demo will have petro mat layer. This price includes the additional dump fees to dispose of this type of demo material. The difference from \$525 per load to \$700 per load

• 20 loads @ \$175 additional per load \$3,500.00

O/P \$525.00

Total COR \$4,025.00

Respectfully Submitted


Bill Johnston

Straight Line General Contractors, Inc.

CONTRACT TITLE:	Palmer Way Parking Lot	DATE:	7/7/2019
Change Order #:	COR 22		

CHANGE DESCRIPTION: Costs for additional thickness of AC paving demo

PAYMENT - EXTRA, ADDITIONAL, OR DELETED WORK	Extra or Credit
SELF PERFORMED WORK	
<u>General Contractor Self Performed - Material & Labor & Equipment</u>	\$ -
<u>General Contractor's overhead, profit 15%</u>	\$ -
Total General Contractor	\$ -
<u>Subcontractor #1 Material & Labor & Equipment including profit</u>	\$ 19,650.00
<u>Subcontractor #2 Material & Labor & Equipment including profit</u>	\$ -
<u>Subcontractor #3 Material & Labor & Equipment including profit</u>	\$ -
<u>General Contractor's overhead, profit, supervision, bond fees and profit for Sub work 5%</u>	\$ 982.50
Total Subcontractor	\$ 20,632.50
<u>General Contractor's bond, insurance, warranty, as built, clean up 5%</u>	\$ 1,031.63
<small>Bond 2%, Warranty 1.5% (Historical Data), As-built 1% (RS Means 01320-200-0100) Cleanup 1% (RS Means 01740-500-0040)</small>	
TOTAL	\$ 21,664.13

EXTRA OR CREDIT CHANGE ORDERS WILL NOT BE CONSIDERED UNLESS THIS EXHIBIT IS COMPLETELY FILLED IN WITH ALL ADDS AND DEDUCTS ACCOUNTED FOR ALONG WITH APPROPRIATE BACKUP DOCUMENTATION

Approved:		
	Date: _____	Date: _____
District	Contractor	



License# 833490
Highlands View Rd. Alpine CA 91901
619.722.7505 - FAX 619.722.1880

July 5, 2019

Re: Palmer Way Elementary

This letter is written as a Change Order Request for the unforeseen condition of the asphalt up to 10" thick. At bid time there was borings information provided with asphalt thickness of 5" to 7" thick. In our bid we estimated an average of 6" of demo. On average the asphalt was an additional 2.5" thicker. This price includes the additional effort to handle the additional demo, trucking and disposal fees for additional loads.

• Additional effort to handle the additional thickness 12,887 sf @ \$1.00	\$12,887.00
• 12,887 sf @ 2.5" = 8 additional loads of demo @ \$525.00 per load	\$4,200.00
	O/P \$2,563.00
Total COR	\$19,650.00

Respectfully Submitted


Bill Johnston

Straight Line General Contractors, Inc.

CONTRACT TITLE: Palmer Way Parking Lot	DATE: 7/16/2019
Change Order #: COR 24	

CHANGE DESCRIPTION: Additional asphalt at catch basin not shown per RFI 42

PAYMENT - EXTRA, ADDITIONAL, OR DELETED WORK	Extra or Credit
SELF PERFORMED WORK	
General Contractor Self Perfomed - Material & Labor & Equipment	\$ -
General Contractor's overhead, profit 15%	\$ -
Total General Contractor	\$ -
Subcontractor #1 Material & Labor & Equipment including profit	\$ 964.14
Subcontractor #2 Material & Labor & Equipment including profit	\$ -
Subcontractor #3 Material & Labor & Equipment including profit	\$ -
General Contractor's overhead, profit, supervision, bond fees and profit for Sub work 5%	\$ 48.21
Total Subcontractor	\$ 1,012.35
General Contractor's bond, insurance, warranty, as builts, clean up 5%	\$ 50.62
Bond 2%, Warranty 1.5% (Historical Data), As-builts 1% (RS Means 01320-200-0100) Cleanup 1% (RS Means 01740-500-0040)	
TOTAL	\$ 1,062.96

EXTRA OR CREDIT CHANGE ORDERS WILL NOT BE CONSIDERED UNLESS THIS EXHIBIT IS COMPLETELY FILLED IN WITH ALL ADDS AND DEDUCTS ACCOUNTED FOR ALONG WITH APPROPRIATE BACKUP DOCUMENTATION

Approved:	
_____ Date: _____	_____ Date: _____
District	Contractor



8722 Winter Gardens Blvd.
Lakeside, CA 92040

CA Contractors License #740206
SBE #2001432
SLBE #11KP0127
DRF# 1090002341

Estimate/Contract

Customer Name & Address		Estimate Date	Estimate Number
Straightline General Contractors Attn: Dan 4747 Oceanside Blvd. Ste. C Oceanside, Ca. 92056		7/18/2019	13824
Project			
Palmer-Path Around Catch Basin C/O			
Customer Phone	Customer Fax	Customer E-mail	Rep
760-630-7112		dan@slgcinc.net	JON
Description		Quantity	Measure
2 tons of base.		2	tons @ \$20.00 ea
1 ton ac.		1	ton @ \$85.00 ea
Man hours		8	hrs @ \$76.11 ea
Crew truck.		2	hrs @ \$18.75 ea
Jumping jack		2	hrs @ \$15.00 ea
Viberplate		2	hrs @ \$15.00 ea
Tac		2	gal @ \$3.50 ea
15% profit/overhead.			
			40.00
			85.00
			608.88
			37.50
			30.00
			30.00
			7.00
			125.76
Jon Kirk 619-921-4496		Total	\$964.14
<p>Terms: Net 30, unless otherwise specified above. All past due amounts are subject to a service charge at the maximum rate allowed by state law plus costs of collection, including attorney fees if incurred, at the highest rate legally available.</p> <p>We recommend 24 hrs minimum cure time (closed to traffic). Opening sealed areas less than minimum specified time may cause premature wear to quality of materials & workmanship. If base is found to be unacceptable at depth, additional excavation & installation of new base may be needed, in which case additional costs will be charged at T&M + 15% overhead & profit, upon approval of onsite superintendent. Kirk Paving, Inc. is not liable for damage or injury to pedestrians or vehicles in barricaded construction areas. When seal coating, paving & striping contractor places barricades, roped off areas, safety cones, delineators, etc. around all work areas. If animals or people walk, drive through or around our barricades & ropes, tracking materials onto sidewalks, carpets, etc., Contractor will not be responsible.</p>			
Phone #	Fax #	E-mail	
(619) 938-9958	(619) 938-0767	info@kirkpaving.us	

Straight Line General Contractors, Inc.

CONTRACT TITLE:	Palmer Way Parking Lot	DATE:	7/26/2019
Change Order #:	COR 27		

CHANGE DESCRIPTION: Additional planting (23) plants and (2) Tree's

PAYMENT - EXTRA, ADDITIONAL, OR DELETED WORK	Extra or Credit
SELF PERFORMED WORK	
<u>General Contractor Self Performed - Material & Labor & Equipment</u>	\$ 455.00
<u>General Contractor's overhead, profit 15%</u>	\$ 68.25
Total General Contractor	\$ 523.25
<u>Subcontractor #1 Material & Labor & Equipment including profit</u>	\$ -
<u>Subcontractor #2 Material & Labor & Equipment including profit</u>	\$ -
<u>Subcontractor #3 Material & Labor & Equipment including profit</u>	\$ -
<u>General Contractor's overhead, profit, supervision, bond fees and profit for Sub work 5%</u>	\$ -
Total Subcontractor	\$ -
<u>General Contractor's bond, insurance, warranty, as builts, clean up 5%</u>	\$ -
<small>Bond 2%, Warranty 1.5% (Historical Data), As-builts 1% (RS Means 01320-200-0100) Cleanup 1% (RS Means 01740-500-0040)</small>	\$ -
TOTAL	\$ 523.25

EXTRA OR CREDIT CHANGE ORDERS WILL NOT BE CONSIDERED UNLESS THIS EXHIBIT IS COMPLETELY FILLED IN WITH ALL ADDS AND DEDUCTS ACCOUNTED FOR ALONG WITH APPROPRIATE BACKUP DOCUMENTATION

Approved:	
_____ Date: _____	_____ Date: _____
District	Contractor

Description of work: Additional planting (23) plants and (2) Tree's

BREAKDOWN ESTIMATE OF DIRECT COSTS

Contract Name:Palmer Way Parking Lot

Change Order # COR 27

General Contractor Work

Item of Work	Units	Number Manhours	Labor		Material		Equipment		
			Unit Cost	Total Cost	Unit Cost	Total Cost	Equ Days	Rate	Total Cost
Scope of Work									
1 Additional labor to plant plants and tree's		7	\$65.00	\$455.00					
Subtotal				\$455.00		\$0.00			\$0.00

Straight Line General Contractors, Inc.

CONTRACT TITLE: Palmer Way Parking Lot	DATE: 9/30/2019
Change Order #: COR 28Rev	

CHANGE DESCRIPTION: Work associated with CCD-3 Ramp removal

PAYMENT - EXTRA, ADDITIONAL, OR DELETED WORK	Extra or Credit
SELF PERFORMED WORK	
<u>General Contractor Self Perfomed - Material & Labor & Equipment</u>	\$ 2,650.00
<u>General Contractor's overhead, profit 15%</u>	\$ 397.50
Total General Contractor	\$ 3,047.50
<u>Subcontractor #1 Material & Labor & Equipment including profit</u>	\$ (936.24)
<u>Subcontractor #2 Material & Labor & Equipment including profit</u>	\$ (1,295.00)
<u>Subcontractor #3 Material & Labor & Equipment including profit</u>	\$ -
<u>General Contractor's overhead, profit, supervision, bond fees and profit for Sub work 5%</u>	\$ (111.56)
Total Subcontractor	\$ (2,342.80)
<u>General Contractor's bond, insurance, warranty, as builts, clean up 5%</u>	\$ (117.14)
Bond 2%, Warranty 1.5% (Historical Data), As-builts 1% (RS Means 01320-200-0100) Cleanup 1% (RS Means 01740-500-0040)	\$ (117.14)
TOTAL	\$ 587.56

EXTRA OR CREDIT CHANGE ORDERS WILL NOT BE CONSIDERED UNLESS THIS EXHIBIT IS COMPLETELY FILLED IN WITH ALL ADDS AND DEDUCTS ACCOUNTED FOR ALONG WITH APPROPRIATE BACKUP DOCUMENTATION

Approved:	
_____ Date: _____	_____ Date: _____
District	Contractor

Description of work: Work associated with CCD-3 Ramp removal

BREAKDOWN ESTIMATE OF DIRECT COSTS

Contract Name: Palmer Way Parking Lot

Change Order # COR 28Rev

General Contractor Work

Item of Work	Units	Number Manhours	Labor		Material		Equipment		
			Unit Cost	Total Cost	Unit Cost	Total Cost	Equ Days	Rate	Total Cost
Scope of Work									
1 Eliminate 8" curb at ramp	20				(25.00)	(500.00)			
2 Additional 6"x 18" curb along wall	42				75.00	3,150.00			
Subtotal				\$0.00		\$2,650.00			\$0.00

ALL TIME

FENCE COMPANY, INC.
2301 AUTO PARK WAY
ESCONDIDO, CA 92029
PHONE / FAX (760)740-9070
LIC. #810637
D.I.R Reg. #1000016007

CREDIT: RAMP RAILING @ ENTRY

ATTN:	Dan
MOBILE	760-802-9475
E-MAIL	dan@sqcinc.net
FAX	760-630-7662

DATE
7/29/2019

CUSTOMER NAME: Straight Line General Contractors, Inc.
BILLING ADDRESS: 4747 Oceanside Blvd, Suite C Oceanside, CA 92056
PROJ. NAME: Palmer Way Elem. School Parking Lot Improvements
PROJ. ADDRESS: 2900 Palmer Street National City, Ca 91950

All Time Fence Company, Inc. Proposes To Furnish The Following Bid Items Complete And In Place In Accordance With Plan Specifications Provided. Our Standard Insurance Is \$2 Million Aggregate, \$1 Million Auto And Worker's Compensation.

RAILING:

Credit Approx. 19 Linear Feet of 3" Galv. Pipe Ramp Railing @ Entry.

SUM TOTAL \$936.24

BREAKDOWN:

LABOR:	8	Man Hrs. - Fence Bldg.	\$56.83	hr. + 28% Labor Burden	\$581.94
MATERIALS:	63	ft 1-1/2" Galv. Pipe	\$3.56	Each	\$224.28
MATERIALS:	8	1-1/2" Galv. Elbows	\$8.55	Each	\$68.40
MATERIALS:	0.25	Bucket of Pour Rock	\$34.52	Each	\$8.63

SUM TOTAL \$883.25
Profit / Overhead \$52.99
Total Credit Amount \$936.24

EXCLUSIONS:

Permits, Grading, Staking / Clearing Of Fence Lines, Location of Private Underground Utilities, Panic Hardware, Locks, Grounding, Core Drilling, Saw Cutting, Engineering, & Traffic Control.

Respectfully Submitted,
All Time Fence Company, Inc.

Santos Magallanes
Mobile # 760-594-4326



Hurricane & Poway Fence Company

P.O. BOX 1636, RAMONA CA.

P.O. Box 1636

Ramona, CA 92065

Ph: (760)789-4142

Fax: (760)788-1537

e-mail: laurann@usa.net

INVOICE	
NO:	MMO
DATE:	September 25, 2019

JOB & P.O.	
JOB:	Palmer Way Parking Lot
PO:	18-19-184B

TERMS:	Upon Completion	SALESMAN:	Laurann Volk
--------	-----------------	-----------	--------------

TO	JOB LOCATION
Straight Line General Contractors, Inc.	Palmer Way Parking Lot
4747 OceanSide Blvd, Ste. C	National School District
Oceanside, Ca. 92056	2900 Palmer Street
	National City, Ca. 91950

DESCRIPTION	CONTRACT PRICE
(DIR# 1000011357)(891123 C-13 Cal-Trans D.B.E/W.B.E. Cen #49)	
(Credit)	
Reference C(13)-	
Credit for Gate not installed by the Handrail	
Reference Plan Page A1.3	(51,295.00)

COMMENTS:
(Exclusions)
No Clearing and Grading, Patching and Restoration, No Mow Curb
No Maintenance, Traffic Control or Signs, No Rock or Core Drilling

GRAND TOTAL	(51,295.00)
TAX	\$0.00
TOTAL DUE	(51,295.00)

Straight Line General Contractors, Inc.

CONTRACT TITLE: Palmer Way Parking Lot	DATE: 7/29/2019
Change Order #: COR 29	

CHANGE DESCRIPTION: Work associated with CCD-4 Rail removal at Drop Off

PAYMENT - EXTRA, ADDITIONAL, OR DELETED WORK	Extra or Credit
SELF PERFORMED WORK	
<u>General Contractor Self Performed - Material & Labor & Equipment</u>	\$ -
<u>General Contractor's overhead, profit 15%</u>	\$ -
Total General Contractor	\$ -
<u>Subcontractor #1 Material & Labor & Equipment including profit</u>	\$ (1,749.88)
<u>Subcontractor #2 Material & Labor & Equipment including profit</u>	\$ -
<u>Subcontractor #3 Material & Labor & Equipment including profit</u>	\$ -
<u>General Contractor's overhead, profit, supervision, bond fees and profit for Sub work 5%</u>	\$ (87.49)
Total Subcontractor	\$ (1,837.37)
<u>General Contractor's bond, insurance, warranty, as builts, clean up 5%</u>	\$ -
Bond 2%, Warranty 1.5% (Historical Data), As-builts 1% (RS Means 01320-200-0100) Cleanup 1% (RS Means 01740-500-0040)	\$ -
TOTAL	\$ (1,837.37)

EXTRA OR CREDIT CHANGE ORDERS WILL NOT BE CONSIDERED UNLESS THIS EXHIBIT IS COMPLETELY FILLED IN WITH ALL ADDS AND DEDUCTS ACCOUNTED FOR ALONG WITH APPROPRIATE BACKUP DOCUMENTATION

Approved:	
_____ Date: _____ District Contractor	_____ Date: _____

Description of work: Work associated with CCD-4 Rail removal at Drop Off

BREAKDOWN ESTIMATE OF DIRECT COSTS

Contract Name: Palmer Way Parking Lot

Change Order # COR 29

General Contractor Work

Item of Work	Units	Number Manhours	Labor		Material		Equipment			
			Unit Cost	Total Cost	Unit Cost	Total Cost	Equ Days	Rate	Total Cost	
Scope of Work										
Subtotal				\$0.00		\$0.00				\$0.00

ALL TIME

FENCE COMPANY, INC.
2301 AUTO PARK WAY
ESCONDIDO, CA 92029
PHONE / FAX (760)740-9070
LIC.#810637
D.I.R Reg. #1000016007

CREDIT: CURB RAILING @ DROP OFF

ATTN:	Don
MOBILE	760-802-9475
E-MAIL	dan@atfcinc.net
FAX	760-630-7662

DATE
7/29/2019

CUSTOMER NAME: Straight Line General Contractors, Inc.
BILLING ADDRESS: 4747 Oceanside Blvd, Suite C Oceanside, CA 92056
PROJ. NAME: Palmer Way Bem. School Parking Lot Improvements
PROJ. ADDRESS: 2900 Palmer Street National City, Ca 91950

All Time Fence Company, Inc. Proposes To Furnish The Following Bid Items Complete And In Place In Accordance With Plan Specifications Provided. Our Standard Insurance Is \$2 Million Aggregate, \$1 Million Auto And Worker's Compensation.

RAILING:

Credit Approx. 52 Linear Feet of 3" Galv. Pipe Curb Railing @ Drop Off.

SUM TOTAL \$1,749.88

BREAKDOWN:

LABOR:	14	Man Hrs. - Fence Bldr.	\$56.83	hr. + 28% Labor Burden	\$1,018.39
MATERIALS:	168	ft 1-1/2" Galv. Pipe	\$3.56	Each	\$598.08
MATERIALS:	2	1-1/2" Galv. Elbows	\$8.55	Each	\$17.10
MATERIALS:	0.5	Bucket of Pour Rock	\$34.52	Each	\$17.26

SUM TOTAL \$1,650.83

Profit / Overhead \$99.05
Total Credit Amount \$1,749.88

EXCLUSIONS:

Permits, Grading, Staking / Clearing Of Fence Lines, Location of Private Underground Utilities, Panic Hardware, Locks, Grounding, Core Drilling, Saw Cutting, Engineering, & Traffic Control.

Respectfully Submitted,
All Time Fence Company, Inc.

Santos Magallanes
Mobile # 760-594-4326

Straight Line General Contractors, Inc.

CONTRACT TITLE: Palmer Way Parking Lot	DATE: 9/18/2019
Change Order #: COR 30Rev	

CHANGE DESCRIPTION: Install (2) ADA rampos per CCD-5B

PAYMENT - EXTRA, ADDITIONAL, OR DELETED WORK	Extra or Credit
SELF PERFORMED WORK	
General Contractor Self Perfomed - Material & Labor & Equipment	\$ 4,040.00
General Contractor's overhead, profit 15%	\$ 606.00
Total General Contractor	\$ 4,646.00
Subcontractor #1 Material & Labor & Equipment including profit	\$ -
Subcontractor #2 Material & Labor & Equipment including profit	\$ -
Subcontractor #3 Material & Labor & Equipment including profit	\$ -
General Contractor's overhead, profit, supervision, bond fees and profit for Sub work 5%	\$ -
Total Subcontractor	\$ -
General Contractor's bond, insurance, warranty, as builts, clean up 5%	\$ -
Bond 2%, Warranty 1.5% (Historical Data), As-builts 1% (RS Means 01320-200-0100) Cleanup 1% (RS Means 01740-500-0040)	\$ -
TOTAL	\$ 4,646.00

EXTRA OR CREDIT CHANGE ORDERS WILL NOT BE CONSIDERED UNLESS THIS EXHIBIT IS COMPLETELY FILLED IN WITH ALL ADDS AND DEDUCTS ACCOUNTED FOR ALONG WITH APPROPRIATE BACKUP DOCUMENTATION

Approved:	
_____ Date: _____ District Contractor	_____ Date: _____

Description of work: Install (2) ADA ramos per CCD-5B

BREAKDOWN ESTIMATE OF DIRECT COSTS

Contract Name: Palmer Way Parking Lot

Change Order # COR 30Rev

General Contractor Work

Item of Work	Units	Number Manhours	Labor		Material		Equipment		
			Unit Cost	Total Cost	Unit Cost	Total Cost	Equ Days	Rate	Total Cost
Scope of Work									
1 Remove existing mulch on ramo area's		8	\$65.00	\$520.00					
2 Form and pour (2) ADA ramps	120				23.00	2,760.00			
3 Install Dowels	8		\$30.00	\$240.00					
4 Replace mulch at ramo area's		8	\$65.00	\$520.00					
Subtotal				\$1,280.00		\$2,760.00			\$0.00

EXHIBIT B

October 23, 2019

National SD Administrative Regulation

Students

AR 5113(a)

ABSENCES AND EXCUSES

Excused Absences

Subject to any applicable limitation, condition, or other requirement specified in law, a student's absence shall be excused for any of the following reasons:

1. Personal illness (Education Code 48205)
2. Quarantine under the direction of a county or city health officer (Education Code 48205)

(cf. 5112.2 - Exclusions from Attendance)

3. Medical, dental, optometrical, or chiropractic appointment (Education Code 48205)
4. Attendance at funeral services for a member of the **student's** immediate family (Education Code 48205)

, which Such absence shall be limited to one day if the service is conducted in California or three days if the service is conducted out of state. (Education Code 48205)

~~Immediate family shall be defined as mother, father, grandmother, grandfather, spouse, son/son-in-law, daughter/daughter-in-law, brother, sister, or any relative living in the student's immediate household. (Education Code 45194, 48205)~~

5. Jury duty in the manner provided by law (Education Code 48205)
6. **The i**llness or medical appointment of a child to whom the student is the custodial parent (Education Code 48205)

(cf. 5146 - Married/Pregnant/Parenting Students)

ABSENCES AND EXCUSES (continued)

7. Upon advance written request by the parent/guardian and the approval of the principal or designee, justifiable personal reasons including, but not limited to: (Education Code 48205)
 - a. Appearance in court
 - b. Attendance at a funeral service
 - c. ~~Observation~~ **Observance** of a **religious** holiday or ceremony ~~of his/her religion~~
 - d. Attendance at religious retreats for no more than four hours per semester
 - e. Attendance at an employment conference
 - f. Attendance at an educational conference ~~offered by a nonprofit organization~~ on the legislative or judicial process **offered by a nonprofit organization**
8. Service as a member of a precinct board for an election pursuant to Elections Code 12302 (Education Code 48205)

(cf. 6142.3 - Civic Education)

9. To spend time with an immediate family member who is an active duty member of the uniformed services, as defined in Education Code 49701, and has been called to duty for deployment to a combat zone or a combat support position or is on leave from or has immediately returned from such deployment (Education Code 48205)

Such absence shall be granted for a period of time to be determined at the discretion of the Superintendent or designee. (Education Code 48205)

(cf. 6173.2 - Education of Children of Military Families)

10. ~~To attend his/her~~ **Attendance at a** naturalization ceremony to become a United States citizen. (Education Code 48205)

ABSENCES AND EXCUSES (continued)

11. Participation in religious exercises or to receive moral and religious instruction **at the student's place of worship or other suitable place away from school** ~~in accordance with district policy, subject to the following conditions:~~ (Education Code 46014)

~~(cf. 6141.2 - Recognition of Religious Beliefs and Customs)~~

- a. ~~The student's parent/guardian shall provide written consent for the absence.~~
- b. ~~The student shall attend at least the minimum school day~~
- e. ~~The student shall be excused from school for this purpose on no more than four days per school month.~~

~~(cf. 6141.2 - Recognition of Religious Beliefs and Customs)~~

Absence for student participation in religious exercises or instruction shall not be considered an absence for the purpose of computing average daily attendance if the student attends at least the minimum school day as specified in AR 6112 - School Day, and is not excused from school for this purpose on more than four days per school month. (Education Code 46014)

~~(cf. 6112 - School Day)~~

12. **Work in the entertainment or allied industry (Education Code 48225.5)**

Such absence shall be excused provided that the student holds a work permit authorizing such work and is absent for a period of not more than five consecutive days and up to five absences per school year. (Education Code 48225.5)

13. **Participation with a nonprofit performing arts organization in a performance for a public school audience (Education Code 48225.5)**

A student may be excused for up to five such absences per school year provided that the student's parent/guardian provides a written explanation of such absence to the school. (Education Code 48225.5)

ABSENCES AND EXCUSES (continued)

14. Other reasons authorized at the discretion of the principal or designee based on the student's specific circumstances (Education Code 48205, 48260)

For the purpose of the absences described above, *immediate family* shall be defined as means the student's parent/guardian, mother, father, grandmother, grandfather, spouse, son/son-in-law, daughter/daughter-in-law, brother, or sister, grandparent, or any other relative living in the student's immediate household. (Education Code 45194, 48205)

Method of Verification

Student absence to care for a child for whom the student is the custodial parent shall not require a physician's note. (Education Code 48205)

For other absences, When a student who has been absent returns to school, he/she shall the student shall, upon returning to school following the absence, present a satisfactory explanation verifying the reason for the absence. Absences shall be verified by the student's parent/guardian, other person having charge or control of the minor student, or the student if age 18 or older. (Education Code 46012; 5 CCR 306)

When an absence is planned, the principal or designee shall be notified prior to the date of the absence when possible.

The following methods may be used to verify student absences:

1. Written note, fax, email, or voice mail from parent/guardian or parent representative.

ABSENCES AND EXCUSES (continued)

2. Conversation, in person or by telephone, between the verifying employee and the student's parent/guardian or parent representative. The employee shall subsequently record the following:
 - a. Name of student
 - b. Name of parent/guardian or parent representative
 - c. Name of verifying employee
 - d. Date(s) of absence
 - e. Reason for absence

(cf. 5113.11 - Attendance Supervision)

3. Visit to the student's home by the verifying employee, or any other reasonable method which establishes the fact that the student was absent for the reasons stated. The employee shall document the verification and include the information specified in item #2 above.
4. Physician's verification.
 - a. When excusing students for confidential medical services or verifying such appointments, district staff shall not ask the purpose of such appointments but may request a note from the medical office to confirm the time of the appointment.
 - b. If a student shows a pattern of chronic absenteeism due to illness, district staff may require physician verification of any further student absences.

(cf. 5113.1 - Chronic Absence and Truancy)

Parental Notifications

At the beginning of each school year, the Superintendent or designee shall:

ABSENCES AND EXCUSES (continued)

1. Notify parents/guardians of the right to excuse a student from school in order to participate in religious exercises or to receive moral and religious instruction at their places of worship, or at other suitable places away from school property designated by a religious group, church, or denomination (Education Code 46014, 48980)

2. Notify students in grades ~~7-12~~ and the parents/guardians of all students **enrolled in the district** that school authorities may excuse any student from school to obtain confidential medical services without the consent of the student's parent/guardian (Education Code 46010.1)

3. Notify parents/guardians that a student shall not have **his/her a** grade reduced or lose academic credit for any excused absence if missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time. **Such notice shall and** include the full text of Education Code 48205. **in the notice** (Education Code 48980)

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

(cf. 5145.6 - Parental Notifications)

(cf. 6154 - Homework/Makeup Work)

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National SD Board Policy

Students

BP 5117(a)

INTERDISTRICT ATTENDANCE

The Governing Board recognizes that parents/guardians of students who reside within the geographic boundaries of one district may, for a variety of reasons, desire to enroll their children in a school in another district.

(cf. 5111.1 - District Residency)

(cf. 5116.1 - Intradistrict Open Enrollment)

(cf. ~~5118 - Open Enrollment Act Transfers~~)

OPTION 1: Interdistrict Attendance **Agreements and Permits**

The Board may enter into an agreement with any other school district, for a term not to exceed five school years, for the interdistrict attendance of students who are residents of the districts. (Education Code 46600)

BP 5117(b)

INTERDISTRICT ATTENDANCE (continued)

The agreement shall specify the terms and conditions under which interdistrict attendance shall be permitted or denied. It also may contain standards agreed to by both districts for reapplication and/or revocation of the student's permit. (Education Code 46600)

Upon receiving a permit for transfer into the district that has been approved by the student's district of residence, or upon receiving a written request from the parent/guardian of a district student who wishes to enroll in another district, the Superintendent or designee shall review the request and may approve or deny the permit subject to the terms and conditions of the interdistrict attendance agreement.

Legal Reference:

EDUCATION CODE

41020 Annual district audits

46600-~~46611~~ **46610** Interdistrict attendance agreements

48204 *Residency requirements for school attendance*
48300-48317 *Student attendance alternatives, school district of choice program*
~~48350-48361 *Open Enrollment Act*~~
48900 *Grounds for suspension or expulsion; definition of bullying*
48915 *Expulsion; particular circumstances*
48915.1 *Expelled individuals: enrollment in another district*
48918 *Rules governing expulsion procedures*
48980 *Notice at beginning of term*
48985 *Notices to parents in language other than English*
52317 *Regional occupational center/program, enrollment of students, interdistrict attendance*
CALIFORNIA CONSTITUTION
Article 1, Section 31 Nondiscrimination on the basis of race, sex, color, ethnicity, or national origin
ATTORNEY GENERAL OPINIONS
87 *Ops. Cal. Atty. Gen. 132 (2004)*
84 *Ops. Cal. Atty. Gen. 198 (2001)*
COURT DECISIONS
Walnut Valley Unified School District v. the Superior Court of Los Angeles County, (2011) 192 Cal.App.4th 234
Crawford v. Huntington Beach Union High School District, (2002) 98 Cal.App.4th 1275

Management Resources:

WEB SITES

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

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

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Students

AR 5117(a)

INTERDISTRICT ATTENDANCE

OPTION 1: Interdistrict Attendance **Agreements and Permits**

In accordance with an agreement between the Governing Board and the board of another district, a permit authorizing a ~~student's attendance outside his/her district of residence~~ **student of either district to enroll in the other district** may be issued upon approval of both **districts** ~~the district of residence and the district of attendance~~.

The district shall post on its web site the procedures and timelines for requesting an interdistrict transfer permit, including a link to BP 5117 - Interdistrict Attendance. The posted information shall include, but is not limited to: (Education Code 46600.1, 46600.2)

- 1. The date upon which the district will begin accepting and processing interdistrict transfer requests for the following school year**
- 2. The reasons for which the district may approve or deny a request, and any information or documents that must be submitted as supporting evidence**
- 3. If applicable, the process and timelines by which a denial of a request may be appealed within the district before the district renders a final decision**
- 4. A statement that failure of a parent/guardian to meet any timelines established by the district shall be deemed an abandonment of the request**
- 5. Applicable timelines for processing a request, including the following statements:**
 - a. For an interdistrict transfer request received by the district 15 or fewer calendar days before the commencement of instruction in the school year for which the transfer is sought, the district will notify the parent/guardian of its final decision within 30 calendar days from the date the request was received.**

INTERDISTRICT ATTENDANCE (continued)

b. For an interdistrict transfer request received by the district more than 15 days before the commencement of instruction in the school year for which the interdistrict transfer is sought, the district will notify the parent/guardian of its final decision as soon as possible, but no later than 14 calendar days after the commencement of instruction in the school year for which transfer is sought.

6. The conditions under which an existing interdistrict transfer permit may be revoked or rescinded

~~The Superintendent or designee may approve an interdistrict attendance permit for a student for any of the following reasons when stipulated in the agreement:~~

~~1. When the **Priority for interdistrict attendance shall be given to a** student **who** has been determined by staff of either the district of residence or district of proposed **attendance enrollment** to be a victim of an act of bullying, as defined in Education Code 48900(r), **committed by a student of the district of residence**. Such a student shall be given priority for interdistrict attendance under any existing interdistrict attendance agreement or, in the absence of an agreement, shall be given consideration for the creation of a new permit. (Education Code 46600)~~

(cf. 5131.2 - Bullying)

In addition, t~~The Superintendent or designee may approve an interdistrict attendance permit for a student for any of the following reasons when stipulated in the agreement:~~

~~2.1. To meet the child care needs of the student, **Such a student may be allowed to continue to attend district schools** only as long as **he/she continues to use a the student's** child care provider **remains** within district boundaries.~~

(cf. 5148 - Child Care and Development)

~~3.2. To meet the student's special mental or physical health needs as certified by a physician, school psychologist, or other appropriate school personnel.~~

(cf. 6159 - Individualized Education Program)

INTERDISTRICT ATTENDANCE (continued)

- 4.3.** ~~When the student has a sibling attending school in the receiving district, to avoid splitting the family's attendance.~~
- 5.4.** To allow the student to complete a school year when **his/her the student's** parents/guardians have moved out of the district during that year.
- 6.5.** To allow the student to remain with a class graduating that year from an elementary, middle, or senior high school.
- 7.6.** ~~To allow a high school senior to attend the same school **he/she** attended as a junior, even if **his/her the student's** family moved out of the district during the junior year.~~
- 8.7.** When the parent/guardian provides written evidence that the family will be moving into the district in the immediate future and would like the student to start the **school** year in the district.
- 9.8.** When the student will be living out of the district for one year or less.
- 10.9.** When recommended by the school attendance review board or by county child welfare, probation, or social service agency staff in documented cases of serious home or community problems which make it inadvisable for the student to attend the school of residence.
- (cf. 5113.1 - Chronic Absence and Truancy)*
(cf. 5113.12 - District School Attendance Review Board)
- 11.10.** When there is valid interest in a particular educational program not offered in the district of residence.
- 12.11.** To provide a change in school environment for reasons of personal and social adjustment.

The Superintendent or designee may deny initial requests for interdistrict attendance permits due to limited district resources, overcrowding of school facilities at the relevant grade level, or other considerations that are not arbitrary. However, once a student is admitted, the district **may shall** not deny **him/her** continued attendance because of overcrowded facilities at the relevant grade level.

INTERDISTRICT ATTENDANCE (continued)

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

If the transfer request is for a school year that begins within 15 calendar days of the receipt of the request, the Superintendent or designee shall notify the parent/guardian of the final decision within 30 calendar days of receiving the request. If the transfer request is for a school year that begins more than 15 calendar days after the receipt of the request, the parent/guardian shall be notified of the final decision as soon as possible, but no later than 14 calendar days after the commencement of instruction during that school year. (Education Code 46600.2)

~~Within 30 calendar days of a request for an interdistrict permit,~~ **If a student's interdistrict transfer request is denied,** the Superintendent or designee shall, **in writing,** notify the parents/guardians of ~~a student who is denied interdistrict attendance regarding the process for~~ **their right to** appeal to the County Board of Education ~~as specified in Education Code 46601~~ **within 30 calendar days from the date of the final denial.** (Education Code ~~46600.2-46601~~)

(cf. 5145.6 - Parental Notifications)

All notices to parents/guardians regarding the district's decision on any request for interdistrict transfer shall conform to the translation requirements of Education Code 48985, and may be provided by regular mail, electronic format if the parent/guardian provides an email address, or by any other method normally used to communicate with parents/guardians in writing. (Education Code 46600.2)

INTERDISTRICT ATTENDANCE (continued)

Pending a decision by the two districts or ~~an appeal~~ by the County Board ~~on appeal~~, the Superintendent or designee may provisionally admit a student who resides in another district for a period not to exceed two school months, **provided the district is the district of proposed enrollment. If the decision has not been rendered by the conclusion of two school months and the districts or County Board is still operating within the prescribed timelines, the student shall not be allowed to continue attending the district school to which the student was provisionally admitted.** (Education Code 46603)

Students who are under consideration for expulsion or who have been expelled may not appeal interdistrict attendance denials or ~~decisions~~ ~~rescissions~~ while expulsion proceedings are pending or during the term of the expulsion. (Education Code 46601)

(cf. 5119 - Students Expelled from Other Districts)
(cf. 5144.1 - Suspension and Expulsion/Due Process)

Once a student is admitted to a school on the basis of an interdistrict attendance permit, ~~he/she~~ ~~the student~~ shall not be required to reapply for an interdistrict transfer and shall be allowed to continue to attend the school ~~in which he/she is enrolled~~ ~~of enrollment~~, unless reapplication standards are otherwise specified in the interdistrict attendance agreement. Existing interdistrict attendance permits shall not be rescinded after June 30 following a student's completion of grade 10 or for ~~any~~ students entering grade 11 or 12 in the subsequent school year. (Education Code 46600)

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Students

BP 5123(a)

PROMOTION/ACCELERATION/RETENTION

The Governing Board expects students to progress through each grade level within one school year. Toward this end, instruction shall be designed to accommodate the variety of ways that students learn and provide strategies for addressing academic deficiencies as 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. 6170.1 - Transitional Kindergarten)

When high academic achievement is evident, the teacher may recommend a student for acceleration to a higher grade level. The student's maturity level shall be taken into consideration in making a determination to accelerate a student.

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

PROMOTION/ACCELERATION/RETENTION (continued)

4. Between the end of the intermediate grades and the beginning of the middle school grades
5. ~~Between the end of the middle school grades and the beginning of the high school grades~~

PROMOTION/ACCELERATION/RETENTION (continued)

OPTION 2: Students shall be identified for retention on the basis of failure to meet minimum levels of proficiency, as indicated by the results of state assessments administered pursuant to Education Code 60640-60649 and the following additional indicators of academic achievement:

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - State Academic Achievement Tests)

Performance on District English Language arts and math achievement indicators.

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.

PROMOTION/ACCELERATION/RETENTION (continued)

When any student in grades 2-9 is ~~retained or~~ recommended for retention **or is identified as being at risk for retention**, the Superintendent or designee shall offer an appropriate program of remedial instruction to assist the student in meeting grade-level expectations. ~~The Superintendent or designee also may offer supplemental instruction to a student in grades 2-6 who is identified as being at risk for retention.~~ (Education Code ~~37252.2, 37252.8,~~ 48070.5)

(cf. 6176 - Weekend/Saturday Classes)
(cf. 6177 - Summer Learning Programs)
(cf. 6179 - Supplemental Instruction)

Legal Reference:

EDUCATION CODE

~~37252-37254.1 Supplemental instruction~~

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~~ **program**

60640-60649 California Assessment of Student Performance and Progress

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>

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Administrative Regulation

Students

AR 5125.2(a)

WITHHOLDING GRADES, DIPLOMA OR TRANSCRIPTS

When a minor student willfully cuts, defaces, or otherwise injures real or personal property of the district or **willfully** does not return district property that has been loaned to ~~him/her~~ **the student upon demand of a district employee**, the student's parents/guardians may be required to pay the costs of all damages within the limits established pursuant to Education Code 48904. Until the student's parents/guardians have paid for the damages **or the student has completed voluntary work or other nonmonetary alternative offered by the district in lieu of monetary damages**, the Superintendent or designee may withhold the student's grades, diploma, and/or transcripts. (Education Code 48904, **49014**)

(cf. 3515.4 - Recovery for Property Loss or Damage)
(cf. 5121 - Grades/Evaluation of Student Achievement)
(cf. 5125 - Student Records)
(cf. 5131.5 - Vandalism and Graffiti)
(cf. 6161.2 - Damaged or Lost Instructional Materials)

This administrative regulation shall not apply to a student who is a current or former homeless or foster youth. (Education Code 49014)

Before withholding **the a** student's grades, diploma, and/or transcripts, the Superintendent or designee shall inform the student's parents/guardians in writing of the student's alleged misconduct. (Education Code 48904)

WITHHOLDING GRADES, DIPLOMA OR TRANSCRIPTS (continued)

(cf. 5145.6 - Parental Notifications)

The student shall be afforded due process consistent with procedures established for the expulsion of students. (Education Code 48904)

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

~~If the student and parents/guardians are unable to pay for the damages or return the property, the Superintendent or designee shall provide a program of voluntary work for the student in lieu of monetary damages. Upon completion of the voluntary work, the student's grades, diploma, and/or transcripts shall be released. (Education Code 48904)~~

When a student who is transferring into the district has had **his/her** grades, **a** diploma, and/or transcripts withheld by the previous district, the Superintendent or designee shall continue to withhold the student's grades, diploma, and/or transcripts until notified by the previous district that the decision to withhold has been rescinded. (Education Code 48904.3)

Upon receiving notice that a student whose grades, diploma, and/or transcripts have been withheld by this district has transferred to another district in California, the Superintendent or designee shall provide the student's records to the new district and notify the new district that the student's grades, diploma, and/or transcripts are being withheld from the student and parents/guardians pursuant to Education Code 48904.

The Superintendent or designee shall also notify the student's parents/guardians in writing that the decision to withhold the student's grades, diploma, and/or transcripts will be enforced by the new district. (Education Code 48904.3)

Legal Reference:

EDUCATION CODE

48904 *Liability of parent*

48904.3 *Withholding grades, diplomas, or transcripts of pupils causing property damage or injury; transfer of pupils to new school districts; notice to rescind decision to withhold*

48911 *Suspension by principal, designee or superintendent*

49014 *Public School Fair Debt Collection Act*

49069 *Absolute right to access*

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National SD Board Policy

Students

BP 5127(a)

GRADUATION CEREMONIES AND ACTIVITIES

High school graduation ceremonies shall be held to recognize those students who have earned a diploma by successfully completing the required course of study, satisfying district standards, and passing any required assessments. The Governing Board believes that these students deserve the privilege of a public celebration that recognizes the significance of their achievement and encourages them to continue the pursuit of learning throughout their lives.

(cf. 6011 - Academic Standards)

(cf. 6143 - Courses of Study)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6146.4 - Differential Graduation and Competency Standards for Students with Disabilities)

At the discretion of the Superintendent or designee, a student who will complete graduation requirements during the summer may **be allowed to** participate in graduation exercises without receiving **his/her a** diploma. When the requirements have been satisfied, a diploma shall be sent to the student.

High school students who have passed **a high school equivalency test or** the California High School Proficiency Examination **or the General Educational Development Test** must also meet district graduation requirements in order to participate in graduation ceremonies.

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

GRADUATION CEREMONIES AND ACTIVITIES (continued)

OPTION 1: Invocations, prayers, or benedictions shall not be included in graduation ceremonies. The school or district shall not sponsor other ceremonies or programs for graduates that include prayer.

~~**OPTION 2:** The school or district shall not direct invocations, prayers, or benedictions at graduation ceremonies.~~

(cf. 1330 - Use of School Facilities)
(cf. 5145.2 - Freedom of Speech/Expression)

Honors and Awards

To honor superior academic achievement, graduation ceremonies shall include recognition of valedictorian(s) and salutatorian(s). Valedictorian(s) and salutatorian(s) shall be selected based on established criteria and procedures that use multiple measures of academic performance.

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

GRADUATION CEREMONIES AND ACTIVITIES (continued)

The Superintendent or designee shall identify other school-sponsored awards which may be given during graduation exercises. A separate awards program may be held to recognize graduating students receiving other school and non-school awards.

(cf. 5126 - Awards for Achievement)

Conduct at Graduation Attire Ceremonies

~~Any student participating in a graduation ceremony shall comply with district policies and regulations pertaining to student conduct.~~

~~*(cf. 5131 - Conduct)*~~

The Superintendent or designee may require graduating students to wear ceremonial attire, such as cap and gown, at the ceremony.

(cf. 3260 - Fees and Charges)

However, any **Any** graduating student who has completed basic training and is an active member of any branch of the United States Armed Forces may, at **his/her the student's** option, wear **his/her** a military dress uniform at the ceremony. (Education Code 35183.3)

Students shall be permitted to wear tribal regalia or recognized objects of religious or cultural significance as an adornment to the customary ceremonial attire, as long as the

BP 5127(d)

GRADUATION CEREMONIES AND ACTIVITIES (continued)

adornment does not cause a substantial disruption of, or material interference with, the graduation ceremony. (Education Code 35183.1)

Students who desire to wear such adornments shall seek permission from the Superintendent or designee at least 14 days before the graduation ceremony.

Disciplinary Considerations

~~In order to encourage high standards of student conduct and behavior, the principal may deny a student the privilege of participating in graduation ceremonies and/or activities in accordance with school rules. Prior to denial of the privilege, the student, and where practicable his/her parent/guardian, shall be made aware of the grounds for such denial and shall be given an opportunity to respond. If a privilege is to be denied, the student and parent/guardian shall receive written notice of the denied privilege and the means whereby he/she may appeal the decision.~~
Students are expected to comply with district and school policies, regulations, and rules throughout the school session, including during graduation and related events. Students shall not be denied the privilege of participating in graduation ceremonies except as discipline in cases of serious misconduct. In no event shall a student be denied participation in graduation ceremonies unless the principal or designee has informed the student and the student's parents/guardians of the misconduct and has given them an opportunity to respond.

~~(cf. 5125.2—Withholding Grades, Diploma or Transcripts)~~

~~(cf. 5131 - Conduct)~~

~~(cf. 5144 - Discipline)~~

~~(cf. 6161.2—Damaged or Lost Instructional Materials)~~

During the graduation ceremony, a student may be removed from the ceremony for conduct that is disruptive or that poses a risk to safety.

High school seniors shall be notified of this policy in advance, through the student handbook or other means, and shall be required to acknowledge receiving it.

Legal Reference: (see next page)

GRADUATION CEREMONIES AND ACTIVITIES (continued)

Legal Reference:

EDUCATION CODE

35183.1 Graduation ceremonies; tribal regalia or recognized object of religious/cultural significance

35183.3 Graduation ceremonies; military dress uniforms

38119 Lease of personal property; caps and gowns

48904 Liability of parent or guardian; withholding of grades, diplomas, transcripts

51225.5 Honorary diplomas; foreign exchange students

51410-~~51412~~ **51413** Diplomas

COURT DECISIONS

Workman v. Greenwood Community School Corporation, (2010) Case No. 1:2010cv00293

Cole v. Oroville Union High School District, (2000, 9th Cir.) 228 F.3d 1092

Santa Fe Independent School District v. Doe, (2000) 530 U.S. 290

Lee v. Weisman, (1992) 505 U.S. 577

Sands v. Morongo Unified School District, (1991) 53 Cal. 3d 863

Lemon v. Kurtzman, (1971) 403 U.S. 602

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Pupil Fees, Deposits and Other Charges, Fiscal Management Advisory 17-01, July 28, 2017

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Guidance on Constitutionally Protected Prayer in Public Elementary and Secondary Schools, February 2003

WEB SITES

AASA The School Superintendents Association: <http://www.aasa.org>

Antidefamation League: <https://www.adl.org>

California Department of Education, High School: <http://www.cde.ca.gov/ci/gS/hs>

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

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National SD Board Policy

Students

BP 5131.2(a)

BULLYING

The Governing Board recognizes the harmful effects of bullying on student **well-being, student learning,** and school attendance and desires to provide a safe school environment that protects students from physical and emotional harm. ~~District employees shall establish student safety as a high priority and shall not tolerate bullying of any student.~~ No individual or group shall, through physical, written, verbal, **visual,** or other means, harass, sexually harass, threaten, intimidate, ~~retaliate,~~ cyberbully, cause bodily injury to, or commit hate violence against any student or school personnel, **or retaliate against them for filing a complaint or participating in the complaint resolution process.**

(cf. 5131 - Conduct)

BP 5131.2(b)

BULLYING (continued)

(cf. 5136 - Gangs)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

Cyberbullying includes the electronic creation or transmission of harassing communications, direct threats, or other harmful texts, sounds, or images as defined in Education Code 48900. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation.

(cf. 5145.2 - Freedom of Speech/Expression)

(cf. 6163.4 - Student Use of Technology)

Strategies for addressing bullying in district schools shall be developed with involvement of key stakeholders, including students, parents/guardians, and staff, and may be incorporated into the comprehensive safety plan, the local control and accountability plan, and other applicable district and school plans.

(cf. 0420 - School Plans/Site Councils)

(cf. 0450 - Comprehensive Safety Plan)

~~(cf. 0460 - Local Control and Accountability Plan)~~
~~(cf. 1220 - Citizen Advisory Committees)~~
~~(cf. 6020 - Parent Involvement)~~

BP 5131.2(c)

BULLYING (continued)

The Superintendent or designee shall develop strategies for addressing bullying in district schools shall be developed with the involvement of key stakeholders, including students, parents/guardians, and staff. As appropriate, the Superintendent or designee may **also** collaborate with law enforcement, courts, social services, mental health services, law enforcement, courts, and other agencies, and community organizations in the development and implementation of joint **effective** strategies to promote safety in schools and the community and to provide services for alleged victims and perpetrators of bullying.

~~(cf. 1220 - Citizen Advisory Committees)~~
~~(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)~~
~~(cf. 6020 - Parent Involvement)~~

Bullying Prevention

Such strategies shall may be incorporated into the comprehensive safety plan and, to the extent possible, into the local control and accountability plan, and other applicable district and school plans.

~~(cf. 0420 - School Plans/Site Councils)~~
~~(cf. 0450 - Comprehensive Safety Plan)~~
~~(cf. 0460 - Local Control and Accountability Plan)~~

~~To the extent possible, district schools shall focus on the prevention of bullying by establishing clear rules for student conduct and implementing strategies to promote a positive, collaborative school climate. Students shall be informed, through student handbooks and other appropriate means, of district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for engaging in bullying.~~

~~(cf. 5137 - Positive School Climate)~~

BULLYING (continued)

As appropriate, the district shall provide students with instruction, in the classroom or other educational settings, that promotes social emotional learning, effective communication and conflict resolution skills, character/values education, respect for cultural and individual differences, self-esteem development, assertiveness skills, and appropriate online behavior.

(cf. 6142.8 Comprehensive Health Education)
(cf. 6142.94 History Social Science Instruction)

Such instruction shall also educate students about the negative impact of bullying, discrimination, intimidation, and harassment based on actual or perceived immigration status, religious beliefs and customs, or any other individual bias or prejudice.

The Superintendent or designee shall provide training to teachers and other school staff to raise their awareness about the legal obligation of the district and its employees to prevent discrimination, harassment, intimidation, and bullying of district students. Such training shall be designed to provide staff with the skills to:

1. Discuss the diversity of the student body and school community, including their varying immigration experiences
2. Discuss bullying prevention strategies with students, and teach students to recognize the behavior and characteristics of bullying perpetrators and victims
3. Identify the signs of bullying or harassing behavior
4. Take immediate corrective action when bullying is observed
5. Report incidents to the appropriate authorities, including law enforcement in instances of criminal behavior

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

BULLYING (continued)

Based on an assessment of bullying incidents at school, the Superintendent or designee may increase supervision and security in areas where bullying most often occurs, such as classrooms, playgrounds, hallways, restrooms, and cafeterias.

Intervention

Students are encouraged to notify school staff when they are being bullied or suspect that another student is being victimized. In addition, the Superintendent or designee shall develop means for students to report threats or incidents confidentially and anonymously.

School staff who witness an act of bullying shall immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)

When appropriate based on the severity or pervasiveness of the bullying, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators and may contact law enforcement.

The Superintendent, principal, or principal's designee may refer a victim, witness, perpetrator, or other student affected by an act of bullying to a school counselor, school psychologist, social worker, child welfare attendance personnel, school nurse, or other school support service personnel for case management, counseling, and/or participation in a restorative justice program as appropriate. (Education Code 48900.9)

(cf. 6164.2 - Guidance/Counseling Services)

Reporting and Filing of Complaints

Any student, parent/guardian, or other individual who believes that a student has been subjected to bullying or who has witnessed bullying may report the incident to a teacher, the principal, a compliance officer, or any other available school employee.

Within one business day of receiving such a report, a staff member shall notify the principal of the report, whether or not a uniform complaint is filed. In addition, any school employee who observes an incident of bullying involving a student shall, within one business day, report his/her observation to the principal or a district compliance officer, whether or not the alleged victim files a complaint.

BULLYING (continued)

~~Within two business days of receiving a report of bullying, the principal shall notify the district compliance officer identified in AR 1312.3 – Uniform Complaint Procedures.~~

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

~~When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated. When a student uses a social networking site or service to bully or harass another student, the Superintendent or designee may file a request with the networking site or service to suspend the privileges of the student and to have the material removed.~~

~~When a report of bullying is submitted, the principal or a district compliance officer shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with AR 1312.3. The student who is the alleged victim of the bullying shall be given an opportunity to describe the incident, identify witnesses who may have relevant information, and provide other evidence of bullying.~~

Investigation and Resolution of Complaints

BULLYING (continued)

Any complaint of bullying shall be investigated and, if determined to be discriminatory, resolved in accordance with law and the district's uniform complaint procedures specified in AR 1312.3. If, during the investigation, it is determined that a complaint is about nondiscriminatory bullying, the principal or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

(cf. 1312.3 - Uniform Complaint Procedures)

Discipline

~~Corrective actions for a student who commits an act of bullying of any type may include counseling, behavioral intervention and education, and, if the behavior is severe or pervasive as defined in Education Code 48900, may include suspension or expulsion in accordance with district policies and regulations.~~

BULLYING (continued)

~~(cf. 5138 – Conflict Resolution/Peer Mediation)~~
~~(cf. 5144 – Discipline)~~
~~(cf. 5144.1 – Suspension and Expulsion/Due Process)~~
~~(cf. 5144.2 – Suspension and Expulsion/Due Process (Students with Disabilities))~~
~~(cf. 6159.4 – Behavioral Interventions for Special Education Students)~~

Any employee who permits or engages in bullying or retaliation related to bullying shall be subject to disciplinary action, up to and including dismissal.

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)
(cf. 4119.21/4219.21/4319.21 - Professional Standards)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination
32282 Comprehensive safety plan
32283.5 Bullying; online training
35181 Governing board policy on responsibilities of students
35291-35291.5 Rules
48900-48925 Suspension or expulsion
48985 Translation of notices
52060-52077 Local control and accountability plan

PENAL CODE

422.55 Definition of hate crime
647 Use of camera or other instrument to invade person's privacy; misdemeanor
647.7 Use of camera or other instrument to invade person's privacy; punishment
653.2 Electronic communication devices, threats to safety

CODE OF REGULATIONS, TITLE 5

4600-4670 Uniform complaint procedures

UNITED STATES CODE, TITLE 47

254 Universal service discounts (e-rate)

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34

104.7 Designation of responsible employee for Section 504

106.8 Designation of responsible employee for Title IX

110.25 Notification of nondiscrimination on the basis of age

COURT DECISIONS

Wynar v. Douglas County School District, (2013) 728 F.3d 1062

J.C. v. Beverly Hills Unified School District, (2010) 711 F.Supp.2d 1094

Lavine v. Blaine School District, (2002) 279 F.3d 719

Management Resources: (continued)

BULLYING (continued)

Management Resources:

CSBA PUBLICATIONS

Final Guidance: AB 1266, Transgender and Gender Nonconforming Students, Privacy, Programs, Activities & Facilities, Legal Guidance, March 2014

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

Addressing the Conditions of Children: Focus on Bullying, Governance Brief, December 2012

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

Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007 rev. July 2010

Building Healthy Communities: A School Leaders Guide to Collaboration and Community Engagement, 2009

Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Bullying Module

California's Social and Emotional Learning: Guiding Principles, 2018

Social and Emotional Learning in California: A Guide to Resources, 2018

Health Education Content Standards for California Public Schools: Kindergarten Through Grade Twelve, 2008

Bullying at School, 2003

CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS

Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California K-12 Schools in Responding to Immigration Issues, April 2018

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

Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014

Guidance to America's Schools: Bullying of Students with Disabilities, October 2014

Dear Colleague Letter: Bullying of Students with Disabilities, August 2013

Dear Colleague Letter: Guidance on Schools' Obligations to Protect Students from Student-on-Student Harassment on the Basis of Sex; Race, Color and National Origin; and Disability, October 26, 2010

Dear Colleague Letter: Harassment and Bullying, October 2010

WEB SITES

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

California Department of Education, Safe Schools Office: <http://www.cde.ca.gov/lr/ss>

California Office of the Attorney General: <http://oag.ca.gov>

Center on Great Teachers and Leaders: <https://gtlcenter.org>

Collaborative for Academic Social and Emotional Learning: <https://casel.org>

Common Sense Media: <http://www.commonsensemedia.org>

National School Safety Center: <http://www.schoolsafety.us>

Partnership for Children and Youth: <https://www.partnerforchildren.org>

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

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Policy Reference UPDATE Service

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National SD

Administrative Regulation

Students

AR 5131.2(a)

BULLYING

Definitions

***Bullying* is an unwanted, aggressive behavior that involves a real or perceived imbalance of power between individuals with the intent to cause emotional or physical harm. Bullying can be physical, verbal, or social/relational and involves repetition or potential repetition of a deliberate act.**

Cyberbullying includes the electronic creation or transmission of harassing communications, direct threats, or other harmful texts, sounds, or images. Cyberbullying also includes breaking into another person's electronic account ~~and~~ **or** assuming that person's **online** identity in order to damage that person's reputation.

(cf. 5145.2 - Freedom of Speech/Expression)
(cf. 6163.4 - Student Use of Technology)

Examples of the types of conduct that may constitute bullying and are prohibited by the district include, but are not limited to:

- 1. Physical bullying that inflicts harm upon a person's body or possessions, such as hitting, kicking, pinching, spitting, tripping, pushing, taking or breaking someone's possessions, or making cruel or rude hand gestures**
- 2. Verbal bullying that includes saying or writing hurtful things, such as teasing, name-calling, inappropriate sexual comments, taunting, or threats to cause harm**

BULLYING (continued)

3. **Social/relational bullying that harms a person's reputation or relationships, such as leaving a person out of an activity on purpose, influencing others not to be friends with someone, spreading rumors, or embarrassing someone in public**
4. **Cyberbullying, such as sending demeaning or hateful text messages or emails, sending rumors by email or by posting on social networking sites, or posting embarrassing photos, videos, web site, or fake profiles**

Measures to Prevent Bullying

The Superintendent or designee shall implement measures to prevent bullying in district schools, including, but not limited to, the following:

1. **Ensuring that each school establishes clear rules for student conduct and implements strategies to promote a positive, collaborative school climate**

(cf. 5131 - Conduct)

(cf. 5137 - Positive School Climate)

2. **Providing to students, through student handbooks and other age-appropriate means, information about district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for engaging in bullying**
3. **Encouraging students to notify school staff when they are being bullied or when they suspect that another student is being bullied, and providing means by which students may report threats or incidents confidentially and anonymously**
4. **Conducting an assessment of bullying incidents at each school and, if necessary, increasing supervision and security in areas where bullying most often occurs, such as classrooms, playgrounds, hallways, restrooms, and cafeterias**
5. **Annually notifying district employees that, pursuant to Education Code 234.1, any school staff who witnesses an act of bullying against a student has a responsibility to immediately intervene to stop the incident when it is safe to do so**

BULLYING (continued)

Staff Development

The Superintendent or designee shall make the California Department of Education's online training module on the dynamics of bullying and cyberbullying, which includes the identification of bullying and cyberbullying and the implementation of strategies to address bullying, available annually to all certificated staff and to other employees who have regular interaction with students. (Education Code 32283.5)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

The Superintendent or designee shall provide training to teachers and other school staff to raise their awareness about the legal obligation of the district and its employees to prevent discrimination, harassment, intimidation, and bullying of district students. Such training shall be designed to provide staff with the skills to:

1. Discuss the diversity of the student body and school community, including their varying immigration experiences
2. Discuss bullying prevention strategies with students, and teach students to recognize the behavior and characteristics of bullying perpetrators and victims
3. Identify the signs of bullying or harassing behavior
4. Take immediate corrective action when bullying is observed
5. Report incidents to the appropriate authorities, including law enforcement in instances of criminal behavior

Student Instruction

BULLYING (continued)

As appropriate, the district shall provide students with instruction, in the classroom or other educational settings, that promotes social-emotional learning, effective communication and conflict resolution skills, character/values education, respect for cultural and individual differences, self-esteem development, assertiveness skills, and appropriate online behavior.

(cf. 6142.8 - Comprehensive Health Education)
(cf. 6142.94 - History-Social Science Instruction)

The district shall also educate students about the negative impact of bullying, discrimination, intimidation, and harassment based on actual or perceived immigration status, religious beliefs and customs, or any other individual bias or prejudice.

Students should be taught the difference between appropriate and inappropriate behaviors, how to advocate for themselves, how to help another student who is being bullied, and when to seek assistance from a trusted adult. As role models for students, staff shall be expected to demonstrate effective problem-solving and anger management skills.

To discourage cyberbullying, teachers may advise students to be cautious about sharing passwords, personal data, or private photos online and to consider the consequences of making negative comments about others online.

Reporting and Filing of Complaints

Any student, parent/guardian, or other individual who believes that a student has been subjected to bullying or who has witnessed bullying may report the incident to a teacher, the principal, a compliance officer, or any other available school employee.

BULLYING (continued)

When a report of bullying is submitted, the principal or a district compliance officer shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with AR 1312.3 - **Uniform Complaint Procedures**. The student who is the alleged victim of the bullying shall be given an opportunity to describe the incident, identify witnesses who may have relevant information, and provide other evidence of bullying.

(cf. 1312.3 - Uniform Complaint Procedures)

Within one business day of receiving such a report, a staff member shall notify the principal of the report, whether or not a uniform complaint is filed. In addition, any school employee who observes an incident of bullying involving a student shall, within one business day, report ~~his/her~~ **such** observation to the principal or a district compliance officer, whether or not the alleged victim files a complaint.

Within two business days of receiving a report of bullying, the principal shall notify the district compliance officer identified in AR 1312.3 – ~~Uniform Complaint Procedures~~.

When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated. When a student uses a social networking site or service to bully or harass another student, the Superintendent or designee may file a request with the networking site or service to suspend the privileges of the student and to have the material removed.

Discipline/Corrective Actions

BULLYING (continued)

Corrective actions for a student who commits an act of bullying of any type may include counseling, behavioral intervention and education, and, if the behavior is severe or pervasive as defined in Education Code 48900, may include suspension or expulsion in accordance with district policies and regulations.

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5144 - Discipline)

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

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

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

When appropriate based on the severity or pervasiveness of the bullying, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators and may contact law enforcement.

The Superintendent, principal, or principal's designee may refer a victim, witness, perpetrator, or other student affected by an act of bullying to a school counselor, school psychologist, social worker, child welfare attendance personnel, school nurse, or other school support service personnel for case management, counseling, and/or participation in a restorative justice program as appropriate. (Education Code 48900.9)

(cf. 6164.2 - Guidance/Counseling Services)

BULLYING (continued)

If any student involved in bullying exhibits warning signs of suicidal thought or intention or of intent to harm another person, the Superintendent or designee shall, as appropriate, implement district intervention protocols which may include, but are not limited to, referral to district or community mental health services, other health professionals, and/or law enforcement.

(cf. 5141.52 - Suicide Prevention)

National SD

Administrative Regulation

Students

AR 5131.41(a)

USE OF SECLUSION AND RESTRAINT

District staff shall enforce standards of appropriate student conduct in order to provide a safe and secure environment for students and staff on campus, but are prohibited from using seclusion and behavioral restraint to control student behavior except to the limited extent authorized by law.

(cf. 5131 - Conduct)

(cf. 5131.1 - Bus Conduct)

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

Definitions

Behavioral restraint includes mechanical restraint or physical restraint used as an intervention when a student presents an immediate danger to self or to others. Behavioral restraint does not include postural restraints or devices used to improve a student's mobility and independent functioning rather than to restrict movement. (Education Code 49005.1)

Mechanical restraint means the use of a device or equipment to restrict a student's freedom of movement. Mechanical restraint does not include the use of devices as prescribed by an appropriate medical or related services professional, including, but not limited to, adaptive devices or mechanical supports used to achieve proper body position, balance, or alignment; vehicle safety restraints during the transport of a student; restraints for medical immobilization; or orthopedically prescribed devices which permit a student to participate in activities without risk of harm. Mechanical restraint also does not include the use of devices by peace officers or security personnel for detention or for public safety purposes. (Education Code 49005.1)

(cf. 3515.3 - District Police/Security Department)

Physical restraint means a personal restriction that immobilizes or reduces the ability of a student to move the torso, arms, legs, or head freely. Physical restraint does not

USE OF SECLUSION AND RESTRAINT (continued)

include a physical escort in which a staff member temporarily touches or holds the student's hand, wrist, arm, shoulder, or back for the purpose of inducing a student who is acting out to walk to a safe location. Physical restraint also does not include the use of force by peace officers or security personnel for detention or for public safety purposes. (Education Code 49005.1)

Prone restraint means the application of a behavioral restraint on a student in a facedown position. (Education Code 49005.1)

Seclusion means the involuntary confinement of a student alone in a room or an area from which the student is physically prevented from leaving. Seclusion does not include a timeout involving the monitored separation of the student in an unlocked setting, which is implemented for the purpose of calming the student. (Education Code 49005.1)

Prohibitions

Seclusion and behavioral restraint of students shall not be used in any form as a means of coercion, discipline, convenience, or retaliation. (Education Code 49005.8)

(cf. 5144 - Discipline)

In addition, staff shall not take any of the following actions: (Education Code 49005.2, 49005.8)

1. Administer a drug that is not a standard treatment for a student's medical or psychiatric condition in order to control the student's behavior or restrict the student's freedom of movement
2. Use locked seclusion, unless it is in a facility otherwise licensed or permitted by state law to use as a locked room
3. Use a physical restraint technique that obstructs a student's respiratory airway or impairs a student's breathing or respiratory capacity, including a technique in which a staff member places pressure on the student's back or places his/her body weight against the student's torso or back
4. Use a behavioral restraint technique that restricts breathing, including, but not limited to, the use of a pillow, blanket, carpet, mat, or other item to cover a student's face
5. Place a student in a facedown position with the student's hands held or restrained

behind the student's back

AR 5131.41(c)

USE OF SECLUSION AND RESTRAINT (continued)

- 6. Use a behavioral restraint for longer than is necessary to contain the behavior that poses a clear and present danger of serious physical harm to the student or others**

Limited Use of Seclusion or Restraint

Staff shall avoid the use of seclusion and behavioral restraint of students whenever possible. Seclusion or behavioral restraint may be used only to control student behavior that poses a clear and present danger of serious physical harm to the student or others, which cannot be prevented by a response that is less restrictive. (Education Code 49005.4, 49005.6, 49005.8)

(cf. 5131.4 - Student Disturbances)

(cf. 5131.7 - Weapons and Dangerous Instruments)

If a student is put in seclusion, the student shall be under constant, direct observation of a staff member. Such observation may be through a window or another barrier through which the staff member is able to make direct eye contact with the student, but shall not be made through indirect means such as a security camera or closed-circuit television. (Education Code 49005.8)

If a student is restrained, staff shall afford the student the least restrictive alternative and the maximum freedom of movement, and shall use the least number of restraint points, while ensuring the physical safety of the student and others. (Education Code 49005.8)

If a prone restraint technique is used on a student, a staff member shall observe the student for any signs of physical distress throughout the use of the restraint. Whenever possible, the staff member monitoring the student shall not be involved in restraining the student. (Education Code 49005.8)

Reports

The Superintendent or designee shall annually collect data on the number of times that seclusion, mechanical restraint, and physical restraint were used on students and the number of students subjected to such techniques. The data shall be disaggregated by race/ethnicity and gender, and reported for students with a Section 504 plan, students with an individualized education program, and all other students. This report shall be

USE OF SECLUSION AND RESTRAINT (continued)

submitted to the California Department of Education no later than three months after the end of each school year, and shall be available as a public record pursuant to Government Code 6250-6270. (Education Code 49006)

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

(cf. 6159 - Individualized Education Program)

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

Legal Reference:

EDUCATION CODE

49001 Prohibition against corporal punishment

49005-49006.4 Seclusion and restraint

56520-56525 Behavioral interventions, students with disabilities, especially:

56521.1 Emergency interventions when behavior poses threat to student or others

56521.2 Prohibited interventions

GOVERNMENT CODE

6250-6270 California Public Records Act

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act of 1973

Management Resources:

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Restraint and Seclusion: Resource Document, May 2012

WEB SITES

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

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

National SD Board Policy

Students

BP 5132(a)

DRESS AND GROOMING

The Governing Board believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students ~~to give proper attention to personal cleanliness and to wear clothes~~ **clothing** that ~~are~~ **is** suitable for the school activities in which they participate. ~~Students' clothing must not~~ **Students shall not wear clothing that** presents a health or safety hazard ~~or a distraction which would interfere with the educational process~~ **or is likely to cause a substantial disruption to the educational program.**

(cf. 4119.22/4219.22/4319.22 - Dress and Grooming)
(cf. 5145.2 - Freedom of Speech/Expression)

District and school rules pertaining to student attire shall be included in student handbooks, may be posted in school offices and classrooms, and may be periodically reviewed with all students as necessary.

Students shall not be prohibited from dressing in a manner consistent with their gender identity or gender expression or with their religious or cultural observance.

(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)

BP 5132(b)

DRESS AND GROOMING (continued)

The principal or designee is authorized to enforce this policy and shall inform any student who does not reasonably conform to the dress code. The dress code shall not be enforced in a manner that discriminates against a particular viewpoint or results in a disproportionate application of the dress code based on students' gender, sexual orientation, race, ethnicity, household income, or body type or size.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 0415 - Equity)
(cf. 5145.2 - Freedom of Speech/Expression)

School administrators, teachers, and other staff shall be notified of appropriate and equitable enforcement of the dress code.

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

When practical, students shall not be directed to correct a dress code violation during instructional time or in front of other students.

~~Students and parents/guardians shall be informed about dress and grooming standards at the beginning of the school year and whenever these standards are revised. A student who violates these standards shall be subject to appropriate disciplinary action.~~ **Repeated violations or refusal to comply with the district's dress code may result in disciplinary action.**

(cf. 5144 - Discipline)

Gang-Related Apparel

BP 5132(c)

DRESS AND GROOMING (continued)

The principal, staff, and parents/guardians at a school may establish a reasonable dress code that prohibits students from wearing gang-related apparel when there is evidence of a gang presence that disrupts or threatens to disrupt the school's activities. Such a **proposed** dress code ~~may be included as part of the school safety plan and must~~ **shall** be presented to the Board, ~~which for approval. The Board~~ shall approve the plan upon determining that it is necessary to protect the health and safety of the school's students **school environment**. The dress code policy may be included in the school's comprehensive safety plan. **(Education Code 35183)**

(cf. 0450 - Comprehensive Safety Plan)
(cf. 5136 - Gangs)

When determining specific items of clothing that may be defined as gang apparel, the school shall ensure that the determination is free from bias based on race, ethnicity, national origin, immigration status, or other protected characteristics.

Uniforms

The Board may approve a school-initiated dress code requiring students at the school to wear a school uniform whenever the Board determines that such a dress code will promote student achievement, a positive school climate, and/or student safety.

~~In order to promote student safety and discourage theft, peer rivalry, and/or gang activity, the principal, staff, and parents/guardians at a school may establish a reasonable dress code requiring students to wear uniforms. Such a dress code may be included as part of the school safety plan~~

and must be presented to the Board for approval. The Board shall approve the plan upon determining that it is necessary to protect the health and safety of the school's students.

BP 5132(d)

DRESS AND GROOMING (continued)

If a school's plan to require uniforms is adopted, the Superintendent or designee shall establish procedures whereby parents/guardians may choose to have their children exempted from the school uniform policy. Students shall not be penalized academically, otherwise discriminated against, or denied attendance to school if their parents/guardians so decide. (Education Code 35183)

The Superintendent or designee shall ensure that resources are identified to assist economically disadvantaged students in obtaining uniforms. (Education Code 35183)

Legal Reference:

EDUCATION CODE

220 Nondiscrimination

32281 School safety plans

35183 School dress codes; uniforms

35183.5 Sun-protective clothing

48907 Student exercise of free expression

49066 Grades; effect of physical education class apparel

CODE OF REGULATIONS, TITLE 5

~~302 Pupils to be neat and clean on entering school~~

COURT DECISIONS

Jacobs v. Clark County School District, (2008) 26 F. 3d 419

Harper v. Poway Unified School District, (2006) 445 App. 3d 166

Marvin H. Jeglin et al v. San Jacinto Unified School District et al, (C.D. Cal. 1993)

827 F.Supp. 1459

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

Hazelwood School District v. Kuhlmeier, (1988) 108 S. Ct. 562

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

Tinker v. Des Moines Independent Community School District, (1969) 393 U.S. 503

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Policy Reference UPDATE Service

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National SD

Administrative Regulation

Students

AR 5132(a)

DRESS AND GROOMING

In cooperation with teachers, students and parents/guardians, the principal or designee shall establish school rules governing student dress and grooming which are consistent with law, Governing Board policy and administrative regulations. These school dress codes shall be regularly reviewed.

(cf. 0420 - School Plans/Site Councils)

~~Each school shall allow students to wear sun-protective clothing, including but not limited to hats, for outdoor use during the school day. (Education Code 35183.5)~~

~~In addition,~~ The following guidelines shall apply to all regular school activities:

- ~~1. Shoes must be worn at all times. Sandals must have heel straps. Thongs or backless shoes or sandals are not acceptable.~~
- ~~2.1. Clothing, jewelry, and personal items (backpacks, fanny packs, gym bags, water bottles etc.) shall be free of writing, pictures, or any other insignia which are is crude, vulgar, lewd, obscene, profane, or sexually suggestive, which bear drug, alcohol or tobacco company advertising, promotions and likenesses, or which or which promotes the use of alcohol, drugs, tobacco, or other illegal activity. advocate racial, ethnic or religious prejudice.~~
- ~~2.2. Appropriate sShoes must be worn at all times. Sandals must have heel straps. Thongs or backless shoes or sandals are not acceptable.~~
3. Hats, caps, and other head coverings shall not be worn indoors.
4. Clothes shall be sufficient to conceal undergarments at all times. See-through or fish-net fabrics, halter tops, off the shoulder or low cut tops, and bare abdomens midriffs, and skirts or shorts shorter than mid-thigh are prohibited.

DRESS AND GROOMING (continued)

5. ~~Gym shorts may not be worn in classes other than physical education.~~

6. ~~Hair shall be clean and neatly groomed. Hair may not be sprayed by any coloring that would drip when wet.~~

The dress code shall be modified as appropriate to accommodate a student's religious or cultural observance, health condition, or other circumstance deemed necessary by the principal or designee. Coaches and teachers. In addition, the principal or designee may impose more stringent dress requirements to accommodate the special needs of certain sports and/or classes. special school activities, physical education classes, athletic activities, and other extracurricular and cocurricular activities.

(cf. 3260 - Fees and Charges)

(cf. 6142.7 - Physical Education and Activity)

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

No grade of a student participating in a physical education class shall be adversely affected if the student does not wear standardized physical education apparel because of circumstances beyond the student's control. (Education Code 49066)

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

~~The principal, staff, students and parent/guardians at each school may establish reasonable dress and grooming regulations for times when students are engaged in extracurricular or other special school activities.~~

~~Each school shall allow s~~**Students shall be allowed** to wear sun-protective clothing, including but not limited to hats, for outdoor use during the school day. (Education Code 35183.5)

(cf. 5141.7 - Sun Safety)

Gang-Related Apparel

At individual schools that have a dress code prohibiting gang-related apparel at school or school activities, the principal, staff, and parents/guardians participating in the development of the school safety plan shall define "gang-related apparel" and shall limit this definition to apparel that reasonably could be determined to threaten the health and safety of the school environment if it were worn or displayed on a school campus. (Education Code 32282)

DRESS AND GROOMING (continued)

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed at least once each semester and updated whenever related information is received. **As necessary, the school shall collaborate with law enforcement agencies to update definitions of gang-related apparel.**

Uniforms

In schools **where that require** a schoolwide uniform **is required**, the principal, staff, and parents/guardians of the **individual** school shall jointly select the specific uniform to be worn. (Education Code 35183)

At least six months before a school uniform policy is implemented, the principal or designee shall notify parents/guardians of this policy. (Education Code 35183)

(cf. 5145.6 - Parental Notifications)

Parents/guardians shall also be informed of their right to have their child exempted.

~~The principal or designee shall also repeat this notification at the end of the school year so that parents/guardians are reminded before school clothes are likely to be purchased.~~

The Superintendent or designee shall establish criteria for determining student eligibility for financial assistance when purchasing uniforms.

~~The Superintendent or designee shall establish a method for recycling or exchanging uniforms as students grow out of them.~~

Students who participate in a nationally recognized youth organization shall be allowed to wear organization uniforms on days when the organization has a scheduled meeting. (Education Code 35183)

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National SD

Board Policy

Students

BP 5136(a)

GANGS

The Governing Board desires to keep district schools free from the threats or harmful influence of any groups ~~or gangs which~~ **who** exhibit ~~drug use, violence or disruptive~~ behavior **disruptive to the school environment and/or the safety and well-being of students. The Board additionally desires to provide support and intervention to students who are members of gangs to enable them to successfully disengage from gang involvement and be successful in school.** ~~The Superintendent or designee shall take steps to deter gang intimidation of students and staff and confrontations between members of different gangs. He/she shall exchange information and establish mutually supportive efforts with local law enforcement authorities.~~

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3513.4 - Drug and Alcohol Free Schools)

(cf. 5131.4 - Student Disturbances)

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5131.7 - Weapons and Dangerous Instruments)

(cf. 5137 - Positive School Climate)

~~The Superintendent or designee shall provide inservice training which helps staff to identify gangs and gang symbols, recognize early manifestations of disruptive activities, and respond appropriately to gang behavior. Staff shall be informed about conflict management techniques and alerted to intervention measures and community resources.~~

~~The Board realizes that students become involved in gangs for many reasons, such as peer pressure, the need for a sense of belonging, and lack of refusal skills. The Superintendent or designee shall develop strategies for gang prevention that address the reasons that students may become involved in gangs, including the identity, recognition, or status achieved as being part of a gang, protection from gang violence in the community, the need for companionship and an extended family, intimidation to join a gang, desire to~~

GANGS (continued)

join a gang to be in a position to intimidate others, and/or connection with criminal activity.

~~Age appropriate gang violence prevention education shall start with students in the early elementary grades and may start in kindergarten.~~ **Gang violence prevention shall start as early as possible and include, but not be limited to, age-appropriate education that focuses on developing emotional and social competence, increasing prosocial peer bonds, strengthening attachment and commitment to school, and enhancing cooperative learning skills. Prevention shall also include improving parent/guardian involvement in and support for their children's academic progress, as well as ongoing gang awareness education for parents/guardians, including gang identifiers.**

~~(cf. 5020 - Parent Involvement)~~

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

The Superintendent or designee shall take steps to deter gang activity on school campuses, including threats and intimidation of students and staff, recruitment or intimidation of students to join gangs, bullying, fighting, criminal activities, and confrontations between members of different gangs.

~~(cf. 5131.2 - Bullying)~~

~~To further discourage the influence of gangs, the~~ **The** Superintendent or designee shall ensure that school rules of conduct and any school dress code prohibiting gang-related apparel are enforced consistently. If a student exhibits signs of gang affiliation, staff shall so inform the **principal or designee and the student's** parent/guardian.

~~(cf. 0450 - Comprehensive Safety Plan)~~

~~(cf. 5132 - Dress and Grooming)~~

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

GANGS (continued)

The Superintendent or designee shall provide in-service training which helps staff to identify gangs and gang symbols, recognize early manifestations of disruptive activities, and respond appropriately to gang behavior. Staff shall be informed about conflict management techniques and alerted to intervention measures and community resources. **The Superintendent or designee shall also provide staff development on social and emotional learning, classroom management, interactive teaching, and cooperative learning skills.**

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

The Superintendent or designee may consider gang activity prevention and intervention when developing programs outside of the school day.

(cf. 5148 - Child Care and Development)

(cf. 5148.2 - Preschool/Early Childhood Education)

(cf. 5148.3 - Before/After School Programs)

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

The Superintendent or designee shall collaborate with child welfare services, mental health agencies, social services, and local law enforcement authorities in the prevention and intervention of gang activity.

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

Legal Reference: (see next page)

GANGS (continued)

Legal Reference:

EDUCATION CODE

32282 *School safety plans*

35183 *Gang-related apparel*

48907 *Student exercise of free expression*

48950 *Student freedom of speech*

51264 *Educational inservice training; CDE guidelines*

51265 *Gang violence and drug and alcohol abuse prevention inservice training*

51266-51266.5 *Model gang and substance abuse prevention curriculum*

PENAL CODE

186.22 *Participation in criminal street gang*

13826-13826.7 *Gang violence suppression*

UNITED STATES CODE, TITLE 20

7101-7122 *Student Support and Academic Enrichment Grants*

Management Resources:

LOS ANGELES POLICE DEPARTMENT PUBLICATIONS

Why Young People Join Gangs

NATIONAL GANG CENTER PUBLICATIONS

Strategic Planning Tool

Gangs in Schools, March 2019

Parents' Guide to Gangs, July 2015

WEB SITES

California Cities Gang Prevention Network: <http://www.ccgpn.org>

California Department of Education: <https://www.cde.ca.gov/lr/ss/sa>

Gang Resistance Education and Training: <https://www.great-online.org/GREAT-Home>

Los Angeles Police Department, Gangs:

http://www.lapdonline.org/get_informed/content_basic_view/1396

Homeboy Industries: <https://homeboyindustries.org>

National Gang Center: <https://www.nationalgangcenter.gov>

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Policy Reference UPDATE Service

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National SD

Administrative Regulation

Students

AR 5136(a)

GANGS

Prevention, ~~and~~ Intervention, and Suppression Measures

The Superintendent or designee shall become informed of the gang history in the district and community, conduct assessments of current gang activity at the school sites, and document and follow up on gang-related incidents.

In order to discourage the influence of gangs, ~~school staff shall take~~ the following measures **shall be implemented:**

1. Any student **suspected of gang affiliation based on the** displaying **of** behavior, gestures, apparel, or paraphernalia **indicative of gang affiliation** shall be referred to the principal or designee, **and the following actions taken, as appropriate:-**
 - a. The student's parent/guardian shall be contacted and may be asked to meet with school staff **in order to proactively address the concern and be included as part of the solution.**
 - b. The student may be sent home to change clothes if necessary.

(cf. 5132 - Dress and Grooming)

- c. The student's behaviors and progress in school shall be documented, including attendance and grades.**

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Chronic Absence and Truancy)

(cf. 5113.11 - Attendance Supervision)

(cf. 5113.12 - District School Attendance Review Board)

(cf. 6164.2 - Guidance/Counseling Services)

GANGS (continued)

d. Intervention techniques such as mentoring, academic support, and a system of wraparound support service shall be implemented to help the student disengage from gang involvement.

e. Consistent and graduated discipline and accountability shall be implemented when appropriate and combined with positive support using conflict-resolution strategies and other restorative justice practices demonstrated to be effective with gang-involved youth.

~~2. Staff members shall be provided with the names of known gang members.~~

~~3.~~

f. Students shall be offered help in rejecting gang associations, including possible referral to community-based gang suppression and prevention organizations.

g. Law enforcement shall be notified if the student is suspected of being involved in gangs.

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

4.2. Any gang graffiti on school premises shall be removed, washed down, or painted over as soon as discovered. Graffiti shall be documented and photographed before it is removed. These photographs shall be shared with local law enforcement authorities and used in future disciplinary or criminal action against the offenders. This information can also be used to determine whether a threat or incident is imminent.

~~a. Daily checks for graffiti shall be made throughout the campus.~~

~~b. Graffiti shall be photographed before it is removed. These photographs shall be shared with local law enforcement authorities and used in future disciplinary or criminal action against the offenders.~~

(cf. 3515 - Campus Security)

(cf. 5131.5 - Vandalism and Graffiti)

5.3. Classroom and after-school programs may include gang prevention lessons that are taught jointly by teachers, counselors, law enforcement, and/or other organizations that are knowledgeable about gang prevention and at each school shall be designed to enhance individual self esteem, provide positive reinforcement for acceptable behavior, and foster interest in a variety of constructive activities. These programs shall also:

GANGS (continued)

- a.** Provide social and emotional learning designed to enhance individual self-esteem, provide positive reinforcement for acceptable behavior, and foster interest in a variety of constructive activities
- a.b.** Explain the dangers of gang membership
- b.c.** Provide counseling for targeted at-risk students
- e.d.** Include lessons or role-playing workshops in gang avoidance skills and nonviolent conflict resolution, including communication skills, **anti-bullying**, anger management, **acceptance** ethnic/cultural tolerance, and mediation skills

(cf. 5131.2 - Bullying)

- d.e.** Assign individual gang members to cooperative learning groups in which they may work toward common goals with students who are not members of their gang
- e.f.** Provide school-to-career instruction
- f.g.** Provide positive interaction with local law enforcement staff

(cf. 5137 - Positive School Climate)

~~Gang prevention lessons may be taught jointly by teachers and law enforcement staff.~~

- 6.4.** Staff shall actively promote membership in authorized **school clubs and** student organizations, sports and cultural activities and affiliations with the local community, and community service projects which can provide students companionship, safety, and a sense of purpose and belonging, ~~including:~~

~~a. Positive sports and cultural activities and affiliations with the local community~~

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6142.4 - Service Learning/Community Service Classes)

(cf. 6145.2 - Athletic Competition)

~~b. Structured, goal-oriented community service projects~~

(cf. 6142.4 - Service Learning/Community Service Classes)

Parent/Guardian and Community Outreach

GANGS (continued)

The Superintendent or designee may offer gGang prevention classes or counseling **offered** for parents/guardians **which may shall** address the following topics:

1. The reasons students join gangs

~~1.2.~~ The dangers **and consequences** of gang membership

~~2.3.~~ Warning signs which may indicate that **children students** are at risk of becoming involved with gangs, **including the use of social media for gang communication and promotion**

~~3.4.~~ The nature of local gang apparel and graffiti

~~4.5.~~ Effective parenting techniques **and planning family time**

~~5.6.~~ Conflict resolution techniques

In addition, the Superintendent or designee may offer cCommunity programs **shall that** address: ~~1. T~~the scope and nature of local gang problems **and** ~~2. S~~strategies by which each segment of the community may alleviate gang problems.

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National SD Board Policy

Students

BP 5141.52(a)

SUICIDE PREVENTION

The Governing Board recognizes that suicide is a leading cause of death among youth and that school personnel who regularly interact with students are often in a position to recognize the warning signs of suicide and to offer appropriate referral and/or assistance. ~~To~~ **In an attempt effort** to reduce suicidal behavior and its impact on students and families, the Superintendent or designee shall develop measures and strategies for suicide prevention, intervention, and postvention.

In developing measures and strategies for use by the district, the Superintendent or designee may consult with school health professionals, school counselors, school psychologists, school social workers, administrators, other staff, parents/guardians, students, **suicide prevention experts**, local health agencies, mental health professionals, and community organizations.

~~(cf. 1020 - Youth Services)~~

(cf. 1220 - Citizen Advisory Committees)

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

Such measures and strategies shall include, but are not limited to:

SUICIDE PREVENTION (continued)

1. Staff development on suicide awareness and prevention for teachers, school counselors, and other district employees who interact with students **in the secondary grades**

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

2. Instruction to students in problem-solving and coping skills to promote students' mental, emotional, and social health and well-being, as well as instruction in recognizing and appropriately responding to warning signs of suicidal intent in others

(cf. 6142.8 - Comprehensive Health Education)

3. Methods for promoting a positive school climate that enhances students' feelings of connectedness with the school and that is characterized by caring staff and harmonious interrelationships among students

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

4. The provision of information to parents/guardians regarding risk factors and warning signs of suicide, the severity of the **youth**-suicide problem **among youth**, the district's suicide prevention curriculum, basic steps for helping suicidal youth, and/or school and community resources that can help youth in crisis
5. Encouragement for students to notify appropriate school personnel or other adults when they are experiencing thoughts of suicide or when they suspect or have knowledge of another student's suicidal intentions
6. Crisis intervention procedures for addressing suicide threats or attempts
7. Counseling and other postvention strategies for helping students, staff, and others cope in the aftermath of a student's suicide

SUICIDE PREVENTION (continued)

As appropriate, these measures and strategies shall specifically address the needs of students who are at high risk of suicide, including, but not limited to, students who are bereaved by suicide; students with disabilities, mental illness, or substance use disorders; students who are experiencing homelessness or who are in out-of-home settings such as foster care; and students who are lesbian, gay, bisexual, transgender, or questioning youth. (Education Code 215)

The Board shall review, and update as necessary, this policy at least every five years. (Education Code 215)

Legal Reference:

EDUCATION CODE

215 *Student suicide prevention policies*

215.5 *Suicide prevention hotline contact information on student identification cards*

216 *Suicide prevention online training programs*

32280-32289 *Comprehensive safety plan*

49060-49079 *Student records*

49602 *Confidentiality of student information*

49604 *Suicide prevention training for school counselors*

GOVERNMENT CODE

810-996.6 *Government Claims Act*

PENAL CODE

11164-11174.3 *Child Abuse and Neglect Reporting Act*

WELFARE AND INSTITUTIONS CODE

5698 *Emotionally disturbed youth; legislative intent*

5850-5883 **Children's** *Mental Health Services Act*

COURT DECISIONS

Corales v. Bennett (Ontario-Montclair School District), (2009) 567 F.3d 554

Management Resources: (see next page)

SUICIDE PREVENTION (continued)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Health Education Content Standards for California Public Schools, Kindergarten Through Grade Twelve, 2008

Health Framework for California Public Schools, Kindergarten Through Grade Twelve, 2003

CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS

School Connectedness: Strategies for Increasing Protective Factors Among Youth, 2009

NATIONAL ASSOCIATION OF SCHOOL PSYCHOLOGISTS PUBLICATIONS

Preventing Suicide: Guidelines for Administrators and Crisis Teams, 2015

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES PUBLICATIONS

National Strategy for Suicide Prevention: Goals and Objectives for Action, rev. 2012

Preventing Suicide: A Toolkit for High Schools, 2012

National Strategy for Suicide Prevention: Goals and Objectives for Action, rev. 2012

WEB SITES

American Association of Suicidology: <http://www.suicidology.org>

American Foundation for Suicide Prevention: <https://afsp.org>

American Psychological Association: <http://www.apa.org>

American School Counselor Association: <https://www.schoolcounselor.org>

California Department of Education, Mental Health: <http://www.cde.ca.gov/ls/cg/mh>

California Department of Health Care Services, Suicide Prevention Program: <http://www.dhcs.ca.gov/services/MH/Pages/SuicidePrevention.aspx>

Centers for Disease Control and Prevention, Mental Health: <http://www.cdc.gov/mentalhealth>

National Association of School Psychologists: <https://www.nasponline.org>

National Institute for Mental Health: <http://www.nimh.nih.gov>

Trevor Project: <http://thetrevorproject.org>

U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration: <http://www.samhsa.gov>

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National SD

Administrative Regulation

Students

AR 5141.52(a)

SUICIDE PREVENTION

Student identification cards shall include the National Suicide Prevention Lifeline telephone number and may also include the Crisis Text Line and/or a local suicide prevention hotline telephone number. (Education Code 215.5)

Staff Development

Suicide prevention training shall be provided to teachers, counselors, and other district employees who interact with students **at the secondary level**. The training shall be offered under the direction of a district counselor/psychologist and/or in cooperation with one or more community mental health agencies.

AR 5141.52(b)

SUICIDE PREVENTION (continued)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Materials for training shall include how to identify appropriate mental health services at the school site and within the community, and when and how to refer youth and their families to those services. Materials also may include programs that can be completed through self-review of suitable suicide prevention materials. (Education Code 215)

Staff development shall include research and information related to the following topics:

1. The higher risk of suicide among certain groups, including, but not limited to, students who are bereaved by suicide; students with disabilities, mental illness, or substance use disorders; students who are experiencing homelessness or who are in out-of-home settings such as foster care; and students who are lesbian, gay, bisexual, transgender, or questioning youth
2. Individual risk factors such as previous suicide attempt(s) or self-harm, history of depression or mental illness, family history of suicide or violence, feelings of isolation,

interpersonal conflicts, a recent severe stressor or loss, family instability, impulsivity, and other factors

(cf. 5131.6 - Alcohol and Other Drugs)

3. Warning signs that may indicate depression, emotional distress, or suicidal intentions, such as changes in students' personality or behavior and verbalizations of hopelessness or suicidal intent
4. Protective factors that may help to decrease a **person's student's** suicide risk, such as resiliency, problem-solving ability, access to mental health care, and positive connections to family, peers, school, and community
5. Instructional strategies for teaching the suicide prevention curriculum and promoting mental and emotional health

AR 5141.52(c)

SUICIDE PREVENTION (continued)

6. School and community resources and services, including resources and services that meet the specific needs of high-risk groups

(cf. 5141.6 - School Health Services)

(cf. 6164.2 - Guidance/Counseling Services)

7. **Appropriate ways to interact with a student who is demonstrating emotional distress or is suicidal and District** procedures for intervening when a student attempts, threatens, or discloses the desire to die by suicide, **including, but not limited to, appropriate protocols for monitoring the student while the immediate referral of the student to medical or mental health services is being processed**

8. District procedures for responding after a suicide has occurred

Instruction

The district's comprehensive health education program shall promote the healthy mental, emotional, and social development of students and shall be aligned with the state content standards and curriculum framework. Suicide prevention instruction shall be incorporated into the health education curriculum at appropriate secondary grades and shall be designed to help students:

1. Identify and analyze signs of depression and self-destructive behaviors and understand how feelings of depression, loss, isolation, inadequacy, and anxiety can lead to thoughts of suicide

2. Develop coping and resiliency skills and self-esteem
3. Learn to listen, be honest, share feelings, and get help when communicating with friends who show signs of suicidal intent
4. Identify trusted adults, school resources, and/or community crisis intervention resources where youth can get help and recognize that there is no stigma associated with seeking services for mental health, substance abuse, and/or suicide prevention

~~(cf. 1020 - Youth Services)~~

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5141.6 - School Health Services)

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6164.2 - Guidance/Counseling Services)

AR 5141.52(d)

SUICIDE PREVENTION (continued)

Intervention

Students shall be encouraged to notify a teacher, principal, counselor, or other adult when they are experiencing thoughts of suicide or when they suspect or have knowledge of another student's suicidal intentions.

Every statement regarding suicidal intent shall be taken seriously. Whenever a staff member suspects or has knowledge of a student's suicidal intentions based on the student's verbalizations or act of self-harm, ~~he/she~~ **the staff member** shall promptly notify the principal or school counselor, **who shall implement district intervention protocols as appropriate.**

Although any personal information that a student discloses to a school counselor shall generally not be revealed, released, referenced, or discussed with third parties, the counselor may report to the principal or student's parents/guardians when ~~he/she has~~ **there is** reasonable cause to believe that disclosure is necessary to avert a clear and present danger to the health, safety, or welfare of the student **or others within the school community.** In addition, the counselor may disclose information of a personal nature to psychotherapists, other health care providers, or the school nurse for the sole purpose of referring the student for treatment. (Education Code 49602)

(cf. 5141 - Health Care and Emergencies)

~~A s~~ School employees shall act only within the authorization and scope of **their** ~~his/her~~ credential or license. An employee is not authorized to diagnose or treat mental illness unless ~~he/she is~~ specifically licensed and employed to do so. (Education Code 215)

Whenever schools establish a peer counseling system to provide support for students, peer counselors shall receive training that includes identification of the warning signs of suicidal behavior and referral of a suicidal student to appropriate adults.

AR 5141.52(e)

SUICIDE PREVENTION (continued)

(cf. 5138 - Conflict Resolution/Peer Mediation)

When a suicide attempt or threat is reported, the principal or designee shall ensure student safety by taking the following actions:

1. Immediately securing medical treatment and/or mental health services as necessary
2. Notifying law enforcement and/or other emergency assistance if a suicidal act is being actively threatened
3. Keeping the student under continuous adult supervision until the parent/guardian and/or appropriate support agent or agency can be contacted and has the opportunity to intervene
4. Removing other students from the immediate area as soon as possible

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5141 - Health Care and Emergencies)

The principal or designee shall document the incident in writing, including the steps that the school took in response to the suicide attempt or threat.

(cf. 5125 - Student Records)

The Superintendent or designee shall follow up with the parent/guardian and student in a timely manner to provide referrals to appropriate services as needed. If the parent/guardian does not access treatment for the student, the Superintendent or designee may meet with the parent/guardian to identify barriers to treatment and assist the family in providing follow-up care for the student. If follow-up care is still not provided, the Superintendent or designee shall consider whether ~~he/she is required~~ **it is necessary**, pursuant to laws for mandated reporters of child neglect, to refer the matter to the local child protective services agency.

(cf. 5141.4 - Child Abuse Prevention and Reporting)

For any student returning to school after a mental health crisis, the principal or designee and/or school counselor may meet with the parents/guardians and, if appropriate, with the student to discuss re-entry and appropriate next steps to ensure the student's readiness for return to school **and determine the need for ongoing support.**

SUICIDE PREVENTION (continued)

Postvention

In the event that a student dies by suicide, the Superintendent or designee shall communicate with the student's parents/guardians to offer condolences, assistance, and resources. In accordance with the laws governing confidentiality of student record information, the Superintendent or designee shall consult with the parents/guardians regarding facts that may be divulged to other students, parents/guardians, and staff.

The Superintendent or designee shall implement procedures to address students' and staff's grief and to minimize the risk of imitative suicide or suicide contagion. ~~He/she~~ **The Superintendent or designee** shall provide students, parents/guardians, and staff with information, counseling, and/or referrals to community agencies as needed. School staff may receive assistance from school counselors or other mental health professionals in determining how best to discuss the suicide or attempted suicide with students.

Any response to media inquiries shall be handled by the district-designated spokesperson who shall not divulge confidential information. The district's response shall not sensationalize suicide and shall focus on the district's postvention plan and available resources.

(cf. 1112- Media Relations)

After any suicide or attempted suicide by a student, the Superintendent or designee shall provide an opportunity for all staff who responded to the incident to debrief, evaluate the effectiveness of the strategies used, and make recommendations for future actions.

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National SD Board Policy

Students

BP 5144(a)

DISCIPLINE

The Governing Board is committed to providing a safe, supportive, and positive school environment which is conducive to student learning **and achievement** and **to preparing desires to prepare** students for responsible citizenship by fostering self-discipline and personal responsibility. The Board believes that high expectations for student behavior, use of effective school and classroom management strategies, provision of appropriate intervention and support, and parent/**guardian** involvement can minimize the need for disciplinary measures that exclude students from instruction as a means for correcting student misbehavior.

(cf. 5113.1 - Chronic Absence and Truancy)

(cf. 5131 - Conduct)

(cf. 5131.1 - Bus Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5145.9 - Hate-Motivated Behavior)

(cf. 6020 - Parent Involvement)

The Superintendent or designee shall develop effective, age-appropriate strategies for maintaining a positive school climate and correcting student misbehavior at district schools.

BP 5144(b)

DISCIPLINE (continued)

The strategies shall focus on providing students with needed supports; communicating clear, appropriate, and consistent expectations and consequences for student conduct; and ensuring equity and continuous improvement in the implementation of district discipline policies and practices.

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 6164.2 - Guidance/Counseling Services)

In addition, the Superintendent or designee's strategies for correcting student misconduct shall reflect the Board's preference for the use of positive interventions and alternative disciplinary measures over exclusionary discipline measures.

Disciplinary measures that may result in loss of instructional time or cause students to be

disengaged from school, such as detention, suspension, and expulsion, shall be imposed only when required or permitted by law or when other means of correction have been documented to have failed. (Education Code 48900.5)

(cf. 5020 - Parent Rights and Responsibilities)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
(cf. 6159.4 - Behavioral Interventions for Special Education Students)
(cf. 6164.5 - Student Success Teams)

School personnel and volunteers shall not allow any disciplinary action taken against a student to result in the denial or delay of a school meal. (Education Code 49557.5)

(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 3551 - Food Service Operations/Cafeteria Fund)
(cf. 3553 - Free and Reduced Price Meals)

Seclusion and behavioral restraint are prohibited as a means of discipline and shall not be used to correct student behavior except as permitted pursuant to Education Code 49005.4 and in accordance with district regulations. (Education Code 49005.2)

(cf. 5131.41 - Use of Seclusion and Restraint)

BP 5144(c)

DISCIPLINE (continued)

The Superintendent or designee shall create a model discipline matrix that lists violations and the consequences for each as allowed by law.

The administrative staff at each school may develop disciplinary rules to meet the school's particular needs consistent with law, Board policy, and district regulations. The Board, at an open meeting, shall review the approved school discipline rules for consistency with Board policy and state law. Site-level disciplinary rules shall be included in the district's comprehensive safety plan. (Education Code 32282, 35291.5)

(cf. 0450 - Comprehensive Safety Plan)
(cf. 9320 - Meetings and Notices)

At all times, the safety of students and staff and the maintenance of an orderly school environment shall be priorities in determining appropriate discipline. When misconduct occurs, staff shall attempt to identify the causes of the student's behavior and implement appropriate discipline. When choosing between different disciplinary strategies, staff shall consider the effect of each option on the student's health, well-being, and opportunity to learn.

Staff shall enforce disciplinary rules fairly, consistently, and in accordance with the district's

nondiscrimination policies.

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

(cf. 0415 - Equity)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

The Superintendent or designee shall provide professional development as necessary to assist staff in developing the skills needed to effectively **and equitably** implement the disciplinary strategies adopted for district schools, including, but not limited to, **knowledge of consistent** school and classroom management skills **and their consistent application**, effective accountability and positive intervention techniques, and ~~development of~~ **the tools to form** strong, cooperative relationships with parents/guardians.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

BP 5144(d)

DISCIPLINE (continued)

(cf. 4331 - Staff Development)

District goals for improving school climate, based on suspension and expulsion rates, surveys of students, staff, and parents/guardians regarding their sense of school **safety and connectedness to the school community**, and other local measures, shall be included in the district's local control and accountability plan, as required by law.

(cf. 0460 - Local Control and Accountability Plan)

(cf. 3100 - Budget)

At the beginning of each school year, the Superintendent or designee shall report to the Board regarding disciplinary strategies used in district schools in the immediately preceding school year and their effect on student learning.

Legal Reference:

EDUCATION CODE

32280-~~32288~~ **32289** *School safety plans*

35146 *Closed sessions*

35291 *Rules*

35291.5-35291.7 *School-adopted discipline rules*

37223 *Weekend classes*

44807.5 *Restriction from recess*

48900-48926 *Suspension and expulsion*

48980-48985 *Notification of parent/guardian*

49005-49006.4 *Seclusion and restraint*

49330-49335 *Injurious objects*
49550-~~49562~~ **49564.5** *Meals for needy students*
52060-52077 *Local control and accountability plan*
CIVIL CODE
1714.1 *Parental liability for child's misconduct*
CODE OF REGULATIONS, TITLE 5
307 *Participation in school activities until departure of bus*
353 *Detention after school*
UNITED STATES CODE, TITLE 20
1400-1482 *Individuals with Disabilities Education Act*
UNITED STATES CODE, TITLE 29
794 *Section 504 of the Rehabilitation Act of 1973*
UNITED STATES CODE, TITLE 42
1751-1769j *School Lunch Program*
1773 *School Breakfast Program*

Management Resources: (see next page)

BP 5144(e)

DISCIPLINE (continued)

Management Resources:

CSBA PUBLICATIONS
Recent Legislation on Discipline: AB 240, Fact Sheet, March 2015
The Case for Reducing Out-of-School Suspensions and Expulsions, Fact Sheet, April 2014
Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014
Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011
Maximizing Opportunities for Physical Activity during the School Day, Fact Sheet, 2009
CALIFORNIA DEPARTMENT OF EDUCATION PROGRAM ADVISORIES
Classroom Management: A California Resource Guide for Teachers and Administrators of Elementary and Secondary Schools, 2000
STATE BOARD OF EDUCATION POLICIES
01-02 School Safety, Discipline, and Attendance, March 2001
U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS
Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, January 2014
WEB SITES
CSBA: <http://www.csba.org>
California Department of Education: <http://www.cde.ca.gov>
Public Counsel: <http://www.fixschooldiscipline.org>
U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

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Policy Reference UPDATE Service

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National SD

Administrative Regulation

Students

AR 5144(a)

DISCIPLINE

Site-Level Rules

Site-level rules shall be consistent with ~~district~~ **state law and Board** policies and administrative regulations. In developing site-level disciplinary rules, the principal or designee shall solicit the participation, views, and advice of one representative selected by each of the following groups: (Education Code 35291.5)

1. Parents/guardians
2. Teachers
3. School administrators
4. School security personnel, if any

(cf. 3515.3 - District Police/Security Department)

5. ~~For junior high and high schools, students enrolled in the school~~

DISCIPLINE (continued)

Annually, site-level discipline rules shall be reviewed and, if necessary, updated to align with any changes in **state law**, district discipline policies **and regulations, and**/or goals for school safety and climate as specified in the district's local control and accountability plan. A copy of the rules shall be filed with the Superintendent or designee for inclusion in the comprehensive safety plan.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 0460 - Local Control and Accountability Plan)

School rules shall be communicated to students clearly and in an age-appropriate manner.

It shall be the duty of each employee of the school to enforce the school rules on student discipline. (Education Code 35291.5)

Disciplinary Strategies

To the extent possible, staff shall use disciplinary strategies that keep students in school and participating in the instructional program. Except when **a student's students'** presence causes a danger to **himself/herself themselves** or others or **he/she they** commits a single act of a grave nature or an offense for which suspension or expulsion is required by law, suspension or expulsion shall be used only when other means of correction have failed to bring about proper conduct. Disciplinary strategies may include, but are not limited to:

1. Discussion or conference between school staff and the student and **his/her** parents/guardians

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 6020 - Parent Involvement)

2. Referral of the student to the school counselor or other school support service personnel for case management and counseling

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 6164.2 - Guidance/Counseling Services)

3. Convening of a study team, guidance team, resource panel, or other intervention-related team to assess the behavior and develop and implement an individual plan to address the behavior in partnership with the student and **his/her** parents/guardians

(cf. 6164.5 - Student Success Teams)

DISCIPLINE (continued)

4. When applicable, referral for a comprehensive psychosocial or psychoeducational assessment, including for purposes of creating an individualized education program or a Section 504 plan

(cf. 6159 - Individualized Education Program)

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

5. Enrollment in a program for teaching prosocial behavior or anger management
6. Participation in a restorative justice program
7. A positive behavior support approach with tiered interventions that occur during the school day on campus
8. Participation in a social and emotional learning program that teaches students the ability to understand and manage emotions, develop caring and concern for others, make responsible decisions, establish positive relationships, and handle challenging situations capably
9. Participation in a program that is sensitive to the traumas experienced by students, focuses on students' behavioral health needs, and addresses those needs in a proactive manner
10. After-school programs that address specific behavioral issues or expose students to positive activities and behaviors, including, but not limited to, those operated in collaboration with local parent and community groups

(cf. 5148.2 - Before/After School Programs)

11. Recess restriction as provided in the section below entitled "Recess Restriction"
12. Detention after school hours as provided in the section below entitled "Detention After School"
13. Community service as provided in the section below entitled "Community Service"
14. In accordance with Board policy and administrative regulation, restriction or disqualification from participation in extracurricular activities

DISCIPLINE (continued)

(cf. 6145 - Extracurricular/Cocurricular Activities)

15. Reassignment to an alternative educational environment

(cf. 6158 - Independent Study)

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

(cf. 6184 - Continuation Education)

(cf. 6185 - Community Day School)

16. Suspension and expulsion in accordance with law, Board policy, and administrative regulation

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

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

When, by law or district policy, other means of correction are required to be implemented before a student could be suspended or expelled, any other means of correction implemented shall be documented and retained in the student's records. (Education Code 48900.5)

(cf. 5125 - Student Records)

Recess Restriction

~~A teacher~~ **Teachers** may restrict a student's recess time only when ~~he/she~~ **they** believes that this action is the most effective way to bring about improved behavior. When recess restriction ~~may~~ involves the withholding of physical activity from a student, ~~the~~ **teachers** shall try other disciplinary measures before imposing the restriction. Recess restriction shall be subject to the following conditions:

1. The student shall be given adequate time to use the restroom and get a drink or eat lunch, as appropriate.

DISCIPLINE (continued)

2. The student shall remain under a certificated employee's supervision during the period of restriction.
3. ~~Teachers~~ **The student's teacher** shall inform the principal of any recess restrictions ~~they~~ imposed.

(cf. 5030 - Student Wellness)

(cf. 6142.7 - Physical Education and Activity)

Detention After School

Students may be detained for disciplinary reasons **for** up to one hour after the close of the maximum school day, **or until the departure of the school bus to which they have been assigned if applicable.** (5 CCR **307, 353**)

~~If a student will miss his/her school bus on account of being detained after school, or if the student is not transported by school bus, the principal or designee shall notify parents/guardians of the detention at least one day in advance so that alternative transportation arrangements may be made.~~ The student shall not be detained unless the principal or designee notifies the parent/guardian.

~~In cases where the school bus departs more than one hour after the end of the school day, students may be detained until the bus departs.~~ (5 CCR **307, 353**)

Students shall remain under the supervision of a certificated employee during the period of detention.

Students may be offered the choice of serving their detention on Saturday rather than after school.

(cf. 6176 - Weekend/Saturday Classes)

DISCIPLINE (continued)

Community Service

As part of or instead of disciplinary action, the Board, Superintendent, principal, or principal's designee may, ~~at his/her discretion,~~ require a student to perform community service during nonschool hours on school grounds or, with written permission of the student's parent/guardian, off school grounds. Such service may include, but is not limited to, community or school outdoor beautification, **community or** campus betterment, and teacher, peer, or youth assistance programs. (Education Code 48900.6)

This community service option is not available for a student who has been suspended, pending expulsion, pursuant to Education Code 48915. However, if the recommended expulsion is not implemented or the expulsion itself is suspended, then the student may be required to perform community service for the resulting suspension. (Education Code 48900.6)

Notice to Parents/Guardians and Students

At the beginning of the school year, the Superintendent or designee shall notify parents/guardians, in writing, about the availability of district rules related to discipline. (Education Code 35291, 48980)

(cf. 5145.6 - Parental Notifications)

The Superintendent or designee shall also provide written notice of disciplinary rules to transfer students at the time of their enrollment in the district.

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National SD Exhibit

Students

E 5145.6(a)

PARENTAL NOTIFICATIONS

Cautionary Notice: Government Code 17581.5 releases districts from the obligation to perform specified mandated activities when the Budget Act does not provide reimbursement during that fiscal year. The Budget Act of 2018 (SB 840, Ch. 29, Statutes of 2018) extends the suspension of these requirements through the 2018-19 fiscal year. As a result, certain provisions of the following Exhibit related to scoliosis screening and bus safety instruction may be suspended.

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. Annually			
Beginning of each school year	Education Code 222.5	BP 5146	Rights and options for pregnant and parenting students
Beginning of each school year	Education Code 234.7	BP 0410	Right to a free public education regardless of immigration status or religious beliefs
Beginning of each school year	Education Code 310	BP 6142.2 AR 6174	Information on the district's language acquisition programs
Beginning of each school year	Education Code 17611.5, 17612, 48980.3	AR 3514.2	Use of pesticide product, active ingredients, Internet address to access information, and, if district has no web site and uses certain pesticides, integrated pest management plan
By February 1	Education Code 35256, 35258	BP 0510	School Accountability Report Card provided
Beginning of each school year	Education Code 35291, 48980	AR 5144 AR 5144.1	District and site discipline rules

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. Annually (continued)			
Beginning of each school year	Education Code 44050	BP 4119.21 4219.21 4319.21	Code of conduct addressing employee interactions with students
Beginning of each school year	Education Code 46010.1	AR 5113	Absence for confidential medical services
Beginning of each school year, if district has adopted policy on involuntary transfer of students convicted of certain crimes when victim is enrolled at same school	Education Code 48929, 48980	BP 5116.2	District policy authorizing transfer
Beginning of each school year	Education Code 48980	BP 6111	Schedule of minimum days and student-free staff development days
Beginning of each school year	Education Code 48980, 231.5; 5 CCR 4917	AR 5145.7	Copy of sexual harassment policy as related to students
Beginning of each school year	Education Code 48980, 32255-32255.6	AR 5145.8	Right to refrain from harmful or destructive use of animals
Beginning of each school year	Education Code 48980, 35160.5, 46600-46611, 48204, 48301, 48350-48361	BP 5111.1 AR 5116.1 AR 5117	All statutory attendance options, available local attendance options, options for meeting residency, form for changing attendance, appeals process
Beginning of each school year, if Board allows such absence	Education Code 48980, 46014	AR 5113	Absence for religious exercises or purposes
Beginning of each school year	Education Code 48980, 48205	AR 5113 BP 6154	Excused absences; grade/credit cannot be reduced due to excused absence if work or test has been completed; full text of Education Code 4820

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. Annually (continued)			
Beginning of each school year	Education Code 48980, 48206.3, 48207, 48208	AR 6183	Availability of home/hospital instruction for students with temporary disabilities
Beginning of each school year	Education Code 48980, 49403	BP 5141.31	School immunization program
Beginning of each school year	Education Code 48980, 49423, 49480	AR 5141.21	Administration of prescribed medication
Beginning of each school year	Education Code 48980, 49451; 20 USC 1232h	AR 5141.3	Right to refuse consent to physical examination
Beginning of each school year	Education Code 48980, 49471, 49472	BP 5143	Availability of insurance
Beginning of each school year	Education Code 49013; 5 CCR 4622	AR 1312.3	Uniform complaint procedures, available appeals, civil law remedies
Beginning of each school year	Education Code 49063	AR 5125 AR 5125.3	Challenge, review, and expunging of records
Beginning of each school year	Education Code 49063, 49069; 20 USC 1232g; 34 CFR 99.7	AR 5125	Student records: inspect and review, access, types, location, persons responsible, location of log, access criteria, cost of copies, amendment requests, criteria to determine legitimate educational interest, course prospectus availability
Beginning of each school year	Education Code 49063, 49073; 20 USC 1232g; 34 CFR 99.37	AR 5125.1	Release of directory information
Beginning of each school year and at least one more time during school year using specified methods	Education Code 49428	None	How to access mental health services at school and/or in community

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. Annually (continued)			
Beginning of each school year	Education Code 49520, 48980; 42 USC 1758; 7 CFR 245.5	AR 3553	Eligibility and application process for free and reduced-price meals
Beginning of each school year	Education Code 51513; 20 USC 1232h	AR 5022 BP 6162.8	Notice of privacy policy and dates of activities re: survey, health examination, or collection of personal information for marketing; process to opt out of such activities; inspection rights and procedures
Beginning of each school year	Education Code 56301	BP 6164.4	Parental rights re: special education identification, referral, assessment, instructional planning, implementation and review, and procedures for initiating a referral for assessment
Beginning of each school year	Education Code 58501, 48980	AR 6181	Alternative schools
Beginning of each school year	Health and Safety Code 104855	AR 5141.6	Availability of dental fluoride treatment; opportunity to accept or deny treatment
Annually	5 CCR 852; Education Code 60615	AR 6162.51	Student's participation in state assessments; option to request exemption from testing
Beginning of each school year, if district receives Title I funds	20 USC 6312; 34 CFR 200.48	BP 4112.2 AR 4222	Right to request information re: professional qualifications of child's teacher and paraprofessional
Beginning of each school year	34 CFR 104.8, 106.9	BP 0410 BP 6178	Nondiscrimination

Beginning of each school year to parent, teacher, and employee organizations or, in their absence, individuals	40 CFR 763.84, 763.93	AR 3514	Availability of asbestos management plan; any inspections, response actions or post-response actions planned or in progress
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E 5145.6(e)

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. Annually (continued)			
Beginning of each school year	USDA SP-23-2017	AR 3551	District policy on meal payments
II. At Specific Times During the Student's Academic Career			
Beginning in grade 7, at least once prior to course selection and career counseling	Education Code 221.5, 48980	BP 6164.2	Course selection and career counseling
Upon a student's enrollment	Education Code 310	BP 6142.2 AR 6174	Information on the district's language acquisition programs
When child first enrolls in a public school, if school offers a fingerprinting program	Education Code 32390, 48980	AR 5142.1	Fingerprinting program
When participating in driver training courses under the jurisdiction of the district	Education Code 35211	None	Civil liability, insurance coverage
Upon registration in K-6, if students have not previously been transported	Education Code 39831.5	AR 3543	School bus safety rules and information, list of stops, rules of conduct, red light crossing instructions, bus danger zones, walking to and from stops
Beginning of each school year for high school students, if high school is open campus	Education Code 44808.5, 48980	AR BP 5112.5	Open campus
Beginning of each school year in grades 9-12, if district allows career technical education (CTE) course to satisfy graduation requirement	Education Code 48980, 51225.3	AR 6146.1	How each graduation requirement does or does not satisfy college entrance a-g course criteria; district CTE courses that satisfy a-g criteria

Upon a student's enrollment	Education Code 49063	AR 5125 AR 5125.3	Specified rights related to student records
When students enter grade 7	Education Code 49452.7	AR 5141.3	Specified information on type 2 diabetes

E 5145.6(f)

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
II. At Specific Times During the Student's Academic Career (continued)			
When in kindergarten, or first grade if not previously enrolled in public school	Education Code 49452.8	AR 5141.32	Requirement for oral health assessment, explanation of law, importance of oral health, agency contact, privacy rights
Beginning of each school year for students in grades 9-12	Education Code 51229, 48980	AR 6143	College admission requirements, UC and CSU web sites that list certified courses, description of CTE, CDE Internet address, how students may meet with counselors
Beginning of each school year for students in grades 7-12, or at time of enrollment if after beginning of year	Education Code 51938, 48980	AR 6142.1	Sexual health and HIV prevention education, right to view A/V materials, whether taught by district staff or outside consultants, right to request specific Education Code sections, right to excuse
Within 20 working days of receiving results of standardized achievement tests or, if results not available in school year, within 20 working days of start of next school year	Education Code 60641; 5 CCR 863	AR 6162.51	Results of tests; test purpose, individual score and intended use
By October 15 for students in grade 12	Education Code 69432.9	AR 5121 AR 5125	Forwarding of student's grade point average to Cal Grant program; timeline to opt out
When child is enrolled or reenrolled in a licensed child	Health and Safety Code 1596.7996	AR 5148	Information on risks and effects of lead exposure,

care center or preschool**blood lead testing**

When child is enrolled in kindergarten	Health and Safety Code 124100, 124105	AR 5141.32	Health screening examination
To students in grades 11-12, early enough to enable registration for fall test	5 CCR 11523	AR 6146.2	Notice of proficiency examination provided under Education Code 48412

E 5145.6(g)

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
II. At Specific Times During the Student's Academic Career (continued)			
To secondary students, if district receives Title I funds	20 USC 7908	AR 5125.1	Request that district not release name, address, phone number of child to military recruiters without prior written consent
III. When Special Circumstances Occur			
In the event of a breach of security of district records, to affected persons	Civil Code 1798.29	BP 3580	Types of records affected, date of breach, description of incident, contact information for credit reporting agencies
Upon receipt of a complaint alleging discrimination	Education Code 262.3	AR 1312.3	Civil law remedies available to complainants
When determining whether an English learner should be reclassified as fluent English proficient	Education Code 313; 5 CCR 11303	AR 6174	Description of reclassification process, opportunity for parent/guardian to participate
When student is identified as English learner and district receives Title I or Title III funds for English learner programs, not later than 30 days after beginning of school year or within two weeks of placement if identified during school year	Education Code 313.2, 440; 20 USC 6312	AR 6174	Reason for classification, level of English proficiency, identification as long-term English learner, description of program(s), option to decline program or choose alternate, option to remove student from program at any time, exit requirements of program

When homeless or foster youth applies for enrollment in before/after school program	Education Code 8483	AR 5148.2	Right to priority enrollment; how to request priority enrollment
Before high school student attends specialized secondary program on a university campus	Education Code 17288	None	University campus buildings may not meet Education Code requirements for structural safety
At least 72 hours before use of pesticide product not included in annual list	Education Code 17612	AR 3514.2	Intended use of pesticide product
To members of athletic teams	Education Code 32221.5	AR 5143	Offer of insurance; no-cost and low-cost program options

E 5145.6(h)

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
Annually to parents/guardians of student athletes before they participate in competition	Education Code 33479.3	AR 6145.2	Information on sudden cardiac arrest
If school has lost its WASC accreditation status	Education Code 35178.4	BP 6190	Loss of status, potential consequences
When district has contracted for electronic products or services that disseminate advertising	Education Code 35182.5	BP 3312	Advertising will be used in the classroom or learning center
At least six months before implementing uniform policy	Education Code 35183	AR 5132	Dress code policy requiring schoolwide uniform
Before implementing a year-round schedule	Education Code 37616	BP 6117	Public hearing on year-round schedule
When interdistrict transfer is requested and not approved or denied within 30 days	Education Code 46601	AR 5117	Appeal process
Before early entry to kindergarten, if offered	Education Code 48000	AR 5111	Effects, advantages and disadvantages of early entry
When student identified as	Education Code	AR 5123	Student at risk of

being at risk of retention	48070.5		retention
When student excluded due to quarantine, contagious or infectious disease, danger to safety or health	Education Code 48213	AR 5112.2 BP 5141.33	Student has been excluded from school
Before already admitted student is excluded for lack of immunization	Education Code 48216; 17 CCR 6040	AR 5141.31	Need to submit evidence of immunization or exemption within 10 school days; referral to medical care
When a student is classified as truant	Education Code 48260.5, 48262	AR 5113.1	Truancy, parental obligation, availability of alternative programs, student consequences, need for conference

E 5145.6(i)

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
When a truant is referred to a SARB or probation department	Education Code 48263	AR 5113.1	Name and address of SARB or probation department and reason for referral
When a school is identified on the state's Open Enrollment List	Education Code 48354; 5 CCR 4702	AR 5118	Student's option to transfer to another school
Within 60 days of receiving application for transfer out of open enrollment school	Education Code 48357; 5 CCR 4702	AR 5118	Whether student's transfer application is accepted or rejected; reasons for rejection
When student requests to voluntarily transfer to continuation school	Education Code 48432.3	AR 6184	Copy of district policy and regulation on continuation education
Prior to involuntary transfer to continuation school	Education Code 48432.5	AR 6184	Right to request meeting prior to involuntary transfer to continuation school
To person holding educational rights, prior to recommending placement of foster youth outside school of origin	Education Code 48853.5	AR 6173.1	Basis for the placement recommendation

When student is removed from class and teacher requires parental attendance at school	Education Code 48900.1	AR 5144.4	Parental attendance required; timeline for attendance
Prior to withholding grades, diplomas, or transcripts	Education Code 48904	AR 5125.2	Damaged school property
When withholding grades, diplomas or transcripts from transferring student	Education Code 48904.3	AR 5125.2	Next school will continue withholding grades, diplomas, or transcripts
When student is released to peace officer	Education Code 48906	BP 5145.11	Release of student to peace officer for the purpose of removing minor from school, unless taken into custody as victim of suspected child abuse
At time of suspension	Education Code 48911	BP 5144.1 AR 5144.1	Notice of suspension

E 5145.6(j)

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
When original period of suspension is extended	Education Code 48911	AR 5144.1	Extension of suspension
At the time a student is assigned to a supervised suspension classroom	Education Code 48911.1	AR 5144.1	The student's assignment to a supervised suspension classroom
Before holding a closed session re: suspension	Education Code 48912	AR 5144.1	Intent to hold a closed session re: suspension
When student expelled from another district for certain acts seeks admission	Education Code 48915.1, 48918	BP 5119	Hearing re: possible danger presented by expelled student
When readmission is denied	Education Code 48916	AR 5144.1	Reasons for denial; determination of assigned program
When expulsion occurs	Education Code 48916	AR 5144.1	Readmission procedures

At least 10 calendar days before expulsion hearing	Education Code 48918	AR 5144.1	Notice of expulsion hearing
When expulsion or suspension of expulsion occurs	Education Code 48918	AR 5144.1	Decision to expel; right to appeal to county board; obligation to inform new district of status
Before involuntary transfer of student convicted of certain crime when victim is enrolled at same school	Education Code 48929, 48980	BP 5116.2	Right to request a meeting with principal or designee
One month before the scheduled minimum day	Education Code 48980	BP 6111	When minimum days are scheduled after beginning of the school year
When parents/guardians request guidelines for filing complaint of child abuse at a school site	Education Code 48987	AR 5141.4	Guidelines for filing complaint of child abuse at a school site with local child protective agencies
When student in danger of failing a course	Education Code 49067	AR 5121	Student in danger of failing a course

E 5145.6(k)

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
When student transfers from another district or private school	Education Code 49068	AR 5125	Right to receive copy of student's record and to challenge its content
When parent/guardian's challenge of student record is denied and parent/guardian appeals	Education Code 49070	AR 5125.3	If board sustains allegations, the correction or destruction of record; if denied, right to submit written objection
When district is considering program to gather safety-related information from students' social media activity	Education Code 49073.6	BP 5125	Opportunity for input on proposed program
When district adopts program to gather information from students' social media activity,	Education Code 49073.6	AR 5125	Information is being gathered, access to records, process for removal or corrections,

and annually thereafter			destruction of records
Within 24 hours of release of information to a judge or probation officer	Education Code 49076	AR 5125	Release of student record to a judge or probation officer for conducting truancy mediation program or for presenting evidence at a truancy petition
Before release of information pursuant to court order or subpoena	Education Code 49077	AR 5125	Release of information pursuant to court order or subpoena
When screening results in suspicion that student has scoliosis	Education Code 49452.5	AR 5141.3	Scoliosis screening
When test results in discovery of visual or hearing defects	Education Code 49456; 17 CCR 2951	AR 5141.3	Vision or hearing test results
Within 10 days of negative balance in meal account	Education Code 49557.5	AR 3551	Negative balance in meal account; encouragement to apply for free or reduced-price meals
Annually to parents/guardians of student athletes before their first practice or competition	Education Code 49475	AR 6145.2	Information on concussions and head injuries

E 5145.6(l)

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
Within 30 days of foster youth, homeless youth, former juvenile court school student, or child of military family, or migrant student being transferred between high schools after second year of high school, or immigrant student enrolled in newcomer program in grades 11-12	Education Code 51225.1	BP 6146.1 AR 6173 AR 6173.1 AR 6173.3 AR 6175	Exemption from local graduation requirements, effect on college admission, option for fifth year of high school
Before any test/survey questioning personal beliefs	Education Code 51513	AR 5022	Permission for test, survey questioning personal beliefs

At least 14 days before HIV prevention or sexual health instruction, if arrangement made for guest speaker after beginning of school year	Education Code 51938	AR 6142.1	Instruction in HIV prevention or sexual health by guest speaker or outside consultant
Prior to administering survey regarding health risks and behaviors to students in 7-12	Education Code 51938	AR 5022	Notice that the survey will be administered
Within 30 calendar days of receipt of results of assessment or reassessment of English proficiency	Education Code 52164.1, 52164.3; 5 CCR 11511.5	AR 6174	Results of state test of English proficiency
When migrant education program is established	Education Code 54444.2	BP 6175 AR 6175	Parent advisory council membership composition
When child participates in licensed child care and development program	Health and Safety Code 1596.857	AR 5148	Parent/guardian right to enter facility
When district receives Tobacco-Use Prevention Education Funds	Health and Safety Code 104420	AR 3513.3	The district's tobacco-free schools policy and enforcement procedures
When testing by community water system finds presence of lead exceeding specified level	Health and Safety Code 116277	AR 3514	Elevated lead level at school

E 5145.6(m)

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
When sharing student immunization information with an immunization system	Health and Safety Code 120440	AR 5125	Types of information to be shared, name and address of agency, acceptable use of the information, right to examine, right to refuse to share
At least 14 days prior to sex offender coming on campus as volunteer	Penal Code 626.81	AR 1240 BP 1250	Dates and times permission granted; obtaining information from law enforcement
When hearing is requested by person asked to leave	Penal Code 627.5	AR 3515.2	Notice of hearing

school premises

When responding to complaint re: discrimination, special education, or noncompliance with law	5 CCR 4631	AR 1312.3	Findings, disposition of complaint, any corrective actions, appeal rights and procedures
When child participates in licensed child care and development program	5 CCR 18066	AR 5148	Policies re: excused and unexcused absences
Within 30 days of application for subsidized child care or preschool services	5 CCR 18094, 18118	AR 5148 AR 5148.3	Approval or denial of services
Upon recertification or update of application for child care or preschool services	5 CCR 18095, 18119	AR 5148 AR 5148.3	Any change in service, such as in fees, amount of service, termination of service
Upon child's enrollment in child care program	5 CCR 18114	AR 5148	Policy on fee collection
When payment of child care fees is seven days late	5 CCR 18114	AR 5148	Notice of delinquent fees
When district substantively changes policy on student privacy rights	20 USC 1232h	AR 5022	Notice of any substantive change in policy or regulation

E 5145.6(n)

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
For districts receiving Title I funds, when child has been assigned or taught for four or more consecutive weeks by a teacher who does not meet state certification requirements for the grade level/subject taught	20 USC 6312	AR 4112.2	Timely notice to parent/guardian of child's assignment
For districts receiving Title I funds, not later than 30 days after beginning of school year, to parents/guardians of English learners	20 USC 6312	AR 6174	Reasons for placement, level of proficiency, instructional methods, how program meets child's strengths and teaches English, exit requirements,

			right to choose other program
For schools receiving Title I funds, upon development of parent involvement policy	20 USC 6318	AR 6020	Notice of policy
When household is selected for verification of eligibility for free or reduced-price meals	42 USC 1758; 7 CFR 245.6a	AR 3553	Need to submit verification information; any subsequent change in benefits; appeals
When student is homeless or unaccompanied minor	42 USC 11432; Education Code 48852.5	AR 6173	Educational and related opportunities; transportation services; placement decision and right to appeal
When student transfers out of state and records are disclosed without consent pursuant to 34 CFR 99.30	34 CFR 99.34	AR 5125	Right to review records
When district receives federal funding assistance for nutrition program	USDA FNS Instruction 113-1	BP 3555	Rights and responsibilities, nondiscrimination policy, complaint procedures

IV. Special Education Notices

Prior to conducting initial evaluation	Education Code 56301, 56321, 56321.5, 56321.6, 56329; 20 USC 1415(d); 34 CFR 300.502, 300.503	BP 6159.1 AR 6159.1 AR 6164.4	Proposed evaluation plan, related parental rights, prior written notice, procedural safeguards
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E 5145.6(o)

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
IV. Special Education Notices (continued)			
Before functional behavioral assessment begins	Education Code 56321	AR 6159.4	Notification and consent
24 hours before IEP when district intending to record	Education Code 56341.1	AR 6159	Intention to audio-record IEP meeting
Early enough to ensure opportunity for parent/guardian to attend IEP meeting	Education Code 56341.5; 34 CFR 300.322	AR 6159	Time, purpose, location, who will attend, participation of others with special knowledge, transition statements if

			appropriate
When parent/guardian orally requests review of IEP	Education Code 56343.5	AR 6159	Need for written request
Within one school day of emergency intervention or serious property damage	Education Code 56521.1	AR 6159.4	Emergency intervention
Whenever there is a proposal or refusal to initiate or change the identification, evaluation, placement, or FAPE, including when parent/guardian revokes consent for services	20 USC 1415(c); 34 CFR 300.300, 300.503	AR 6159 AR 6159.1	Prior written notice
Upon filing of state complaint	20 USC 1415(d); 34 CFR 300.504	AR 6159.1	Procedural safeguards notice
When disciplinary measures are taken or change in placement	20 USC 1415(k); 34 CFR 300.530	AR 5144.2	Decision and procedural safeguards notice
Upon requesting a due process hearing	20 USC 1415(k); 34 CFR 300.508	AR 6159.1	Student's name, address, school, description of problem, proposed resolution
Eligibility for services under Section 504	34 CFR 104.32, 104.36	AR 6164.6	District responsibilities, district actions, procedural safeguards

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
V. Classroom Notices			
In each classroom in each school	Education Code 8235.5 , 35186	AR 1312.4 E 1312.4	Complaints re: sufficiency of instructional materials, teacher vacancy or misassignment, maintenance of facilities subject to Williams uniform complaint procedures

National SD Board Policy

Students

BP 5146(a)

MARRIED/PREGNANT/PARENTING STUDENTS

The Governing Board recognizes that **early responsibilities related to** marriage, pregnancy, or parenting and related responsibilities may disrupt a student's education and increase the chance of a student dropping out of school. The Board therefore desires to support married, pregnant, and parenting students to continue their education, attain strong academic and parenting skills, and promote the healthy development of their children.

(cf. 5113.1 - Chronic Absence and Truancy)

(cf. 5147 - Dropout Prevention)

(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)

The district shall not **exclude or deny any student from any educational program or activity, including any class or extracurricular activity, solely** ~~discriminate against any student~~ on the basis of the student's ~~marital status,~~ pregnancy, childbirth, false pregnancy, termination of pregnancy, or related recovery. **In addition, the district shall not adopt any rule concerning a student's actual or potential parental, family, or marital status that treats students differently on the basis of sex.** (Education Code **221.51, 230; 5 CCR 4950; 34 CFR 106.40**)

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

The Superintendent or designee shall annually notify parents/guardians at the beginning of the school year of the rights and options available to pregnant and parenting students under the law. In addition, pregnant and parenting students shall be notified of the rights and options available to them under the law through annual

MARRIED/PREGNANT/PARENTING STUDENTS (continued)

school year welcome packets and through independent study packets. (Education Code 222.5, 48980)

(cf. 5145.6 - Parental Notifications)

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

Education and Support Services for Pregnant and Parenting Students

Pregnant and parenting students shall retain the right to participate in ~~any comprehensive school or educational~~ **the regular education program or an** alternative **education** 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~~ **and/or the student's** child.

(cf. 6158 - Independent Study)

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

(cf. 6184 - Continuation Education)

(cf. 6200 - Adult Education)

MARRIED/PREGNANT/PARENTING STUDENTS (continued)

Any **alternative** education program, ~~or~~ activity, **or course** that is offered separately to pregnant **or parenting** students, including any class or extracurricular activity, shall be equal to that offered to other district students. A student's participation in such programs shall be voluntary. (**Education Code 221.51; 5 CCR 4950**)

(cf. 6142.7 - Physical Education and Activity)

(cf. 6145 - Extracurricular and Cocurricular Activities)

As **If** required for ~~other~~ students with ~~physical or emotional conditions or temporary disabilities~~ **any other temporary disabling condition**, the Superintendent or designee may require a student, based on pregnancy, childbirth, false pregnancy, termination of pregnancy, or related recovery, to obtain certification from a physician **or nurse practitioner** indicating that the student is physically and emotionally able to ~~participate~~ **continue participation** in an ~~educational~~ **the regular education** program or activity. (**Education Code 221.51; 5 CCR 4950; 34 CFR 106.40**)

(cf. 6142.7 - Physical Education and Activity)

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6183 - Home and Hospital Instruction)

To the extent feasible, **the district shall provide** educational and related support services, ~~shall be provided,~~ either ~~through the district~~ **directly** or in collaboration with community agencies and organizations, to meet the needs of pregnant and parenting students and their children. Such services may include, but are not limited to:

MARRIED/PREGNANT/PARENTING STUDENTS (continued)

1. ~~Child care and development services for the children of parenting students on or near school site(s) during the school day and during school sponsored activities~~

(cf. 5148 - Child Care and Development)

2. Parenting education and life skills instruction

3. Special school nutrition supplements for pregnant and lactating students pursuant to Education Code 49553, 42 USC 1786, and 7 CFR 246.1-246.28

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

(cf. 5030 - Student Wellness)

4. ~~Health care services, including prenatal care~~

(cf. 5141.6 - School Health Services)

5. ~~Tobacco, alcohol, and/or drug prevention and intervention services~~

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5131.62 - Tobacco)

6. Academic and personal counseling

(cf. 6164.2 - Guidance/Counseling Services)

7. Supplemental instruction to assist students in achieving grade-level academic standards and progressing toward graduation

(cf. 6179 - Supplemental Instruction)

MARRIED/PREGNANT/PARENTING STUDENTS (continued)

As appropriate, teachers, administrators, and/or other personnel who work with pregnant and parenting students shall receive related professional development.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Absences

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

A student shall be excused for absences to care for a sick child for whom the student is the custodial parent. A note from a physician shall not be required for such an absence. (Education Code 48205)

(cf. 5113 - Absences and Excuses)

Parental Leave

~~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 a physician. At the conclusion of the leave, the student shall be reinstated to the status held when the leave began. (34 CFR 106.40)~~

(cf. 5112.3 - Student Leave of Absence)

A pregnant or parenting student shall be entitled to eight weeks of parental leave in order to protect the health of the student who gives or expects to give birth and the

MARRIED/PREGNANT/PARENTING STUDENTS (continued)

infant, and to allow the pregnant or parenting student to care for and bond with the infant. Such leave may be taken before the birth of the student's infant if there is a medical

necessity and after childbirth during the school year in which the birth takes place, inclusive of any mandatory summer instruction. The Superintendent or designee may grant parental leave beyond eight weeks if deemed medically necessary by the student's physician. (Education Code 46015; 34 CFR 106.40)

The student, if age 18 years or older, or the student's parent/guardian shall notify the school of the student's intent to take parental leave. No student shall be required to take all or part of the parental leave. (Education Code 46015)

When a student takes parental leave, the attendance supervisor shall ensure that absences from the regular school program are excused until the student is able to return to the regular school program or an alternative education program. A pregnant or parenting student shall not be required to complete academic work or other school requirements during the period of the parental leave. (Education Code 46015)

(cf. 5113.11 - Attendance Supervision)

Following the leave, a pregnant or parenting student may elect to return to the school and the course of study in which the student was enrolled before taking parental leave or to an alternative education option provided by the district. Upon return to school, a pregnant or parenting student shall have opportunities to make up work missed during the leave, including, but not limited to, makeup work plans and reenrollment in courses. (Education Code 46015)

When necessary to complete high school graduation requirements, the student may remain enrolled in school for a fifth year of instruction, unless the Superintendent or designee makes a finding that the student is reasonably able to complete district graduation requirements in time to graduate by the end of the fourth year of high school. (Education Code 46015)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6146.11 - Alternative Credits Toward Graduation)

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

~~A parenting student may request exemption from attendance because of personal services that must be rendered to a dependent.~~

~~*(cf. 5112.1 - Exemptions from Attendance)*~~

MARRIED/PREGNANT/PARENTING STUDENTS (continued)

Reasonable Accommodations

When necessary, the district shall provide reasonable accommodations to enable a pregnant and or 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. (34 CFR 106.40)

(cf. 6183—Home and Hospital Instruction)

The school shall provide reasonable accommodations to any lactating student to express breast milk, breastfeed an infant child, or address other needs related to breastfeeding. A student shall not incur an academic penalty for using any of these reasonable accommodations, and shall be provided the opportunity to make up any work missed due to such use. Reasonable accommodations include, but are not limited to: (Education Code 222)

1. Access to a private and secure room, other than a restroom, to express breast milk or breastfeed an infant child
2. Permission to bring onto a school campus a breast pump and any other equipment used to express breast milk
3. Access to a power source for a breast pump or any other equipment used to express breast milk
4. Access to a place to store expressed breast milk safely

MARRIED/PREGNANT/PARENTING STUDENTS (continued)

5. A reasonable amount of time to accommodate the student's need to express breast milk or breastfeed an infant child

Complaints

Any complaint ~~of alleging~~ discrimination on the basis of pregnancy or marital or parental status, **district noncompliance with the requirements of Education Code 46015,** or district noncompliance with the requirements to provide reasonable accommodations for lactating students shall be addressed through the district's uniform complaint procedures in accordance with 5 CCR 4600-~~4687~~**4670** and BP/AR 1312.3 - Uniform Complaint Procedures. A complainant who is not satisfied with the district's decision may appeal the decision to the California Department of Education (CDE). If the district or ~~the~~ CDE finds merit in an appeal, the district shall provide a remedy to the affected student. (Education Code 222, **46015**; 5 CCR 4600-~~4687~~ **4670**)

(cf. 1312.3 - Uniform Complaint Procedures)

~~Any complaint alleging district noncompliance with the requirements to provide reasonable accommodations for lactating students also may be filed in accordance with the district's procedures in AR 1312.3—Uniform Complaint Procedures. A complainant who is not satisfied with the district's decision may appeal the decision to the California Department of Education (CDE). If the district or the CDE finds merit in an appeal, the district shall provide a remedy to the affected student. (Education Code 222; 5 CCR 4600-4687)~~

Program Evaluation

The Superintendent or designee shall periodically report to the Board regarding the effectiveness of district strategies to support married, pregnant, and parenting students, which may include data on **student** participation ~~rates~~ in district programs and services, academic achievement, school attendance, graduation rate, and/or student feedback on district programs and services.

(cf. 0500 - Accountability)

(cf. 6162.5 - Student Assessment)

(cf. 6190 - Evaluation of the Instructional Program)

MARRIED/PREGNANT/PARENTING STUDENTS (continued)

Legal Reference:

EDUCATION CODE

221.51 Nondiscrimination; married, pregnant, and parenting students

222 Reasonable accommodations; lactating students

222.5 Pregnant and parenting students, notification of rights

230 Sex discrimination

8200-8498 Child Care and Development Services Act

46015 Parental leave

48205 Excused absences

48206.3 Temporary disability, definition

48220 Compulsory education requirement

48410 Persons exempted from continuation classes

48980 Parental notifications

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

CIVIL CODE

51 Unruh Civil Rights Act

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~~ **4670** 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: (see next page)

MARRIED/PREGNANT/PARENTING STUDENTS (continued)

Management Resources:

CALIFORNIA WOMEN'S LAW CENTER PUBLICATIONS

Pregnant Students and Confidential Medical Services, 2013

Educational Rights of Pregnant and Parenting Teens: Title IX and California State Law Requirements, 2012

Pregnant Students and Confidential Medical Services

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/resources>

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>

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National SD

Administrative Regulation

Students

AR 5148(a)

CHILD CARE AND DEVELOPMENT

Licensing

AR 5148(b)

CHILD CARE AND DEVELOPMENT (continued)

All district child care and development services shall be licensed by the California Department of Social Services, unless exempted pursuant to Health and Safety Code 1596.792 or 22 CCR 101158.

The license shall be posted in a prominent, publicly accessible location in the facility. (Health and Safety Code 1596.8555)

Licensed child care centers shall be subject to the requirements of Health and Safety Code 1596.70-1597.21, 22 CCR 101151-101239.2, and, when applicable, 22 CCR 101451-101539.

Program Components

The district's child care and development program shall include the following components:

1. The use of a developmental profile reflecting each child's physical, cognitive, social, and emotional development to plan and conduct developmentally and age appropriate activities (Education Code 8203.5; 5 CCR 18272)

Program staff shall complete the "Desired Results Developmental Profile," available from the California Department of Education (CDE), for each child who is enrolled in the program for at least 10 hours per week and for any child with disabilities regardless of the number of hours enrolled. The profile shall be completed within 60 days of enrollment and at least once every six months thereafter for children of all ages. (Education Code 8203.5; 5 CCR 18270.5, 18272)

2. An educational program that complies with 5 CCR 18273, including the provision of services that are developmentally, linguistically, and culturally appropriate and inclusive of children with special needs

(cf. 5148.2 - Before/After School Programs)

(cf. 5148.3 - Preschool/Early Childhood Education)
(cf. 6159 - Individualized Education Program)
~~(cf. 6164.4 - Identification of Individuals for Special Education)~~
(cf. 6164.6 - Identification and Education Under Section 504)
(cf. 6174 - Education for English Learners)

AR 5148(c)

CHILD CARE AND DEVELOPMENT (continued)

3. A staff development program which complies with 5 CCR 18274

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

4. Parent/guardian involvement and education that **complies comply** with 5 CCR 18275 and ~~involves parents/guardians through~~ **include** an orientation, at least two individual conferences per year, meetings with program staff, an advisory committee, participation in daily activities, and information regarding their child's progress

(cf. 6020 - Parent Involvement)

5. A health and social services component that complies with 5 CCR 18276 and includes referrals to appropriate community agencies as needed

~~(cf. 1020 - Youth Services)~~
(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 5141 - Health Care and Emergencies)
(cf. 5141.23 - Asthma Management)
(cf. 5141.6 - School Health Services)

6. A community involvement component that complies with 5 CCR 18277

7. **As applicable, a A** nutrition component that ensures children in the program are provided nutritious meals, beverages, and snacks that meet state and federal standards and have access to drinking water throughout the day, including meal times (Health and Safety Code 1596.808; 5 CCR 18278; 42 USC 1766)

(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 5030 - Student Wellness)
(cf. 5141.27 - Food Allergies/Special Dietary Needs)

9.8. Programs that promote age-appropriate structured and unstructured opportunities for

CHILD CARE AND DEVELOPMENT (continued)

physical activity and that limit the amount of time spent in sedentary activities to an appropriate level

- 8.9.** An annual plan for program evaluation which conforms with the state's "Desired Results for Children and Families" system and includes, but is not limited to, a self-evaluation, parent/**guardian** survey, and environment rating scale using forms provided by the CDE (5 CCR 18270.5, 18279, 18280)

(cf. 0500 - Accountability)

- ~~9. — Programs that promote age appropriate structured and unstructured opportunities for physical activity and that limit the amount of time spent in sedentary activities to an appropriate level~~

Staffing

The district's child care and development program shall maintain at least the minimum adult-child and teacher-child ratios specified in 5 CCR 18290-18292 based on the ages of the children served.

~~Any person~~ **All persons** employed at a **licensed** district child care center and ~~any~~ **all** volunteers who provides care and supervision to children at such a center shall be immunized against influenza, pertussis, and measles. If ~~a person meets~~ **they meet** all other requirements for employment or volunteering, as applicable, but needs additional time to obtain and

CHILD CARE AND DEVELOPMENT (continued)

provide his/her immunization records, the person they may be employed or volunteer conditionally for a maximum of 30 days upon signing and submitting a written statement attesting that he/she has they have been immunized as required. In addition, each employees and volunteers shall receive an influenza vaccination between August 1 and December 1 of each year. A person shall be exempt from these requirements only under any of the following circumstances: (Health and Safety Code 1596.7995)

1. The person submits a written statement from a licensed physician declaring either that immunization is not safe because of the person's physical condition or medical circumstances or that the person has evidence of current immunity to influenza, pertussis, and measles.
2. In the case of the influenza vaccine, the person submits a written declaration that he/she has declined declining the vaccination.
3. In the case of the influenza vaccine required during the first year of employment or volunteering, the vaccine is not timely because the person was hired after December 1 of the previous year and before August 1 of the current year.

(cf. 1240 - Volunteer Assistance)

(cf. 4112.4/4212.4/4312.4 - Health Examinations)

Documentation of the required immunizations or exemptions from immunization shall be maintained in the employee's personnel file. (Health and Safety Code 1596.7995)

(cf. 4112.6/4212.6/4312.6 - Personnel Files)

In addition to the above immunization requirements, teachers employed in a licensed child care center shall present evidence of a current tuberculosis clearance and meet other requirements specified in Health and Safety Code 1597.055. (Health and Safety Code 1597.055)

Eligibility and Enrollment

CHILD CARE AND DEVELOPMENT (continued)

The district's subsidized child care and development services may be available to infants and children through 12 years of age and to individuals with disabilities through 21 years of age in accordance with their individualized education program and Education Code 8208. (Education Code 8208, 8263.4; 5 CCR 18089, 18407, 18422)

Eligible families shall be those who document both an eligibility basis and a need for care, as follows: (Education Code 8263)

1. The family is eligible for subsidized services on the basis of being a current aid recipient, income eligible, or homeless and/or the family's children are recipients of protective services or have been identified as being or at risk of being abused, neglected, or exploited.
2. The family has a need for child care based on either of the following:
 - a. The unavailability of the parents/guardians to care for and supervise their children for some portion of the day because they are participating in vocational training leading directly to a recognized trade, paraprofession, or profession; **are engaged in an educational program for English language learners or to attain a high school diploma or general educational development certificate;** are employed or seeking employment; are seeking permanent housing for family stability; or are incapacitated
 - b. The child is identified by a legal, medical, or social services agency, the district liaison for homeless students, a Head Start program, or an emergency or transitional shelter as being a recipient of protective services, as being or at risk of being neglected, abused, or exploited, or as being homeless

CHILD CARE AND DEVELOPMENT (continued)

The Superintendent or designee shall consult the county's centralized eligibility list, when available, or shall maintain a district waiting list in accordance with admission priorities. As vacancies occur, applicants shall be contacted in order of their priority. (5 CCR 18106)

First priority for enrollment shall be given to neglected or abused children who are recipients of child protective services, or children who are at risk of being neglected or abused, upon written referral from a legal, medical, or social services agency. If unable to enroll a child in this category, the district shall refer the child's parent/guardian to local resource and referral services so that services for the child can be located. (Education Code 8263)

Second priority for enrollment shall be given to families who are income eligible, as defined in Education Code 8263.1. Families with the lowest gross monthly income in relation to family size shall be admitted first. If two or more families are in the same priority in relation to income, the family that has a child with disabilities shall be admitted first or, if there is no child with disabilities, the family that has been on the waiting list for the longest time shall be admitted first. (Education Code 8263, 8263.1)

The district shall allow eligible children 11-12 years of age to combine enrollment in a before-school or after-school program with subsidized child care services during the time that the before-school or after-school program does not operate. Children 11-12 years of age, except for children with disabilities, shall be eligible for subsidized child care services only for the portion of care needed that is not available in a before-school or after-school program. (Education Code 8263.4)

After all children eligible for subsidized services have been enrolled, the district may enroll children in accordance with the priorities established by the Governing Board.

The district's decision to approve or deny services shall be communicated to the parent/guardian through a written Notice of Action mailed or delivered within 30 days from the date the application is signed by the parent/guardian. (5 CCR 18094, 18118)

CHILD CARE AND DEVELOPMENT (continued)

(cf. 5145.6 - Parental Notifications)

Upon establishing eligibility for services, a family shall be eligible for and shall receive services for not less than 12 months before having the family's eligibility or need recertified and shall not be required to report changes to income or other changes for at least 12 months. However, a family establishing eligibility on the basis of income shall report any increases in income that exceed the threshold for ongoing income eligibility specified in Education Code 8263.1, and the family's ongoing eligibility shall be recertified at that time. At any time a family may voluntarily report income or other changes, which shall be used, as applicable, to reduce the family's fees, increase the family's services, or extend the period of eligibility before recertification. (Education Code 8263)

Subsequently, ~~†~~The Superintendent or designee shall mail or deliver a Notice of Action to a parent/guardian at least 14 calendar days before any intended change in services, including, but not limited to, an increase or decrease in fees, an increase or decrease in the amount of services, or termination of services, due to any of the following circumstances: (5 CCR 18095, 18119)

1. A determination **made** during recertification or **the** update of the application that the need or eligibility requirements are no longer being met or the fee or amount of service needs to be modified
2. Failure of the parent/guardian to document the family's need or eligibility after the district requested such documentation in writing
3. An indication by the parent/guardian that ~~he/she~~ **the service is** no longer **wanted** ~~wants the service~~
4. The death of a parent/guardian or child
5. The conclusion of a limited-term agreement, provided that the parent/guardian has been informed in writing of the date that the services would terminate

CHILD CARE AND DEVELOPMENT (continued)

The Superintendent or designee shall establish and maintain a basic data file for each family receiving child care and development services containing the completed and signed application for services, documentation used to determine the child's eligibility and need, and copies of all Notices of Action. (5 CCR 18081, 18095)

Fees and Charges

~~Except when offering a program that is prohibited by law from charging any fees, the Superintendent or designee may charge fees for services according to the fee schedule established by the Superintendent of Public Instruction, the actual cost of services, or the maximum daily/hourly rate specified in the contract, whichever is least. (Education Code 8250, 8263, 8273, 8273.1, 8273.2, 8447; 5 CCR 18078, 18108-18110)~~

~~However, no fee shall be charged to a family that is receiving CalWORKS cash aid, an income-eligible family whose child is enrolled in a part-day California State Preschool Program, or a family whose income level, in relation to family size, is less than the first entry in the fee schedule. (Education Code 8273.1; 5 CCR 18110)~~

~~In addition, any family receiving child care on the basis of having a child who is a recipient of child protective services, or having a certification by a county child welfare agency that child care services continue to be necessary, may be exempt from these fees for up to 12 months. Any family whose child is receiving child care on the basis of being at risk of abuse, neglect, or exploitation may be exempt from these fees for up to three months, unless the family becomes eligible based on receipt of child protective services or certification of need by a county child welfare agency. The cumulative period of exemption for these purposes shall not exceed 12 months. (Education Code 8273.1)~~

CHILD CARE AND DEVELOPMENT (continued)

~~Fees shall be assessed at initial enrollment and reassessed when a family is recertified or experiences a change in status. Fees shall be considered delinquent after seven days from the date that fees are due. Parents/guardians shall be notified in the event that fees are delinquent.~~

~~If a reasonable plan for payment of the delinquent fees has not been provided by the parents/guardians, services shall be terminated if all delinquent fees are not paid within two weeks of such notification. Parents/guardians shall receive a copy of the district's regulations regarding fee collection at the time of initial enrollment into the program. (Education Code 8273; 5 CCR 18082, 18114, 18115)~~

~~The Superintendent or designee shall establish a process that involves parents/guardians in determining whether to require parents/guardians to provide diapers. This process shall also be used to determine whether and how much to charge parents/guardians for field trip expenses, within the limit specified in law. A child shall not be denied participation in a field trip due to the parent/guardian's inability or refusal to pay the fee, and no adverse action shall be taken against a parent/guardian for that inability or refusal. (Education Code 8273.3)~~

Disenrollment

When necessary due to a reduction in state reimbursements, families shall be disenrolled from subsidized child care and development services in the following order: (Education Code 8263.3)

1. Families with the highest income in relation to family size shall be disenrolled first.
2. If two or more families have the same income ranking, children without disabilities who have been enrolled in child care services the longest shall be disenrolled first.

CHILD CARE AND DEVELOPMENT (continued)

After all children without disabilities have been disenrolled, children with disabilities shall be disenrolled, with those who have been enrolled in child care services the longest being disenrolled first.

3. Families whose children are receiving child protective services or are at risk of neglect, abuse, or exploitation, regardless of family income, shall be disenrolled last.

Health Examination and Information

A physical examination and evaluation, including age-appropriate immunization, shall be required prior to or within ~~30 days~~ **six weeks** of enrollment. (Education Code 8263)

~~(cf. 5141.3 - Health Examinations)~~

~~(cf. 5141.31 - Immunizations)~~

~~A physical examination and evaluation, including age-appropriate immunization, shall be required prior to or within 30 days of enrollment. (Education Code 8263)~~

The requirement for a physical examination and evaluation ~~may~~ **shall** be waived if a parent/guardian submits a letter stating that such examination is contrary to ~~his/her~~ **the parent/guardian's** religious beliefs. (Education Code 8263)

However, a A child may be exempted from the immunization requirements only if: (Education Code 8263; Health and Safety Code 120335)

1. A licensed physician indicates that immunization is not safe due to the physical condition or medical circumstances of the child.
2. The parent/guardian submitted a letter or affidavit prior to January 1, 2016 stating that such examination is contrary to ~~his/her~~ **the parent/guardian's** personal beliefs. An exemption from immunization granted for personal beliefs is effective only until the next grade span (i.e., birth through preschool, grades K-6, and grades 7-12).

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

~~(cf. 5141.3 - Health Examinations)~~

~~(cf. 5141.31 - Immunizations)~~

CHILD CARE AND DEVELOPMENT (continued)

If there is good cause to believe that a child is suffering from a recognized contagious or infectious disease, the child shall be temporarily excluded from the child care and development program until it is determined that the child is not suffering from that contagious or infectious disease. (Education Code 8263)

(cf. 5141.22 - Infectious Diseases)

When a child enrolls or reenrolls in a licensed child care program, the center shall provide the child's parent/guardian with written information on the risks and effects of lead exposure, blood lead testing recommendations and requirements, and options for obtaining blood lead testing, including any state or federally funded programs that offer free or discounted tests. (Health and Safety Code 1596.7996)

Attendance

Sign-in and sign-out sheets shall be used daily for all children for attendance accounting purposes. Attendance records shall include verification of excused absences, including the child's name, date(s) of absence, specific reason for absence, and signature of parent/guardian or district representative. (5 CCR 18065, 18066)

Absences shall be excused for the following reasons:

1. Illness or quarantine of the child or of the parent/guardian (Education Code 8208)
2. Family emergency (Education Code 8208)

A family emergency shall be considered to exist when unforeseen circumstances cause the need for immediate action, such as may occur in the event of a natural disaster or when a member of the child's immediate family dies, has an accident, or is required to appear in court.

CHILD CARE AND DEVELOPMENT (continued)

3. Time spent with a parent/guardian or other relative as required by a court of law (Education Code 8208)
4. Time spent with a parent/guardian or other relative which is clearly in the best interest of the child (Education Code 8208)

~~An absence shall be considered to be in the best interest of the child when the time is spent with the child's parent/guardian or other relative for reasons deemed justifiable by the program coordinator or site supervisor.~~

Except for children who are recipients of child protective services or are at risk of abuse or neglect, excused absences in the best interest of the child shall be limited to 10 days during the contract period. (5 CCR 18066)

Any absence due to a reason other than any of those stated above, or without the required verification, shall be considered an unexcused absence. After three unexcused absences during the year, the program coordinator or site supervisor shall notify the **child's** parents/guardians. Children who continue to have excessive unexcused absences may be removed from the program at the discretion of the program coordinator in order to accommodate other families on the waiting list for admission.

Parents/guardians shall be notified of the policies and procedures related to excused and unexcused absences for child care and development services. (5 CCR 18066)

Rights of Parents/Guardians

At the time a child is accepted into a licensed child care and development center, the child's parent/guardian or authorized representative shall be notified of **his/her** the rights **as** specified in 22 CCR 101218.1, including, but not limited to, the right to enter and inspect the child care facility and the right to be informed, upon request, of the name and type of association to the center of any adult who has been granted a criminal record exemption. (Health and Safety Code 1596.857; 22 CCR 101218.1)

CHILD CARE AND DEVELOPMENT (continued)

The written notice of parent/guardian rights also shall be permanently posted within the facility in a location accessible to parents/guardians. Notwithstanding these rights, access to the facility may be denied to an adult whose behavior presents a risk to children present in the facility or to noncustodial parents/guardians when so requested by the responsible parent/guardian. (Health and Safety Code 1596.857)

In addition, if a parent/guardian disagrees with any district action to deny **his/her** a child's eligibility for subsidized child care services, disenroll the child due to a funding shortage, increase or decrease fees, increase or decrease the amount of services, terminate services, or otherwise change the level of services, **he/she the parent/guardian** may file a request for a hearing with the Superintendent or designee within 14 calendar days of the date the Notice of Action was received. Within 10 calendar days of receiving the request for a hearing, the Superintendent or designee shall notify the parent/guardian of the time and place of the hearing, which, to the extent possible, shall be convenient for the parent/guardian. (5 CCR 18120)

The hearing shall be conducted in accordance with the procedures specified in 5 CCR 18120 by a district administrator who is at a staff level higher in authority than the staff person who made the contested decision. Within 10 calendar days after the hearing, the district administrator shall mail or deliver a written decision to the parent/guardian. If the parent/guardian disagrees with the written decision, **he/she the parent/guardian** may, within 14 calendar days, appeal the decision to the CDE. (5 CCR 18120-18122)

Records

The Superintendent or designee shall maintain records of enrollment, attendance, types of families served, income received from all families participating in the district's child care and development program, and any other records required by CDE.

(cf. 3580 - District Records)

(cf. 5125 - Student Records)

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National SD

Board Policy

Instruction

BP 6142.1(a)

SEXUAL HEALTH AND HIV/AIDS PREVENTION INSTRUCTION

The Governing Board desires to provide a well-planned, integrated sequence of medically accurate and inclusive instruction on comprehensive sexual health and human immunodeficiency virus (HIV) prevention. The district's educational program shall **address the goals of the California Healthy Youth Act pursuant to Education Code 51930-51939, including providing** provide students with the knowledge and skills necessary to protect them from **risks presented by** sexually transmitted infections, ~~and~~ unintended pregnancy, **sexual harassment, sexual assault, sexual abuse, and human trafficking** and to have healthy, positive, and safe relationships and behaviors. The district's educational program shall also promote **students'** understanding of sexuality as a normal part of human development and ~~their~~ **the** development of healthy attitudes and behaviors concerning adolescent growth and development, body image, gender, **gender identity, gender expression,** sexual orientation, relationships, marriage, and family.

(cf. 5030 - Student Wellness)

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.25 - Availability of Condoms)

(cf. 5146 - Married/Pregnant/Parenting Students)

(cf. 6142.8 - Comprehensive Health Education)

The district shall respect the rights of parents/guardians to supervise their children's education on these subjects and to impart values regarding human sexuality to their children.

Comprehensive sexual health education and HIV prevention education shall be offered to all students in grades 7-12, **including** at least once in junior high or middle school and at least once in high school. (Education Code 51934)

SEXUAL HEALTH AND HIV/AIDS PREVENTION INSTRUCTION (continued)

(cf. 6143 - Courses of Study)

The district's comprehensive sexual health education program shall include information on the affirmative consent standard. *Affirmative consent* is defined as affirmative, conscious, and voluntary agreement to engage in sexual activity. Teachers delivering such instruction shall consult information related to sexual harassment and violence in the state health curriculum framework. (Education Code 51225.36, 67386)

The Superintendent or designee shall identify appropriate methods for informing the school community about subjects related to the district's comprehensive sexual health and HIV prevention education. The Superintendent or designee shall use such identified methods to inform parents/guardians of students in grades 6-12 about human trafficking prevention resources, as required pursuant to Education Code 49381.

~~The district's curriculum shall support the purposes of the California Healthy Youth Act as specified in Education Code 51930-51939, be unbiased and inclusive of all students in the classroom, and be aligned with the state's content standards. The district shall respect the rights of parents/guardians to supervise their children's education on these subjects and to impart values regarding human sexuality to their children.~~

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

~~*(cf. 5141.25 - Availability of Condoms)*~~

~~*(cf. 5146 - Married/Pregnant/Parenting Students)*~~

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

SEXUAL HEALTH AND HIV/AIDS PREVENTION INSTRUCTION (continued)

~~The Superintendent or designee may appoint a coordinator and/or an advisory committee regarding the district's comprehensive sexual health and HIV prevention curriculum. The advisory committee shall represent a divergence of viewpoints and may participate in planning, implementing, and evaluating the district's program.~~

~~(cf. 1220 - Citizen Advisory Committees)~~

Parent/Guardian Consent

Annually, At the beginning of each school year or at the time of a student's enrollment, parents/guardians shall be notified, in the manner specified in the accompanying administrative regulation, that they may request in writing that their child be excused from participating in comprehensive sexual health and HIV prevention education. Students so excused by their parents/guardians shall be given an alternative educational activity. (Education Code 51240, 51938, 51939)

(cf. 5022 - Student and Family Privacy Rights)

A student shall not be subject to disciplinary action, academic penalty, or other sanction if the student's parent/guardian declines to permit the student to receive the instruction. (Education Code 51939)

Legal Reference: (see next page)

SEXUAL HEALTH AND HIV/AIDS PREVENTION INSTRUCTION (continued)

Legal Reference:

EDUCATION CODE

220 Prohibition of discrimination

33544 Inclusion of sexual harassment and violence in health curriculum framework

48980 Notice at beginning of term

49381 Human trafficking prevention resources

51202 Instruction in personal and public health and safety

51210.8 Health education curriculum

51225.36 Instruction in sexual harassment and violence; districts that require health education for graduation

51240 Excuse from instruction due to religious beliefs

51513 **Materials Test, questionnaire, survey, or examination** containing questions about beliefs or practices

51930-51939 California Healthy Youth Act

51950 Abuse, sexual abuse, and human trafficking prevention education

67386 Student safety; affirmative consent standard

HEALTH AND SAFETY CODE

1255.7 Parents surrendering physical custody of a baby

PENAL CODE

243.4 Sexual battery

261.5 Unlawful sexual intercourse

271.5 Parents voluntarily surrendering custody of a baby

UNITED STATES CODE, TITLE 20

1232h Protection of student rights

7906 Sex education **requirements and prohibited use of funds**

Management Resources:

CSBA PUBLICATIONS

Promoting Healthy Relationships for Adolescents: Board Policy Considerations, Governance Brief, August 2014

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Health Education Content Standards for California Public Schools, Kindergarten Through Grade 12, 2008

Health Framework for California Public Schools: Kindergarten through Grade 12, 2003

HUMAN RIGHTS CAMPAIGN FOUNDATION PUBLICATIONS

California LGBTQ Youth Report, January 2019

WEB SITES

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

California Department of Education, Sex Education and HIV/AIDS/STD Instruction: <http://www.cde.ca.gov/ls/he/se>

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

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

California Partnership to End Domestic Violence: <http://www.cpedv.org>

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

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

Human Rights Campaign: <https://www.hrc.org/hrc-story/hrc-foundation>

U.S. Food and Drug Administration: <http://www.fda.gov>

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Policy Reference UPDATE Service

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National SD

Administrative Regulation

Instruction

AR 6142.1(a)

SEXUAL HEALTH AND HIV/AIDS PREVENTION INSTRUCTION

Definitions

Comprehensive sexual health education means education regarding human development and sexuality, including education on pregnancy, contraception, and sexually transmitted infections. (Education Code 51931)

HIV prevention education means instruction on the nature of human immunodeficiency virus (HIV) and acquired immune deficiency syndrome (AIDS), methods of transmission, strategies to reduce the risk of HIV infection, and social and public health issues related to HIV and AIDS. (Education Code 51931)

(cf. 6142.8 - *Comprehensive Health Education*)

(cf. 6143 - *Courses of Study*)

Age appropriate refers to topics, messages, and teaching methods suitable to particular ages or age groups of children and adolescents, based on developing cognitive, emotional, and behavioral capacity typical for the age or age group. (Education Code 51931)

Medically accurate means verified or supported by research conducted in compliance with scientific methods and published in peer-reviewed journals, where appropriate, and recognized as accurate and objective by professional organizations and agencies with expertise in the relevant field, such as the federal Centers for Disease Control and Prevention, the American Public Health Association, the American Academy of Pediatrics, and the American College of Obstetricians and Gynecologists. (Education Code 51931)

General Criteria for Instruction and Materials

The Superintendent or designee shall ensure that the district's comprehensive sexual health and HIV prevention instruction and materials: (Education Code 51933)

SEXUAL HEALTH AND HIV/AIDS PREVENTION INSTRUCTION (continued)

1. Are age appropriate
2. Are ~~factually and~~ medically accurate and objective
3. ~~Align~~ **Are aligned** with and support the following purposes as specified in Education Code 51930:
 - a. To provide students with the knowledge and skills necessary to protect their sexual and reproductive health from HIV and other sexually transmitted infections and from unintended pregnancy
 - b. To provide students with the knowledge and skills they need to develop healthy attitudes concerning adolescent growth and development, body image, gender, sexual orientation, relationships, marriage, and family
 - c. To promote understanding of sexuality as a normal part of human development
 - d. To ensure students receive integrated, comprehensive, accurate, and unbiased sexual health and HIV prevention instruction and provide educators with clear tools and guidance to accomplish that end
 - e. To provide students with the knowledge and skills necessary to have healthy, positive, and safe relationships and behaviors
4. Are appropriate for use with **English learners, students with disabilities, and** students of all races, genders, sexual orientations, and ethnic and cultural backgrounds; ~~students with disabilities; and English learners~~

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

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

~~(cf. 6174 - Education for English Learners)~~

5. Are available on an equal basis to a student who is an English learner, consistent with the existing curriculum and alternative options for an English learner as otherwise provided in the Education Code
6. Are accessible to students with disabilities, including, but not limited to, the provision of a modified curriculum, materials, and instruction in alternative formats and auxiliary aids

(cf. 6159 - Individualized Education Program)

SEXUAL HEALTH AND HIV/AIDS PREVENTION INSTRUCTION (continued)

7. Do not reflect or promote bias against any person in protected categories of discrimination pursuant to Education Code 220

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

(cf. 1312.3 - Uniform Complaint Procedures)

8. Affirmatively recognize that people have different sexual orientations and, when discussing or providing examples of relationships and couples, shall be inclusive of same-sex relationships
9. Teach students about gender, gender expression, and gender identity, and explore the harm of negative gender stereotypes
10. Encourage students to communicate with their parents/guardians and other trusted adults about human sexuality and provide the knowledge and skills necessary to do so
11. Teach the value of and prepare students to have and maintain committed relationships such as marriage
12. Provide students with knowledge and skills they need to form healthy relationships that are based on mutual respect and affection and are free from violence, coercion, **harassment**, and intimidation

(cf. 5145.3 - Nondiscrimination/Harassment)

13. Provide students with knowledge and skills for making and implementing healthy decisions about sexuality, including **communication** ~~negotiation~~ and refusal skills to assist students in overcoming peer pressure and using effective decision-making skills to avoid high-risk activities
14. Do not teach or promote religious doctrine

Components of Sexual Health and HIV Prevention Education

The district's comprehensive sexual health education and HIV prevention education for students in grades 7-12, in addition to complying with the criteria listed above in the section "General Criteria for Instruction and Materials," shall include all of the following: (Education Code 51934)

SEXUAL HEALTH AND HIV/AIDS PREVENTION INSTRUCTION (continued)

1. Information on the nature of HIV and other sexually transmitted infections and their effects on the human body
2. Information on the manner in which HIV and other sexually transmitted infections are and are not transmitted, including information on the relative risk of infection according to specific behaviors, including sexual behaviors and injection drug use
3. Information that abstinence from sexual activity and injection drug use is the only certain way to prevent HIV and other sexually transmitted infections, and that abstinence from sexual intercourse is the only certain way to prevent unintended pregnancy

The instruction shall provide information about the value of delaying sexual activity while also providing medically accurate information on other methods of preventing HIV and other sexually transmitted infections and pregnancy.

(cf. 5141.25 - Availability of Condoms)

(cf. 5146 - Married/Pregnant/Parenting Students)

4. Information about the effectiveness and safety of all federal Food and Drug Administration (FDA) approved methods that prevent or reduce the risk of contracting HIV and other sexually transmitted infections, including use of antiretroviral medication, consistent with the Centers for Disease Control and Prevention
5. Information about the effectiveness and safety of reducing the risk of HIV transmission as a result of injection drug use by decreasing needle use and needle sharing
6. Information about the treatment of HIV and other sexually transmitted infections, including how antiretroviral therapy can dramatically prolong the lives of many people living with HIV and reduce the likelihood of transmitting HIV to others
7. Discussion about social views on HIV and AIDS, including addressing unfounded stereotypes and myths regarding HIV and AIDS and people living with HIV

This instruction shall emphasize that successfully treated HIV-positive individuals have a normal life expectancy, all people are at some risk of contracting HIV, and **that** testing is the only way to know if one is HIV-positive.

8. Information about local resources, how to access local resources, and students' legal rights to access local resources for sexual and reproductive health care such as testing

SEXUAL HEALTH AND HIV/AIDS PREVENTION INSTRUCTION (continued)

and medical care for HIV and other sexually transmitted infections and pregnancy prevention and care, as well as local resources for assistance with sexual assault and intimate partner violence

9. Information about the effectiveness and safety of FDA-approved contraceptive methods in preventing pregnancy, including, but not limited to, emergency contraception. Instruction on pregnancy shall include an objective discussion of all legally available pregnancy outcomes, including, but not limited to:
 - a. Parenting, adoption, and abortion
 - b. Information on the law on surrendering physical custody of a minor child 72 hours of age or younger, pursuant to Health and Safety Code 1255.7 and Penal Code 271.5
 - c. The importance of prenatal care

10. Information about sexual harassment, sexual assault, ~~adolescent relationship abuse,~~ ~~intimate partner violence,~~ **sexual abuse,** and ~~sex~~ **human** trafficking, **including:**
 - a. Information on the prevalence and nature of human trafficking, strategies to reduce the risk of human trafficking, techniques to set healthy boundaries, and how to safely seek assistance if there is a suspicion of trafficking**
 - b. Information on how social media and mobile device applications are used for human trafficking**

SEXUAL HEALTH AND HIV/AIDS PREVENTION INSTRUCTION (continued)

11. Information about adolescent relationship abuse and intimate partner violence, including the early warning signs of each

The district's comprehensive sexual health education and HIV prevention education shall include instruction regarding the potential risks and consequences of creating and sharing suggestive or sexually explicit materials through cell phones, social networking web sites, computer networks, or other digital media. (Education Code 51934)

Professional Development

The district's comprehensive sexual health education and HIV prevention education shall be provided by instructors trained in the appropriate courses who are knowledgeable of the most recent medically accurate research on human sexuality, healthy relationships, pregnancy, and HIV and other sexually transmitted infections. (Education Code 51931, ~~51933~~, 51934)

The Superintendent or designee shall cooperatively plan and conduct in-service training for all district personnel who provide HIV prevention education, through regional planning, joint powers agreements, or contract services. (Education Code 51935)

(cf. 4131 - Staff Development)

In developing and providing in-service training, the Superintendent or designee shall cooperate and collaborate with the teachers who provide HIV prevention education and with the California Department of Education (CDE). (Education Code 51935)

The district shall periodically conduct in-service training to enable district personnel to learn new developments in the scientific understanding of HIV. In-service training shall be voluntary for personnel who have demonstrated expertise or received in-service training from the CDE or Centers for Disease Control and Prevention. (Education Code 51935)

SEXUAL HEALTH AND HIV/AIDS PREVENTION INSTRUCTION (continued)

The Superintendent or designee may expand HIV in-service training to cover the topic of comprehensive sexual health education **in order** for district personnel teaching comprehensive sexual health education to learn new developments in the scientific understanding of sexual health. (Education Code 51935)

The Superintendent or designee shall periodically provide continuing education that enables district personnel to learn about new developments in the understanding of abuse, including sexual abuse, and human trafficking and current prevention efforts and methods. Such education may include early identification of abuse, including sexual abuse, and human trafficking of students and minors. (Education Code 51950)

Use of Consultants or Guest Speakers

The Superintendent or designee may contract with outside consultants or guest speakers, including those who have developed multilingual curricula or curricula accessible to persons with disabilities, to deliver comprehensive sexual health and HIV prevention education or to provide training for district personnel. All outside consultants and guest speakers shall have expertise in comprehensive sexual health education and HIV prevention education and knowledge of the most recent medically accurate research on the relevant topic(s) covered in the instruction. The Superintendent or designee shall ensure that any instruction provided by an outside speaker or consultant complies with Board policy, administrative regulation, and Education Code 51930-51939. (Education Code 51933, 51934, 51936)

(cf. 6145.8 - Assemblies and Special Events)

Parent/Guardian Notification

SEXUAL HEALTH AND HIV/AIDS PREVENTION INSTRUCTION (continued)

At the beginning of each school year or at the time of a student's enrollment, the Superintendent or designee shall notify parents/guardians about instruction in comprehensive sexual health education and HIV prevention education, as well as research on student health behaviors and risks, planned for the coming year. The notice shall advise parents/guardians: (Education Code 48980, 51938)

1. That written and audiovisual educational materials to be used in comprehensive sexual health and HIV prevention education are available for inspection
2. That parents/guardians have a right to excuse their child from comprehensive sexual health or HIV prevention education, or research on student health behaviors and risks, provided they submit their request in writing to the district
3. That parents/guardians have a right to request a copy of Education Code 51930-51939
4. Whether the comprehensive sexual health or HIV prevention education will be taught by district personnel or outside consultants **and, if the district chooses to use outside consultants or guest speakers for this purpose, the following information:**

~~If the district chooses to use outside consultants or to hold an assembly with guest speakers to deliver comprehensive sexual health or HIV prevention education, the notification shall include: (Education Code 51938)~~

- a. The date of the instruction
- b. The name of the organization or affiliation of each guest speaker
- c. Information stating the right of the parent/guardian to request a copy of Education Code 51933, 51934, and 51938

If the arrangements for instruction by outside consultants or guest speakers are made after the beginning of the school year, the Superintendent or designee shall notify parents/guardians by mail or another commonly used method of notification no fewer than 14 days before the instruction is given. ~~(Education Code 51938)~~

(cf. 5145.6 - Parental Notifications)

Nonapplicability to Certain Instruction or Materials

SEXUAL HEALTH AND HIV/AIDS PREVENTION INSTRUCTION (continued)

The requirements of Education Code 51930-51939 pertaining to instructional content, teacher training, and parental notification and consent shall not apply to the following: (Education Code 51932)

1. A description or illustration of human reproductive organs that may appear in a textbook, adopted pursuant to law, if the textbook does not include other elements of comprehensive sexual health education or HIV prevention education **as defined in Education Code 51931**

(cf. 6142.93 - Science Instruction)

2. Instruction, ~~or~~ materials, **presentations, or programming** that discusses gender, gender identity, gender expression, sexual orientation, discrimination, harassment, bullying, intimidation, relationships, or family and ~~does~~ not discuss human reproductive organs and their functions

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National SD Board Policy

Instruction

BP 6142.2(a)

WORLD/~~FOREIGN~~ LANGUAGE INSTRUCTION

In order to prepare students for global citizenship and to broaden their intercultural understanding and career opportunities, the Governing Board shall provide students with opportunities to develop ~~linguistic proficiency~~ **communicative** and cultural **proficiency and** literacy in one or more world languages ~~in addition to English~~.

The Superintendent or designee shall recommend **a variety of** world languages to be taught in the district's educational program based on student interest, community needs, and available resources. ~~He/she shall also consider providing English learners the opportunity to study their heritage language, when such a course is available, in order to continue developing skills in that language.~~

For any program designed to provide students with instruction in a language other than English to a degree sufficient to produce proficiency in that language, the Superintendent or designee shall establish a process for schools to receive and respond to input from parents/guardians and other stakeholders regarding the non-English language in which instruction will be provided. (5 CCR 11300, 11312)

If American Sign Language courses **are offered, they** shall be open to all students regardless of hearing status.

(cf. 6174—Education for English Learners)

WORLD/FOREIGN LANGUAGE INSTRUCTION (continued)

The district shall offer a sequential curriculum aligned with the state content standards, state curriculum framework, and, as applicable, California university admission requirements for languages other than English.

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

Instruction in world languages shall be offered to secondary school students beginning no later than grade 7 and shall be designed to develop students' skills in understanding, speaking, reading, and writing the language. (Education Code 51220)

(cf. 6143 - Courses of Study)

WORLD/FOREIGN LANGUAGE INSTRUCTION (continued)

~~Students shall obtain credit toward high school graduation requirements for completion of a one-year course in a world language or American Sign Language during grades 9-12.~~

~~*(cf. 5126 - Awards for Achievement)*~~
~~*(cf. 6146.1 - High School Graduation Requirements)*~~
~~*(cf. 6146.11 - Alternative Credits Toward Graduation)*~~

The district may establish a dual-language immersion program that provides integrated language learning and academic instruction for native speakers of English and native speakers of another language, with the goals of high academic achievement, first and second language proficiency, and cross-cultural understanding. (Education Code 305-306)

The Board shall ensure that students have access to high-quality instructional materials in world languages. In accordance with Board policy, teachers shall be encouraged to identify and use supplemental resources, such as literature, technology, newspapers and other media, dictionaries, and volunteers from the community to enhance the world language instructional program.

(cf. 1240 - Volunteer Assistance)
(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 professional development as necessary to ensure that teachers of world languages have the knowledge and skills they need to implement an effective instructional program that helps students attain academic standards, **including communicative and cultural proficiency and understanding.**

BP 6142.2(d)

WORLD/FOREIGN LANGUAGE INSTRUCTION (continued)

(cf. 4131 - Staff Development)

Students shall obtain credit toward high school graduation requirements for ~~completion of~~ **completing one year of a one-year course in** a world language or American Sign Language **course** during grades 9-12.

(cf. 5126 - Awards for Achievement)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6146.11 - Alternative Credits Toward Graduation)

The district shall determine appropriate measures to assess student proficiency in world languages offered by district schools. Students who have attained a high level of proficiency may receive recognition for their achievement, including the State Seal of Biliteracy for students graduating from high school.

(cf. 5126 - Awards for Achievement)

The Superintendent or designee shall provide periodic reports to the Board regarding the effectiveness of the district's world language program which may include, but not be limited to, **whether the district's world language program is serving the grade levels required by law,** a description of the district's curriculum and the extent to which it is aligned with the state's content standards and curriculum framework, student achievement of district standards

WORLD/FOREIGN LANGUAGE INSTRUCTION (continued)

for world language instruction, and student participation rates in each language course. Program evaluation shall be used to identify needed improvements and may be considered in determining the world languages to be taught in the district.

(cf. 0500 - Accountability)

(cf. 6190 - Evaluation of the Instructional Program)

Legal Reference:

EDUCATION CODE

300-310 Education for English learners

42238.02 Local control funding formula; class size requirements

44253.1-44253.11 Qualifications of teachers of English learners

44256-44257 Credential requirements, including teachers of foreign world language

48980 Parental notifications

51212 Legislative intent to encourage foreign world language instruction in grades 1-6

51220 Courses of study, grades 7-12

51225.3 High school graduation requirements

51243-51245 Alternative credits toward graduation for foreign world language instruction in private school

60119 Public hearings, instructional materials

60605.3 Content standards for world language instruction

60605.5 Revision of state standards for world language instruction

CODE OF REGULATIONS, TITLE 5

1632 Alternative credits toward graduation for foreign language instruction in private school

11300-11316 Multilingual and English learner education

Management Resources:

CALIFORNIA SCHOOL BOARDS ASSOCIATION CSBA PUBLICATIONS

Proposition 58 Regulations, Fact Sheet, August 2018

English Learners in Focus: The English Learner Roadmap: Providing Direction for English Learner Success, Governance Brief, February 2018

English Learners in Focus, Issue 2: The Promise of Two-Way Immersion Programs, Governance Brief, September 2014

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Two-Way Language Immersion Program Multilingual FAQ

World Languages Framework for California Public Schools, Kindergarten Through Grade Twelve

California Spanish Assessment Fact Sheet, March 2019

World Languages Content Standards for California Public Schools, Kindergarten Through Grade Twelve, adopted January 7, 2009 2019

California English Learner Roadmap: Strengthening Comprehensive Educational Policies, Programs and Practices for English Learners, 2017

Foreign Language Framework for California Public Schools, Kindergarten Through Grade Twelve, 2003

CENTER FOR APPLIED LINGUISTICS PUBLICATIONS

Guiding Principles for Dual Language Education, Second Edition, 2007

Management Resources continued: (see next page)

WORLD/FOREIGN LANGUAGE INSTRUCTION (continued)

Management Resources: (continued)

COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS

CL-622 *Serving English Learners*

NATIONAL EDUCATION ASSOCIATION PUBLICATIONS

21st Century Skills Map: World Languages, January 2011

UNIVERSITY OF CALIFORNIA PUBLICATIONS

A-G **Policy Resource Guide**

WEB SITES

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

American Council on the Teaching of Foreign Languages: <http://www.actfl.org>

California Association for Bilingual Education: <http://www.gocabe.org>

California Department of Education, **Foreign World Languages**: <http://www.cde.ca.gov/ci/fl>

California Language Teachers' Association: <http://www.clta.net>

California **Foreign World Language Project**: <http://www.stanford.edu/group/CFLP>

~~California Language Teachers' Association: <http://www.clta.net>~~

Center for Applied Linguistics: <http://www.cal.org>

National Education Association, Partnership for 21st Century Skills:
<http://www.nea.org/home/34888.htm>

University of California, ~~a-g Course Approval~~ **A-G Policy Resource Guide**: <http://www.ucop.edu/agguide>

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National SD

Administrative Regulation

Instruction

AR 6142.2(a)

WORLD/~~FOREIGN~~ LANGUAGE INSTRUCTION

Content of Instruction

The district's instructional program for world languages shall be designed to help students gain knowledge about ~~new~~ language systems, **develop a cultural understanding**, and use that knowledge to communicate. Students shall receive instruction which is aligned with state academic standards appropriate to their age and stage of linguistic and cultural proficiency in the following categories:

~~1. Content: Students shall be presented with a wide variety of content that is age and stage appropriate and increases in complexity.~~

~~(cf. 6011 Academic Standards)~~

2.1. Communication: Students shall be taught to effectively convey and receive messages by engaging in or interpreting written, spoken, and/or signed languages, **including:**

a. Language functions, which describe the purposes to which language is used in culturally appropriate real-world communication

b. The setting in which the language is used, which includes using language both within and beyond the classroom to interact in local communities and abroad

c. The structures used to convey meaning

3.2. Cultures: Students shall receive instruction that allows them to ~~make connections and comparisons between language and culture~~ **interact, with competence and understanding, with those who are native to the language in a variety of real-world settings.**

WORLD/FOREIGN LANGUAGE INSTRUCTION (continued)

(cf. 6142.94 - History-Social Science Instruction)

4. **Structures:** The curriculum shall address components of grammar, syntax, and language patterns appropriate to the language being taught.
3. **Connections:** Students shall receive instruction that builds, reinforces, and expands their knowledge of other disciplines using the language to develop critical thinking and problem-solving skills, and to access and evaluate information and diverse perspectives readily or only available through the language and its cultures, in order to function in real-world, academic and career-related settings.
5. **Settings:** To help students comprehend meaning and use language that is culturally appropriate, students shall develop knowledge of the context or setting in which language is used, such as common daily settings, interpersonal settings, and informal and formal settings.

(cf. 6011 - Academic Standards)

Dual-Language Immersion Programs

The district's dual-language immersion programs may be based on either or both of the following models:

1. A 50:50 model in which instruction is provided in the non-English target language for 50 percent of the time and in English for 50 percent of the time, throughout the duration of the program
2. A 90:10 model in which instruction is provided in the non-English target language for 90 percent of the time and in English for 10 percent of the time during the first year of the program, decreasing the percentage of time in the non-English language in each subsequent year until there is a 50:50 balance of languages

WORLD/FOREIGN LANGUAGE INSTRUCTION (continued)

(cf. 6174 - Education for English Learners)

Native English speakers shall generally be admitted into the program only during the first grade level at which the program is offered, and English learners during the first or second grade level at which the program is offered. Bilingual students may enter the program at any time. On a case-by-case basis, the Superintendent or designee may admit a student later in the program if **he/she determines it is determined** that the student is adequately prepared for and will benefit from the program.

In enrolling students for the program, the district shall strive to maintain a ratio of half native English speakers and half English learners, and such ratio shall not fall below one-third for either language group except under exceptional circumstances.

Any dual-language immersion program offered in grades K-3 shall comply with class size requirements specified in Education Code 42238.02. (Education Code 310)

(cf. 6151 - Class Size)

Whenever one or more English learners are enrolled in a dual-language immersion classroom, the class shall be taught by a teacher who possesses the appropriate authorization issued by the Commission on Teacher Credentialing.

(cf. 4112.22 - Staff Teaching English Learners)

At the beginning of each school year or upon a student's enrollment, parents/guardians shall be provided information on the district's dual-language immersion program and other language acquisition programs available to students enrolled in the district, including, but not limited to, a description of each program. (Education Code 310)

(cf. 5145.6 - Parental Notifications)

WORLD/~~FOREIGN~~ LANGUAGE INSTRUCTION (continued)

~~Whenever one or more English learners are enrolled in a dual language immersion classroom, the class shall be taught by a teacher who possesses the appropriate authorization issued by the Commission on Teacher Credentialing.~~

~~(cf. 4112.22—Staff Teaching English Learners)~~

If a school does not currently offer a dual-language immersion program but the parents/guardians of 30 or more students at the school, or 20 or more students at the same grade level, request the establishment of such a program, the district shall determine whether it is possible to offer such a program in accordance with 5 CCR 11311.

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BP 6142.6(a)

VISUAL AND PERFORMING ARTS EDUCATION

The Governing Board believes that visual and performing arts are essential to a well-rounded educational program and should be an integral part of the course of study offered to students at all grade levels. The district's arts education program shall ~~provide opportunities for creation, performance, and appreciation of the arts~~ **be designed to foster students' artistic competencies, cultivate students' appreciation and understanding of the arts in ways that are enjoyable, fulfilling, and transferable to students' personal, academic, and professional endeavors, and support students to fully engage in lifelong arts learning.**

(cf. 6143 - Courses of Study)

(cf. 6146.1 - High School Graduation Requirements)

The Board shall adopt academic standards for dance, **media arts**, music, theatre, and visual arts that **lead to artistic literacy and promote access and equity in the arts.** **District standards shall** describe the skills, knowledge, and abilities that students ~~shall be~~ **are** expected to possess at each grade level ~~and. The district's standards~~ shall meet or exceed state standards ~~for each of these disciplines.~~

(cf. 0415 - Equity)

(cf. 6011 - Academic Standards)

VISUAL AND PERFORMING ARTS EDUCATION (continued)

The Superintendent or designee shall develop a sequential curriculum for dance, **media arts**, music, theatre, and visual arts which is consistent with the state curriculum framework and includes the ~~following strands~~ **following artistic processes**:

- ~~1. — Artistic perception: processing, analyzing, and responding to sensory information through the use of language and skills unique to each arts discipline~~
 - ~~2. — Creative expression: composing, arranging, and performing a work and using a variety of means to communicate meaning and intent in one's own original works~~
 - ~~3. — Historical and cultural context: understanding the historical contributions and cultural dimensions of an arts discipline~~
 - ~~4. — Aesthetic valuing: analyzing and critically assessing works of dance, music, theatre, and visual arts~~
 - ~~5. — Connections, relationships, and applications: connecting, comparing, and applying what is learned in one arts discipline to learning in the other arts, other subject areas, and careers~~
- 1. Creating: conceiving and developing new artistic ideas and work**
 - 2. Performing/producing/presenting: realizing artistic ideas and work through interpretation and presentation**
 - 3. Responding: understanding and evaluating how the arts convey meaning**
 - 4. Connecting: relating artistic ideas and work with personal meaning and external content**

(cf. 6141 - Curriculum Development and Evaluation)

VISUAL AND PERFORMING ARTS EDUCATION (continued)

The Board shall adopt standards-based instructional materials for visual and performing arts **in accordance with applicable law, Board policy, and administrative regulation,** which may incorporate a variety of media and technologies.

(cf. ~~0400~~ 0440 - District Technology Plan)
(cf. 1312.2 - Complaints Concerning Instructional Materials)
(cf. 6161.1 - Selection and Evaluation of Instructional Materials)
(cf. 6161.11 - Supplementary Instructional Materials)
(cf. 6162.6 - Use of Copyrighted Materials)
(cf. 6163.1 - Library Media Centers)

As appropriate, the Superintendent or designee shall provide a standards-based professional development program designed to increase teachers' knowledge of and ability to teach the arts and to implement **adopted instructional materials the district's arts education program.**

(cf. 4131 - Staff Development)

The Superintendent or designee shall encourage the integration of community arts resources into the educational program. Such resources may include opportunities for students to attend musical and theatrical performances, observe the works of accomplished artists, and work directly with artists-in-residence and volunteers. In addition, the Superintendent or designee may collaborate with community organizations to share resources and seek grant opportunities.

(cf. 1230 - School-Connected Organizations)
(cf. 1240 - Volunteer Assistance)
(cf. 1260 - Educational Foundation)
(cf. 1700 - Relations Between Private Industry and the Schools)
(cf. 3290 - Gifts, Grants and Bequests)
(cf. 6020 - Parent Involvement)
(cf. 6153 - School-Sponsored Trips)

The Superintendent or designee shall regularly evaluate the implementation of **the district's** arts education **program** at each grade level and report to the Board regarding its effectiveness in enabling students to meet academic standards.

(cf. 0500 - Accountability)
(cf. 6162.5 - Student Assessment)

Legal Reference: (see next page)

VISUAL AND PERFORMING ARTS EDUCATION (continued)

Legal Reference:

EDUCATION CODE

- 8950-8957 California summer school of the arts
- 32060-32066 Toxic art supplies
- 35330-35332 Field trips
- 51210 Course of study, grades 1-6
- 51220 Course of study, grades 7-12
- 51225.3 Graduation requirements
- 58800-58805 Specialized secondary programs
- 60200-602103 Instructional materials, elementary schools
- 60400-60411 Instructional materials, high schools
- 99200-992064 Subject matter projects

Management Resources:

Parents' Guide to the Visual and Performing Arts in California Public Schools

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California Arts Framework for Public Schools, Kindergarten through Grade Twelve

California Arts Standards for Public Schools, Prekindergarten through Grade Twelve, January 2019

Visual and Performing Arts Framework for California Public Schools: Kindergarten through Grade

Twelve, 2004

Visual and Performing Arts Content Standards, January 2001

Arts Education Program Toolkit: A Visual and Performing Arts Program Assessment Process, 2001

WEB SITES:

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

Arts Education Partnership: <http://aep-arts.org>

California Alliance for Arts Education: <http://www.artsed411.org>

California Arts Council: <http://www.cac.ca.gov>

California Art Education Association: <http://www.caeaducation.org>

California Association for Music Education: <http://www.actaonline.org/content/california-association-music-education>

California Dance Education Association: <http://www.cdeadance.org>

California Department of Education, Visual and Performing Arts: <http://www.cde.ca.gov/ci/vp>

California Educational Theatre Association: <http://www.cetoweb.org>

California Music Educators Association: <http://www.calmusiced.com>

The California Arts Project: <http://csmp.ucop.edu/tcap>

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AR 6145.2(a)

ATHLETIC COMPETITION

Nondiscrimination and Equivalent Opportunities in the Athletic Program

No student shall be excluded from participation in, be denied the benefits of, be denied equivalent opportunity in, or otherwise be discriminated against in interscholastic, intramural, or club athletics on the basis of any actual or perceived characteristic specified in law and BP 0410 - Nondiscrimination in District Programs and Activities. (Education Code 220, 221.5, 230; 5 CCR 4920; 34 CFR 106.41)

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 5145.3 - Nondiscrimination/Harassment)

The Superintendent or designee may provide single-sex teams when selection for the teams is based on competitive skills. (5 CCR 4921; 34 CFR 106.41)

Each student shall be allowed to participate in any single-sex athletic program or activity consistent with **his/her the student's** gender identity, **irrespective of the gender listed on the student's records,** **and** for which **he/she the student** is otherwise eligible to participate, **irrespective of the gender listed on the student's records.** (Education Code 221.5)

(cf. 5125 - Student Records)

ATHLETIC COMPETITION (continued)

When a school provides only one team in a particular sport for members of one sex, but provides no team in the same sport for members of the other sex, and athletic opportunities in the total program for that sex have been previously limited, members of the excluded sex shall be allowed to try out and compete with the team. The same standards for eligibility shall be applied to every student trying out for the team, regardless of sex, sexual orientation, gender, gender identity, gender expression, or other protected group status. (5 CCR 4921; 34 CFR 106.41)

The Superintendent or designee shall ensure that equivalent opportunities are available to both sexes in athletic programs by considering, among other factors: (5 CCR 4922; 34 CFR 106.41)

1. Whether the offered selection of sports and levels of competition effectively accommodate the interests and abilities of both sexes

The athletic program may be found to effectively accommodate the interests and abilities of both sexes using any one of the following tests: (Education Code 230)

- a. Whether the interscholastic-level participation opportunities for male and female students are provided in numbers substantially proportionate to their respective enrollments
- b. Where the members of one sex have been and are underrepresented among interscholastic athletes, whether the district can show a history and a continuing practice of program expansion that is demonstrably responsive to the developing interests and abilities of the members of that sex

ATHLETIC COMPETITION (continued)

- c. Where the members of one sex are underrepresented among interscholastic athletes and the district cannot show a history and continuing practice of program expansion as required in item #1b above, whether the district can demonstrate that the interests and abilities of the members of that sex have been fully and effectively accommodated by the present program
2. The provision and maintenance of equipment and supplies
3. Scheduling of games and practice times, selection of the season for a sport, and location of the games and practices
4. Travel and per diem allowances
5. Opportunities to receive coaching and academic tutoring
6. Assignment and compensation of coaches and tutors
7. Provision of locker rooms, practice facilities, and competitive facilities
8. Provision of medical and training facilities and services
9. Provision of housing and dining facilities and services
10. Publicity
11. Provision of necessary funds

Each school that offers competitive athletics shall, at the end of the school year, post on its school web site, or on the district web site if the school does not have a web site, the following information: (Education Code 221.9)

1. The total enrollment of the school, classified by gender

ATHLETIC COMPETITION (continued)

2. The number of students enrolled at the school who participate in competitive athletics, classified by gender
3. The number of boys' and girls' teams, classified by sport and by competition level

(cf. 1113 - District and School Web Sites)

The data reported for items #1-3 above shall reflect the total number of players on a team roster on the official first day of competition. The materials used to compile this information shall be retained by the school for at least three years after the information is posted on the web site. (Education Code 221.9)

(cf. 3580 - District Records)

Concussions and Head Injuries

The Superintendent or designee shall annually distribute to student athletes and their parents/guardians an information sheet on concussions and head injuries. The student and parent/guardian shall sign and return the information sheet before the student initiates practice or competition. (Education Code 49475)

(cf. 5145.6 - Parental Notifications)

The Superintendent or designee shall provide training to coaches and/or athletic trainers regarding concussion symptoms, prevention, and appropriate response. (Education Code 35179.1, 49032)

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

ATHLETIC COMPETITION (continued)

If a student athlete is suspected of sustaining a concussion or head injury in an athletic activity, **he/she the student** shall be immediately removed from the activity for the remainder of the day. The student shall not be permitted to return to the activity until **he/she the student** is evaluated by a licensed health care provider trained in the management of concussions and receives the health care provider's written clearance to return to the activity. If the health care provider determines that the **athlete student** sustained a concussion or a head injury, the **athlete student** shall also complete a graduated return-to-play protocol of no less than seven days in duration under the supervision of a licensed health care provider. (Education Code 49475)

A middle school or high school football team shall not hold a full-contact practice during the off-season and shall not conduct more than two full-contact practices per week during the preseason and regular season (from 30 days before the commencement of the regular season until the completion of the final interscholastic football game of that season). In addition, the full-contact portion of a practice shall not exceed 90 minutes in any single day. For these purposes, *full-contact practice* means a practice where drills or live action is conducted that involves collisions at game speed, where players execute tackles and other activity that is typical of an actual tackle football game. (Education Code 35179.5)

Heat Illness

The Superintendent or designee shall provide training to coaches and/or athletic trainers regarding the signs and symptoms of, and the appropriate response to, heat illness, including heat cramps, heat syncope, heat exhaustion, and exertional heat stroke. (Education Code 35179.1, 49032)

ATHLETIC COMPETITION (continued)

To assist in the prevention of heat illness, coaches and/or athletic trainers shall gradually increase the intensity and duration of exercise to acclimate student athletes to practice in the heat, provide adequate rest breaks, make water available during all athletic activities, and alter practice plans in extreme environmental conditions.

Sudden Cardiac Arrest

The Superintendent or designee shall distribute the California Interscholastic Federation (CIF) information sheet on sudden cardiac arrest to all student athletes who will be participating in a CIF-governed athletic activity and to their parents/guardians. The student and parent/guardian shall sign and return the information sheet prior to the student's participation in the athletic activity. If an athletic activity is not covered by CIF, the student and **his/her** parent/guardian shall, prior to the student's participation in the athletic activity, sign and return an acknowledgement that they have received and reviewed the sudden cardiac arrest information posted on the California Department of Education's web site. (Education Code 33479.2, 33479.3)

The Superintendent or designee shall provide training to coaches and/or athletic trainers regarding the nature and warning signs of sudden cardiac arrest. (Education Code 33479.6, 33479.7, 35179.1, 49032)

ATHLETIC COMPETITION (continued)

If a student athlete passes out or faints, or is known to have passed out or fainted, while participating in or immediately following **his/her** participation in an athletic activity, the student shall be removed from participation at that time. If a student exhibits any other symptoms of sudden cardiac arrest, including seizures during exercise, unexplained shortness of breath, chest pains, dizziness, racing heart rate, or extreme fatigue, **he/she the student** may be removed from participation by a coach or other employee who observes these symptoms. If any such symptoms are observed, notification shall be given to the student's parent/guardian so that the parent/guardian can determine the treatment, if any, the student should seek. A student who has been removed from participation shall not be permitted to return until **he/she the student** is evaluated and given written clearance to return to participation by a health care provider. (Education Code 33479.2, 33479.5)

Automated External Defibrillators

The Superintendent or designee shall acquire at least one automated external defibrillator (AED) for each district school and shall make the AED(s) available to coaches, athletic trainers, and/or other authorized persons at athletic activities or events for the purpose of providing emergency care or treatment to students, spectators, and other individuals in attendance at athletic activities and events. (Education Code 35179.6)

(cf. 5141 - Health Care and Emergencies)

The district shall comply with all requirements of Health and Safety Code 1797.196 pertaining to any AED acquired by the district, including, but not limited to, regular maintenance and testing of the AED and the provision and posting of information regarding the proper use of the AED. (Education Code 35179.6; Health and Safety Code 1797.196)

ATHLETIC COMPETITION (continued)

Additional Parental Notifications

Before a student participates in practice or competition as part of interscholastic athletic activities, the Superintendent or designee shall, in addition to providing his/her the students and their parents/guardians with information on the signs and symptoms of concussions and sudden cardiac arrest as the notices described above, send a notice to the student's students and their parents/guardians which:

1. Contains information about the procedures for filing a discrimination complaint that arises out of an interscholastic athletic activity, including the name of the district's Title IX Coordinator

(cf. 1312.3 - Uniform Complaint Procedures)

2. Includes a copy of students' Title IX rights pursuant to Education Code 221.8

AR 6145.2(i)

ATHLETIC COMPETITION (continued)

3. Explains that there is an element of risk associated with all athletic competitions and that the district cannot guarantee that students will not be injured, despite a commitment to every participant's health and welfare

(cf. 3530 - Risk Management/Insurance)

4. Provides information about insurance protection pursuant to Education Code 32221.5

(cf. 5143 - Insurance)

5. Requests parental permission for the student to participate in the program and, if appropriate, to be transported by the district to and from competitions

(cf. 3541.1 - Transportation for School-Related Trips)

6. States the district's expectation that students adhere strictly to all safety rules, regulations, and instructions, as well as rules and guidelines related to conduct and sportsmanship

(cf. 5144 - Discipline)

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

7. Includes a copy of the local CIF league rules
8. Includes information about the CIF bylaw and district policy requiring any student athlete and **his/her the student's** parent/guardian to sign a statement that the student will not use steroids, unless prescribed by a licensed health care practitioner, ~~or~~ **and will not use** prohibited dietary supplements that include substances banned by the U.S. Anti-Doping Agency

(cf. 5131.63 - Steroids)

AR 6145.2(j)

ATHLETIC COMPETITION (continued)

- 9. Includes the opioid fact sheet published by the Centers for Disease Control and Prevention in accordance with Education Code 49476. The district shall provide this fact sheet annually to each student athlete and shall require the student and the student's parent/guardian to sign a document acknowledging receipt of the fact sheet.**

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BP 6145.6(a)

INTERNATIONAL EXCHANGE

The Governing Board recognizes ~~that personal contact~~ **the value of interactions** between students of different countries and cultures ~~promotes~~ **in promoting** global awareness and international understanding **in an increasingly globalized and interconnected world.** ~~To that end, the~~ Board welcomes the enrollment of international exchange students **in district schools** and ~~further~~ encourages district students to take **any advantage of** opportunities that they may have to participate in such programs and study in another country.

With Board approval, a district school may establish a sister-school relationship with a school in another country.

District Students Studying in Another Country

~~District staff shall~~ **School counselors may provide information regarding international exchange programs and academic relevant** counseling to district students who wish to study in a foreign country. **Such counseling shall include a review of the student's completed coursework, academic achievement, and personal goals, and shall advise the student regarding requirements that the student must meet during attendance in the foreign school in order to maintain progress toward meeting district graduation requirements.**

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6164.2 - Guidance/Counseling Services)

~~District~~ **credit for courses successfully completed in the foreign country shall be granted in accordance with Board policy and administrative regulation.**

(cf. 6146.11 - Alternative Credits Toward Graduation)

International ~~Student~~ Exchange ~~Programs~~ Students in District Schools

INTERNATIONAL EXCHANGE (continued)

~~To enroll~~ **Before enrolling an international exchange student in a district school, the Superintendent or designee shall request proof that the an international exchange student must be is participating in an exchange International Student Exchange Placement Organization (ISEPO) program registered with the California Attorney General's Office, designated by the U.S. Department of State and accepted for listing on the Council for Standards for International Educational Travel's Advisory List.**

The Superintendent or designee shall obtain from the ISEPO a description of the services to be performed by the ISEPO for the student, host family, and the district; telephone numbers that the student, host family, or district may contact for assistance; and a summary of the student's complete prior academic coursework completed. (Government Code 12628; 22 CFR 62.25)

The district may require additional documents which may include, but are not limited to, evidence that the student has health and accident insurance from the time of departure from home to the time the student returns to the home country. (11 CCR 360; 22 CFR 62.25)

INTERNATIONAL EXCHANGE (continued)

When necessary because of overcrowding within district schools or limited district resources, the Superintendent or designee may limit the number of international exchange students to be accepted at any district high school during any school year.

The district shall not incur any financial obligations when sending and/or receiving educating international exchange students. ~~Program sponsors shall provide assurance of their responsibility for health/accident/liability insurance, the student's home placement, and the resolution of any related personal difficulties which may arise.~~ **An international student, or the ISEPO on behalf of the student, shall reimburse the district for the full, unsubsidized per capita cost of providing education at a district school for the period of the visiting student's attendance.**

(cf. 3260 - Fees and Charges)

In determining the tuition for international exchange students, the district shall calculate the total cost of educating the student, including, but not limited to, the amount expended per student for the current provision of instruction and services, the use of buildings and equipment, the repayment of local bonds and interest payments and state building loan funds, capital outlay, and transportation to and from school.

The Superintendent or designee shall establish district criteria for issuing regular or honorary diplomas to international exchange students. The principal or designee shall refer to these criteria when assisting international exchange students in selecting classes and cocurricular activities based on the student's individual qualifications, needs, and interests.

(cf. 5127 - Graduation Ceremonies and Activities)
(cf. 6146.1 - High School Graduation Requirements)
(cf. 6146.3 - Reciprocity of Academic Credit)

INTERNATIONAL EXCHANGE (continued)

District staff shall provide relevant counseling to district students who wish to study in a foreign country. District credit for courses successfully completed in the foreign country shall be granted in accordance with Board policy and administrative regulation.

(cf. 6146.11—Alternative Credits Toward Graduation)

Legal Reference:

EDUCATION CODE

35160 Authority of governing boards

35160.1 Broad authority of school districts

35185 Miscellaneous administrative authority

48052 Nonresidents

48204.4 Evidence of residency for school enrollment

51225.5 Honorary diplomas; foreign exchange students

GOVERNMENT CODE

12620-12630 International Student Exchange Visitor Placement Organizations

87100 General prohibition, conflict of interest

CALIFORNIA CODE OF REGULATIONS, TITLE 11

350-384 California Uniform Supervision of International Student Exchange Visitor Placement Organizations

CODE OF FEDERAL REGULATIONS, TITLE 8

214.2 Students in academic high schools

CODE OF FEDERAL REGULATIONS, TITLE 22

62.25 Secondary school students, exchange visitor program

Management Resources:

CSBA PUBLICATIONS

Legal Guidance Regarding International Student Exchange Placement Organizations, 2014

WEB SITES

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

California Interscholastic Federation: <http://www.cifstate.org>

California Attorney General's Office: California Office of the Attorney General, ISEPO:

<http://www.caag.state.ca.us> <https://oag.ca.gov/exchangestudents>

California Interscholastic Federation: <http://www.cifstate.org>

Council on Standards for International Educational Travel: <http://www.csiet.org>

U.S. Department of State, Bureau of Educational and Cultural Affairs: <http://exchanges.state.gov>

U.S. Department of State, Exchange Visitor Program: <http://j1visa.state.gov/programs/secondary-school-student>

U.S. Immigration and Customs Enforcement: <http://www.ice.gov>

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AR 6145.6(a)

INTERNATIONAL EXCHANGE

Admission

Prior to enrolling an international exchange student, the Superintendent or designee shall provide the International Student Exchange Placement Organization with written acceptance for the enrollment, including arrangements concerning the payment of tuition or the waiver of the tuition if applicable. (11 CCR 361; 22 CFR 62.25)

(cf. 5111.2 - Nonresident Foreign Students)

In order to approve the admission of an international exchange student, the Superintendent or designee must receive a written request for enrollment before the end of the preceding school year.

Enrollment shall be for ~~one year only~~ **one semester or one school year. (22 CFR 62.25)**

~~*(cf. 5111.2 - Nonresident Foreign Students)*~~

All international exchange students shall meet state and district immunization requirements.

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.31 - Immunizations)

Athletics

International exchange students shall be eligible for participation in interscholastic sports in accordance with state bylaws of the California Interscholastic Federation as well as applicable section bylaws.

INTERNATIONAL EXCHANGE (continued)

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

Diplomas

International exchange students may be considered for a diploma if they have satisfactorily completed the district's graduation requirements.

(cf. 6146.1 - High School Graduation Requirements)
(cf. 6146.11 - Alternative Credits Toward Graduation)
(cf. 6146.3 - Reciprocity of Academic Credit)

International exchange students who are not eligible for a regular diploma may receive an honorary diploma, provided they have completed at least one semester of full-time enrollment and achieved at least a 2.0 grade point average.

(cf. 5127 - Graduation Ceremonies and Activities)

~~At the discretion of the principal or designee, i~~International exchange students who do not meet requirements for a regular or an honorary diploma may, at the end of their visit, be given a **certificate or** letter certifying the time period for which they were enrolled **as well as a transcript documenting their completed coursework.**

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AR 6173.2(a)

EDUCATION OF CHILDREN OF MILITARY FAMILIES

Definitions

Children of military families are school-aged children in the household of: (Education Code 49701)

1. Members who are in full-time duty status in the active uniformed service of the United States, including any member of the National Guard and Reserve on active duty order pursuant to 10 USC 1209 or 1211
2. Members or veterans of the uniformed services who are severely injured and medically discharged or retired, for one year after their medical discharge or retirement
3. Members of the uniformed services who have died while on active duty or as a result of injuries sustained on active duty, for one year after their death

Enrollment and Residency

The Superintendent or designee shall facilitate the enrollment of children of military families and ensure that they are not placed at a disadvantage due to difficulty in the transfer of their records from previous school districts and/or variations in entrance or age requirements. (Education Code 49701)

EDUCATION OF CHILDREN OF MILITARY FAMILIES (continued)

A child of a military family shall be deemed to meet district residency requirements if **the his/her** parent/guardian, while on active military duty pursuant to an official military order, is transferred or is pending transfer to a military installation within the state. The Superintendent or designee shall accept electronic submission of such a student's application for enrollment, including enrollment in a specific school or program within the district, and for course registration. (Education Code 48204.3)

(cf. 5111.1 - District Residency)

When a child of a military family is transferring into the district, the Superintendent or designee **may shall** enroll the **child student** based **on unofficial education records, if official records are not yet available.** ~~on the child's placement in the previous district, pending receipt of the child's records.~~ Upon enrollment, the Superintendent or designee shall immediately request the student's **official** records from the student's previous district. The Superintendent or designee shall allow the student 30 days from the date of enrollment to obtain all required immunizations. (Education Code 49701)

(cf. 5111 - Admission)

(cf. 5125 - Student Records)

(cf. 5141- Health Care and Emergencies)

(cf. 5141.31- Immunizations)

A child of a military family shall be allowed to continue attending the school of origin, regardless of any change of residence of the family during that school year, for the duration of the student's status as a child of a military family. (Education Code 48204.6)

To provide a child of a military family the benefit of matriculating with peers in accordance with the established feeder patterns of the district, the following shall apply: (Education Code 48204.6)

- 1. If the student is transitioning between grade levels, the student shall be allowed to continue in the school district of origin in the same school attendance areas.**

EDUCATION OF CHILDREN OF MILITARY FAMILIES (continued)

- 2. If the student is transitioning to a middle or high school and the school designated for matriculation is in another district, the student shall be allowed to continue to the school designated for matriculation in that school district.**

The principal or designee of the new school shall ensure that the student is immediately enrolled even if the student has outstanding fees, fines, textbooks, or other items or moneys due to the school last attended or is unable to produce clothing or records normally required for enrollment, such as previous academic records, medical records, including, but not limited to, records or other proof of immunization history pursuant to Health and Safety Code 120325-120480, proof of residency, other documentation, or school uniforms. (Education Code 48204.6)

If the student's status changes during a school year due to the end of military service of the student's parent/guardian, the following shall apply: (Education Code 48204.6)

- 1. If the student is in grades K-8, the student shall be allowed to continue attending the school of origin through the duration of that academic school year.**
- 2. ~~If the student is in high school, the student shall be allowed to continue attending the school of origin through graduation.~~**

A child of an active military duty parent/guardian shall not be prohibited from transferring out of the district, if the school district of proposed enrollment approves the application for transfer. (Education Code 46600, 48307)

(cf. 5117 - Interdistrict Attendance)

When a child of a military family is transferring out of the district, the Superintendent or designee shall provide the student's parents/guardians with a complete set of the student's records or, if the official student record cannot be released, an unofficial or "hand-carried" record. Upon request from the new district, the Superintendent or designee shall provide a copy of the student's record to the new district within 10 days. (Education Code 49701)

EDUCATION OF CHILDREN OF MILITARY FAMILIES (continued)

Transportation

The Superintendent or designee may, but is not required to, provide transportation to enable a child of a military family to attend the school of origin or to matriculate to a feeder school as described above, except when indicated in the individualized education program (IEP) of a student with a disability or otherwise required by federal law. (Education Code 48204.6)

Placement

Whenever a student's parent/guardian is serving on active duty or has been discharged from military service within the last year and the student transfers to a new school as the direct result of the military transfer or discharge, the Superintendent or designee may, prior to the receipt of official transcript(s) or the arrival of the student, review the student's coursework to date, including any unofficial transcript(s), to determine the appropriate placement of the student in classes. The evaluation shall also include communication with school counselors and teachers at the former school by videoconferencing, email, and/or telephone calls. (Education Code 51251)

The Superintendent or designee shall initially honor the placement of any child of a military family in educational courses and programs based on the child's student's enrollment and/or assessment in his/her the previous school. The Superintendent or designee may, to the extent permitted by Board policy, waive course or program prerequisites, preconditions, and/or application deadlines when making decisions regarding placement of children of military families and their eligibility for extracurricular academic, athletic, and social activities. (Education Code 49701)

(cf. 6141.5 - Advanced Placement)

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

(cf. 6172 - Gifted and Talented Student Program)

(cf. 6174 - Education for English Learners)

EDUCATION OF CHILDREN OF MILITARY FAMILIES (continued)

When a child of a military family transferring into the district has been identified as an individual with a disability pursuant to 20 USC 1400-1482, the Superintendent or designee shall provide comparable services ~~to the student~~ based on ~~his/her~~ **the student's** current ~~individualized education program~~ **IEP**. In addition, when the child of a military family transferring into the district is eligible for services under Section 504 of the federal Rehabilitation Act, the Superintendent or designee shall make reasonable accommodations and modifications to address the needs of the student subject to the student's existing Section 504 plan. The district may authorize subsequent evaluations of the student to ensure appropriate placement. (Education Code 49701)

(cf. 6159 - Individualized Education Program)

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

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

Transfer of Coursework and Credits

~~When a child of a military family transfers into a district school, the district shall accept and issue full credit for any coursework that the student has satisfactorily completed while attending another public school, a nonpublic, nonsectarian school or agency, or a juvenile court school and shall not require the student to retake the course. (Education Code 51225.2)~~

(cf. 6146.3 - Reciprocity of Academic Credit)

*(cf. 6159.2 - Nonpublic, Nonsectarian School **and** ~~or~~ Agency Services for Special Education)*

~~If the student did not complete the entire course, ~~he/she~~ **the student** shall be issued partial credit for the coursework completed and shall be required to take only the portion of the course ~~that he/she did not completed~~ **at his/her** ~~the~~ previous school. However, the district may require the student to retake the portion of the course completed if, in consultation with the student's parent/guardian, the district finds that the student is reasonably able to complete the requirements in time to graduate from high school. Whenever partial credit is issued, the student shall be enrolled in the same or equivalent course, if applicable, so that ~~he/she~~ **the student** may continue and complete the entire course. (Education Code 51225.2)~~

EDUCATION OF CHILDREN OF MILITARY FAMILIES (continued)

~~Partial credits shall be awarded on the basis of 0.5 credits for every seven class periods attended per subject. If the school is on a block schedule, each block schedule class period attended shall be equal to two regular class periods per subject.~~

~~In no event shall the district prevent a child of a military family from taking or retaking a course to meet the eligibility requirements for admission to the California State University or the University of California. (Education Code 51225.2)~~

(cf. 6143 - Courses of Study)

Absences

When a student's parent/guardian is an active duty member and is called to duty for, is on leave from, or is immediately returned from deployment to a combat zone or to combat support posting, the Superintendent or designee may grant additional excused absences to the student to visit with **his/her the** parent/guardian. (Education Code 49701)

(cf. 5113 - Absences and Excuses)

Graduation Requirements

~~To obtain a high school diploma, a child of a military family shall complete all courses required by Education Code 51225.3 and **shall generally** fulfill any additional graduation requirements prescribed by the Governing Board.~~

(cf. 6146.1 - High School Graduation Requirements)

~~However, when a child of a military family who has completed **his/her the** second year of high school transfers into the district from another school district or transfers between high schools within the district, **he/she the student** shall be exempted from all district-adopted coursework and other district-established graduation requirements **that are in addition to the statewide coursework requirements specified in Education Code 51225.2**, unless the district makes a finding that the student is reasonably able to complete the additional requirements in time to graduate from high school by the end of **his/her the** fourth year of~~

EDUCATION OF CHILDREN OF MILITARY FAMILIES (continued)

~~high school. Within 30 calendar days of the student's transfer, the Superintendent or designee shall notify the student and his/her parent/guardian of the availability of the exemption and whether the student qualifies for it. If the Superintendent or designee fails to provide this notification, the student shall be eligible for the exemption once notified, even if the notification occurs after the student no longer meets the definition of a child of a military family pursuant to Education Code 49701. (Education Code 51225.1)~~

~~To determine whether a child of a military family is in his/her the third or fourth year of high school, the district shall use either the number of credits he/she has earned as of the date of the transfer or the length of his/her school enrollment, whichever qualifies him/her the student for the exemption. (Education Code 51225.1)~~

~~The Superintendent or designee shall notify any child of a military family who is granted an exemption and his/her the student's parent/guardian how any requirements that are waived will affect the student's ability to gain admission to a postsecondary educational institution and shall provide information about transfer opportunities available through the California Community Colleges. (Education Code 51225.1)~~

~~The district shall not require or request a child of a military family to transfer schools in order to qualify for an exemption, and no child of a military family or his/her parent/guardian shall be permitted to request a transfer solely to qualify for an exemption. (Education Code 51225.1)~~

~~If a child of a military family is exempted from local graduation requirements, the exemption shall continue to apply after the student no longer meets the definition of a child of a military family while enrolled in school or if he/she upon transfers to another school or school district. (Education Code 51225.1)~~

~~If the Superintendent or designee determines that a child of a military family is reasonably able to complete district graduation requirements within his/her a fifth year of high school, he/she the Superintendent or designee shall: (Education Code 51225.1)~~

- ~~1. Inform the student and, if under 18 years of age, his/her the student's parent/guardian of the option available to the student to remain in school for a fifth year to complete the district's graduation requirements and how that will affect his/her the student's ability to gain admission to a postsecondary educational institution~~
- ~~2. Provide information to the student about transfer opportunities available through the California Community Colleges~~

3. ~~Upon agreement with the student, or with the parent/guardian if the student is under 18 years of age, permit the student to stay in school for a fifth year to complete the district's graduation requirements~~

AR 6173.2(h)

EDUCATION OF CHILDREN OF MILITARY FAMILIES (continued)

Notification and Complaints

Information regarding the educational rights of children of military families, as specified in Education Code 51225.1 and 51225.2, shall be included in the annual uniform complaint procedures notification distributed to students, parents/guardians, employees, and other interested parties pursuant to 5 CCR 4622. (Education Code 51225.1, 51225.2)

Any complaint alleging that the district has not complied with requirements regarding the education of children of military families, as specified in Education Code 51225.1 or 51225.2, may be filed in accordance with the district's procedures in AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

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Policy Reference UPDATE Service

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Board Policy

Instruction

BP 6174(a)

EDUCATION FOR ENGLISH LEARNERS

The Governing Board intends to provide English learners with challenging curriculum and instruction that maximize the attainment of high levels of proficiency in English, advance multilingual capabilities, and facilitate student achievement in the district's regular course of study.

English learners shall be provided differentiated English language development instruction which is targeted to their English proficiency level., ~~integrated across all subject areas, and aligned with the state content standards. The district's program~~ **Such instruction** shall be based on sound instructional theory, **be aligned with state content standards**, ~~use standards-aligned instructional materials,~~ emphasize inquiry-based learning and critical thinking skills, and **be integrated across all subject areas** ~~provide students with access to the full educational program.~~

BP 6174(b)

EDUCATION FOR ENGLISH LEARNERS (continued)

(cf. 6011 - Academic Standards)

(cf. 6141 - Curriculum Development and Evaluation)

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

(cf. 6161.11 - Supplementary Instructional Materials)

(cf. 6171 - Title I Programs)

No ~~middle or high school~~ student who is an English learner shall be denied enrollment in any of the following: (Education Code 60811.8)

- 1. Courses in the core curriculum areas of reading/language arts, mathematics, science, and history-social science, courses required to meet state and local high school graduation requirements, or courses required for middle school grade promotion**

However, an English learner may be denied participation in any such course if the student has been enrolled in a school in the United States for less than 12 months or is enrolled in a program designed to develop the basic English skills of newly arrived immigrant students, and the course of study provided to the student is designed to remedy academic deficits incurred during participation and to enable the student to

attain parity of participation in the standard instructional program within a reasonable length of time after the student enters the school system.

2. ~~A full course load of courses specified in item #1 above~~

3. ~~Other courses that meet the "a-g" course requirements for college admission or are advanced courses such as honors or Advanced Placement courses, on the sole basis of the student's classification as an English learner~~

(cf. 0415 - Equity)

(cf. 6141.4 - International Baccalaureate Program)

(cf. 6141.5 - Advanced Placement)

BP 6174(c)

EDUCATION FOR ENGLISH LEARNERS (continued)

The district shall identify in its local control and accountability plan (LCAP) goals and specific actions and services to enhance student engagement, academic achievement, and other outcomes for English learners.

(cf. 0460 - Local Control and Accountability Plan)

(cf. 3100 - Budget)

The Superintendent or designee shall encourage parent/guardian and community involvement in the development and evaluation of programs for English learners. ~~To support students' English language development,~~ ~~The Superintendent or designee may also provide an English development adult literacy training program that leads to English fluency for parents/guardians and community members so that they may better support students' English language development.~~

(cf. 0420 - School Plans/Site Councils)

(cf. 1220 - Citizen Advisory Committees)

(cf. 6020 - Parent Involvement)

~~English learners shall be provided differentiated English language development instruction which is targeted to their English proficiency level, integrated across all subject areas, and aligned with the state content standards. The district's program shall be based on sound instructional theory, use standards-aligned instructional materials, emphasize inquiry-based learning and critical thinking skills, and provide students with access to the full educational program.~~

(cf. 6011 - Academic Standards)

(cf. 6141 - Curriculum Development and Evaluation)

EDUCATION FOR ENGLISH LEARNERS (continued)

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

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

~~(cf. 6171 - Title I Programs)~~

Staff Qualifications and Training

The Superintendent or designee shall ensure that all staff employed to teach English learners possess the appropriate authorization from the Commission on Teacher Credentialing.

(cf. 4112.22 - Staff Teaching English Learners)

The district shall provide effective professional development to teachers (including teachers in classroom settings that are not the settings of language instruction educational programs), administrators, and other school or community-based organization personnel to improve the instruction and assessment of English learners and enhance staff's ability to understand and use curricula, assessment, and instructional strategies for English learners. Such professional development shall be of sufficient intensity and duration to produce a positive and lasting impact on teachers' performance in the classroom. (20 USC 6825)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Staff development shall also address the sociocultural needs of English learners and provide opportunities for teachers to engage in supportive, collaborative learning communities.

~~To support students' English language development, the Superintendent or designee may provide an adult literacy training program that leads to English fluency for parents/guardians and community members.~~

EDUCATION FOR ENGLISH LEARNERS (continued)

Identification and Assessment

The Superintendent or designee shall maintain procedures for the early identification of English learners and an assessment of their proficiency ~~and needs in the areas of listening, speaking, reading, and writing in English~~ **using the state's English Language Proficiency Assessments for California (ELPAC). To oversee test administration, the Superintendent or designee shall annually designate a district ELPAC coordinator and a site coordinator for each test site in accordance with 5 CCR 11518.40-11518.45.**

Once identified as an English learner, a student shall be annually assessed for language proficiency until ~~he/she~~ **the student** is reclassified based on criteria specified in the accompanying administrative regulation.

In addition, English learners' academic achievement in English language arts, mathematics, science, and any additional subject required by law shall be assessed using the California Assessment of Student Performance and Progress. As necessary, the test shall be administered with testing variations in accordance with 5 CCR 854.1-854.3. English learners who are in their first 12 months of attending a school in the United States shall be exempted from taking the English language arts assessment to the extent allowed by federal law. (Education Code 60603, 60640; 5 CCR 854.1-854.3)

EDUCATION FOR ENGLISH LEARNERS (continued)

(cf. 6162.51 - State Academic Achievement Tests)

Formative assessments may be utilized to analyze student performance and appropriately adapt teaching methodologies and instructions.

(cf. 6162.5 - Student Assessment)

Language Acquisition Programs

The district shall offer research-based language acquisition programs that are designed to ensure English acquisition as rapidly and as effectively as possible and that provide instruction to students on the state-adopted academic content standards, including the English language development standards. (Education Code 306; 5 CCR 11300)

At a minimum, the district shall offer a structured English immersion program which includes designated and integrated English language development. In the structured English immersion program, nearly all of the classroom instruction shall be provided in English, but with the curriculum and presentation designed for students who are learning English. (Education Code 305-306; 5 CCR 11309)

For the purpose of determining the amount of instruction to be conducted in English in the structured English immersion program, "nearly all" means that all classroom instruction shall be conducted in English except for clarification, explanation, and support as needed.

EDUCATION FOR ENGLISH LEARNERS (continued)

In addition, language acquisition programs offered by the district may include, but are not limited to, the following: (Education Code 305-306)

1. ~~The district may offer a~~ **A** dual-language immersion program that provides integrated language learning and academic instruction for native speakers of English and native speakers of another language, with the goals of high academic achievement, first and second language proficiency, and cross-cultural understanding.

(cf. 6142.2 - World/~~Foreign~~ Language Instruction)

2. ~~The district may offer a~~ **A** transitional or developmental program for English learners that provides literacy and academic instruction in English and a student's native language and that enables an English learner to achieve English proficiency and academic mastery of subject matter content and higher order thinking skills, including critical thinking, in order to meet state academic content standards.

The district's language acquisition programs for grades K-3 shall comply with class size requirements specified in Education Code 42238.02. (Education Code 310)

(cf. 6151 - Class Size)

In establishing the district's language acquisition programs, the Superintendent or designee shall consult with parents/guardians and the community during the LCAP development process. ~~He/she~~ **The Superintendent or designee** shall also consult with administrators, teachers, and other personnel with appropriate authorizations and experience in establishing a language acquisition program. (Education Code 305)

At the beginning of each school year or upon a student's enrollment, parents/guardians shall be provided information on the types of language acquisition programs available to students enrolled in the district, including, but not limited to, a description of each program, the process to be followed in making a program selection, identification of any language to be taught in addition to English when the program includes instruction in another language, and the process to request establishment of a language acquisition program. (Education Code 310; 5 CCR 11310)

(cf. 5145.6 - Parental Notifications)

EDUCATION FOR ENGLISH LEARNERS (continued)

Whenever a student is identified as an English learner based on the results of the ELPAC, the student's parents/guardians of English learners may choose a language acquisition program that best suits their child. To the extent possible, any language acquisition program requested by the parents/guardians of 30 or more students at the school or by the parents/guardians of 20 or more students at any grade level shall be offered by the school. (Education Code 310; 5 CCR 11311)

Reclassification

When an English learner is determined based on state and district reclassification criteria to have acquired a reasonable level of English proficiency pursuant to Education Code 313 and 52164.6, or upon request by the student's parent/guardian, the student shall be transferred from a language acquisition program into an English language mainstream classroom.

Program Evaluation

To evaluate the effectiveness of the district's educational program for English learners, the Superintendent or designee shall report to the Board, at least annually, regarding:

1. Progress of English learners towards proficiency in English
2. The number and percentage of English learners reclassified as fluent English proficient
3. The number and percentage of English learners who are or are at risk of being classified as long-term English learners in accordance with Education Code 313.1
4. The achievement of English learners on standards-based tests in core curricular areas

EDUCATION FOR ENGLISH LEARNERS (continued)

5. For any language acquisition program that includes instruction in a language other than English, student achievement in the non-English language in accordance with 5 CCR 11309
6. Progress toward any other goals for English learners identified in the district's LCAP
7. A comparison of current data with data from at least the previous year in regard to items #1-6 above
8. A comparison of data between the different language acquisition programs offered by the district

The Superintendent or designee shall also provide the Board with regular reports from any district or schoolwide English learner advisory committees.

Legal Reference: (see next page)

EDUCATION FOR ENGLISH LEARNERS (continued)*Legal Reference:*EDUCATION CODE

300-340 *English language education, especially:*
 305-310 *Language acquisition programs*
 313-313.5 *Assessment of English proficiency*
 430-446 *English Learner and Immigrant Pupil Federal Conformity Act*
 33050 *State Board of Education waiver authority*
 42238.02-42238.03 *Local control funding formula*
 44253.1-44253.11 *Qualifications for teaching English learners*
 48980 *Parental notifications*
 48985 *Notices to parents in language other than English*
 52052 *Accountability; numerically significant student subgroups*
 52060-52077 *Local control and accountability plan*
 52160-52178 *Bilingual Bicultural Act*
 56305 *CDE manual on English learners with disabilities*
 60603 *Definition, recently arrived English learner*
 60640 *California Assessment of Student Performance and Progress*
60811-60812 *Assessment of English language development*
 62002.5 *Continuation of advisory committee after program sunsets*
CODE OF REGULATIONS, TITLE 5
 854.1-854.3 *CAASPP and universal tools, designated supports, and accommodations*
 854.9 *CASSPP and unlisted resources for students with disabilities*
 11300-11316 *English learner education*
~~11510-11517.5 *California English Language Development Test*~~
 11517.6-11519.5 *English Language Proficiency Assessments for California*
UNITED STATES CODE, TITLE 20
 1412 *Individuals with Disabilities Education Act; state eligibility*
 1701-1705 *Equal Educational Opportunities Act*
 6311 *Title I state plan*
 6312 *Title I local education agency plans*
 6801-7014 *Title III, language instruction for English learners and immigrant students*
 7801 *Definitions*
CODE OF FEDERAL REGULATIONS, TITLE 34
 100.3 *Discrimination prohibited*
 200.16 *Assessment of English learners*
COURT DECISIONS
Valeria O. v. Davis, (2002) 307 F.3d 1036
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 83 *Ops.Cal.Atty.Gen.* 40 (2000)

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Management Resources continued: (see next page)

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English Learners in Focus, Issue 3: Ensuring High-Quality Staff for English Learners, Governance Brief, July 2016

English Learners in Focus, Issue 2: The Promise of Two-Way Immersion Programs, Governance Brief, September 2014

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONSCalifornia Practitioners' Guide for Educating English Learners with Disabilities, 2019

California English Learner Roadmap: Strengthening Comprehensive Educational Policies, Programs and Practices for English Learners, 2018

Matrix One: Universal Tools, Designated Supports, and Accommodations for the California Assessment of Student Performance and Progress for 2017-18, rev. August 2017

Reclassification Guidance for 2017-18, CDE Correspondence, April 28, 2017

Integrating the CA ELD Standards into K-12 Mathematics and Science Teaching and Learning, December 2015

Next Generation Science Standards for California Public Schools, Kindergarten through Grade Twelve, rev. March 2015

English Language Arts/English Language Development Framework for California Public Schools: Transitional Kindergarten Through Grade Twelve, 2014

Common Core State Standards for Mathematics, rev. 2013

English Language Development Standards for California Public Schools: Kindergarten Through Grade Twelve, 2012

THE EDUCATION TRUST- WEST PUBLICATIONS

Unlocking Learning II: Math as a Lever for English Learner Equity, March 2018

Unlocking Learning: Science as a Lever for English Learner Equity, January 2017

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Accountability for English Learners Under the ESEA, Non-Regulatory Guidance, January 2017

Innovative Solutions for Including Recently Arrived English Learners in State Accountability Systems: A Guide for States, January 2017

English Learner Tool Kit for State and Local Educational Agencies (SEAs and LEAs), rev. November 2016

English Learners and Title III of the Elementary and Secondary Education Act (ESEA), as Amended by the Every Student Succeeds Act (ESSA), Non-Regulatory Guidance, September 23, 2016

Dear Colleague Letter: English Learner Students and Limited English Proficient Parents, January 7, 2015

WEB SITES

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

California Association for Bilingual Education: <http://www.gocabe.org>

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

National Clearinghouse for English Language Acquisition: <http://www.ncela.us>

The Education Trust-West: <https://west.edtrust.org>

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

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National SD

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Instruction

AR 6174(a)

EDUCATION FOR ENGLISH LEARNERS

Definitions

English learner means a student who is age 3-21 years, who is enrolled or is preparing to enroll in an elementary or secondary school, and whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the student the ability to meet state academic standards, the ability to successfully achieve in classrooms where the language of instruction is English, or the opportunity to participate fully in society. An English learner may include a student who was not born in the United States or whose native language is a language other than English; a student who is Native American or Alaska Native, or a native resident of the outlying areas, who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; or a student who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant. (Education Code 306; 20 USC 7801)

Designated English language development means instruction provided during a time set aside in the regular school day for focused instruction on the state-adopted English language development standards to assist English learners to develop critical English language skills necessary for academic content learning in English. (5 CCR 11300)

Integrated English language development means instruction in which the state-adopted English language development standards are used in tandem with the state-adopted academic content standards. Integrated English language development includes specially designed academic instruction in English. (5 CCR 11300)

Native speaker of English means a student who has learned and used English **in his/her at** home from early childhood and English has been **his/her the** primary means of concept formation and communication. (Education Code 306)

Identification and Assessments

Upon enrollment in the district, each student's primary language shall be determined through the use of a home language survey. (Education Code 52164.1; 5 CCR 11307)

EDUCATION FOR ENGLISH LEARNERS (continued)

Any student who is identified as having a primary language other than English as determined by the home language survey, and who has not previously been identified as an English learner by a California public school or for whom there is no record of results from an administration of an English language proficiency test, shall be initially assessed for English proficiency using the English Language Proficiency Assessments for California (ELPAC). (Education Code 313, 52164.1; 5 CCR ~~11511~~ **11518.5**)

Each year after a student is identified as an English learner and until **he/she the student** is redesignated as English proficient, the summative assessment of the ELPAC shall be administered to the student during a four-month period after January 1 as determined by the California Department of Education. (Education Code 313)

~~The ELPAC shall be administered in accordance with test publisher instructions and 5 CCR 11518.5-11518.20. Variations and accommodations in test administration may be provided to English learners pursuant to 5 CCR 11518.30-11518.35.~~

~~The ELPAC shall be administered~~ **Administration of the ELPAC, including the use of variations and accommodations in test administration when authorized, shall be conducted** in accordance with test publisher instructions and 5 CCR 11518.5-11518.20**35**.

EDUCATION FOR ENGLISH LEARNERS (continued)

~~Any student with a disability who is identified as an English learner shall be allowed to take the assessment with those accommodations for testing that the student has regularly used during instruction and classroom assessment as delineated in the student's individualized education program (IEP) or Section 504 plan. If the student is unable to participate in the assessment or a portion of the assessment even with such accommodations, an alternate assessment for English language proficiency shall be administered to the student as set forth in his/her IEP. (5 CCR 11518.25 11518.35; 20 USC 1412)~~

(cf. 6159 - Individualized Education Program)
(cf. 6162.51 - State Academic Achievement Tests)
(cf. 6164.6 - Identification and Education Under Section 504)

The Superintendent or designee shall notify parents/guardians of their child's results on the ELPAC within 30 calendar days following receipt of the results from the test contractor **or, if the results are received from the test contractor after the last day of instruction for the school year, within 15 working days of the start of the next school year.** (Education Code 52164.1; 5 CCR ~~11511.5~~ **11518.15**)

(cf. 5145.6 - Parental Notifications)

The parent/guardian of a student participating in, or identified for participation in, a language instruction program supported by federal Title I or Title III funds shall receive notification of the assessment of ~~his/her child's~~ **the student's** English proficiency. Such notice shall be provided not later than 30 calendar days after the beginning of the school year or, if the student is identified for program participation during the school year, within two weeks of the student's placement in the program. The notice shall include all of the following: (Education Code 313.2, 440; 20 USC 6312)

1. The reason for the identification of the student as an English learner and the need for placement in a language acquisition program

EDUCATION FOR ENGLISH LEARNERS (continued)

2. The level of English proficiency, how the level was assessed, and the status of the student's academic achievement
3. A description of the language acquisition program in which the student is, or will be, participating, including a description of all of the following:
 - a. The methods of instruction used in the program and in other available programs, including how such programs differ in content, instructional goals, and the use of English and a native language in instruction
 - b. The manner in which the program will meet the educational strengths and needs of the student
 - c. The manner in which the program will help the student develop his/her English proficiency and meet age-appropriate academic standards for grade promotion and graduation
 - d. The specific exit requirements for the program, the expected rate of transition from the program into classes not tailored for English learners, and the expected rate of graduation from secondary school if applicable
 - e. Where the student has been identified for special education, the manner in which the program meets the requirements of the student's IEP
4. As applicable, the identification of a student as a long-term English learner or at risk of becoming a long-term English learner, as defined in Education Code 313.1, and the manner in which the program for English language development instruction will meet the educational strengths and needs of such students and help such students develop English proficiency and meet age-appropriate academic standards
5. Information about the parent/guardian's right to have the student immediately removed from a program upon the parent/guardian's request
6. Information regarding a parent/guardian's option to decline to enroll the student in the program or to choose another program or method of instruction, if available

EDUCATION FOR ENGLISH LEARNERS (continued)

7. Information designed to assist a parent/guardian in selecting among available programs, if more than one program or method is offered

Language Acquisition Programs

Whenever parents/guardians of enrolled students, and those enrolled for attendance in the next school year, request that the district establish a specific language acquisition program in accordance with Education Code 310, such requests shall be addressed through the following process: (5 CCR 11311)

1. The school shall make a written record of each request, including any request submitted verbally, that includes the date of the request, the names of the parent/guardian and student making the request, a general description of the request, and the student's grade level on the date of the request. As needed, the school shall assist the parent/guardian in clarifying the request. All requests shall be maintained for at least three years from the date of the request.
2. The school shall monitor requests on a regular basis and notify the Superintendent or designee when the parents/guardians of at least 30 students enrolled in the school, or at least 20 students in the same grade level, request the same or a substantially similar type of language acquisition program. If the requests are for a multilingual program model, the district shall consider requests from parents/guardians of students enrolled in the school who are native English speakers in determining whether this threshold is reached.
3. If the number of parents/guardians described in item #2 is attained, the Superintendent or designee shall:
 - a. Within 10 days of reaching the threshold, notify the parents/guardians of students attending the school, the school's teachers, administrators, and the district's English learner parent advisory committee and parent advisory committee, in writing, of the requests for a language acquisition program
 - b. Identify costs and resources necessary to implement any new language acquisition program, including, but not limited to, certificated teachers with the appropriate authorizations, necessary instructional materials, pertinent

EDUCATION FOR ENGLISH LEARNERS (continued)

professional development for the proposed program, and opportunities for parent/guardian and community engagement to support the proposed program goals

- c. Within 60 calendar days of reaching the threshold number of parents/guardians described in item #2 above, determine whether it is possible to implement the requested language acquisition program and provide written notice of the determination to parents/guardians of students attending the school, the school's teachers, and administrators
- d. If a determination is made to implement the language acquisition program, create and publish a reasonable timeline of actions necessary to implement the program. If a determination is made that it is not possible to implement the program, provide a written explanation of the reason(s) the program cannot be provided.

The district shall notify parents/guardians at the beginning of each school year or upon the student's enrollment regarding the process to request a language acquisition program, including a dual-language immersion program, for their child. The notice shall also include the following: (5 CCR 11309, 11310)

- 1. A description of the programs provided, including structured English immersion
- 2. Identification of any language to be taught in addition to English when the program includes instruction in a language other than English
- 3. The manner in which the program is designed using evidence-based research and includes both designated and integrated English language development
- 4. The manner in which the district has allocated sufficient resources to effectively implement the program, including, but not limited to, certificated teachers with the appropriate authorizations, necessary instructional materials, pertinent professional development, and opportunities for parent/guardian and community engagement to support the program goals
- 5. The manner in which the program will, within a reasonable period of time, lead to language proficiency and achievement of the state-adopted content standards in English and, when the program includes instruction in another language, in that other language

EDUCATION FOR ENGLISH LEARNERS (continued)

6. The process to request establishment of a language acquisition program not offered at the school
7. For any dual-language immersion program offered, the specific languages to be taught. The notice also may include the program goals, methodology used, and evidence of the proposed program's effectiveness.

Reclassification/Redesignation

The district shall continue to provide additional and appropriate educational services to English learners for the purposes of overcoming language barriers until they: (5 CCR 11302)

1. Demonstrate English language proficiency comparable to that of the district's average native English language speakers
2. Recoup any academic deficits which may have been incurred in other areas of the core curriculum as a result of language barriers

English learners shall be reclassified as fluent English proficient when they are able to comprehend, speak, read, and write English well enough to receive instruction in an English language mainstream classroom and make academic progress at a level substantially equivalent to that of students of the same age or grade whose primary language is English and who are in the regular course of study. (Education Code 52164.6)

The **measures procedures** used to determine whether an English learner shall be reclassified as fluent English proficient shall include, but not be limited to: (Education Code 313, 52164.6; 5 CCR 11303)

1. Assessment of English language proficiency using an objective assessment instrument, including, but not limited to, the ELPAC
2. Participation of the student's classroom teacher and any other certificated staff with direct responsibility for teaching or placement decisions related to the student

EDUCATION FOR ENGLISH LEARNERS (continued)

3. Parent/guardian ~~opinion and consultation~~ **involvement, including:**
 - a. **Notice to parents/guardians of language reclassification and placement, including a description of the reclassification process and the parent/guardian's opportunity to participate**
 - b. **Encouragement of parent/guardian participation in the district's reclassification procedure, including seeking parent/guardian opinion and consultation during the reclassification process**

~~The Superintendent or designee shall provide the parent/guardian with notice and a description of the reclassification process and of his/her opportunity to participate in the process and shall encourage his/her involvement in the process.~~
4. Student performance on an objective assessment of basic skills in English that shows whether the student is performing at or near grade level

The Superintendent or designee shall monitor the progress of reclassified students to ensure their correct classification and placement. (5 CCR 11304)

The Superintendent or designee shall monitor students for at least two years following their reclassification to determine whether ~~the student needs~~ any additional academic support **is needed**.

Advisory Committee

A parent/guardian advisory committee shall be established at the district level when there are more than 50 English learners in the district and at the school level when there are more than 20 English learners at the school. Parents/guardians of English learners shall constitute committee membership in at least the same percentage as English learners represent of the total number of students in the school. (Education Code 52176; 5 CCR 11308)

EDUCATION FOR ENGLISH LEARNERS (continued)

The district's English language advisory committee shall advise the Governing Board on at least the following tasks: (5 CCR 11308)

1. The development of a plan for education programs and services for English learners, taking into consideration the school site plans for English learners
2. The districtwide needs assessment on a school-by-school basis
3. Establishment of a district program, goals, and objectives for programs and services for English learners
4. Development of a plan to ensure compliance with applicable teacher or aide requirements
5. Administration of the annual language census
6. Review of and comment on the district's reclassification procedures

(cf. 0420 - School Plans/Site Councils)

(cf. 1220 - Citizen Advisory Committees)

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 6020 - Parent Involvement)

In order to assist the advisory committee in carrying out its responsibilities, the Superintendent or designee shall ensure that committee members receive appropriate training and materials. This training shall be planned in full consultation with the members. (5 CCR 11308)

LCAP Advisory Committee

When there are at least 15 percent English learners in the district, with at least 50 students who are English learners, a district-level English learner parent advisory committee shall be established to review and comment on the district's local control and accountability plan (LCAP) in accordance with BP 0460 - Local Control and Accountability Plan. The committee shall be composed of a majority of parents/guardians of English learners. (Education Code 52063; 5 CCR 11301, 15495)

(cf. 0460 - Local Control and Accountability Plan)

EDUCATION FOR ENGLISH LEARNERS (continued)

The advisory committee established pursuant to 5 CCR 11308, as described in the section "Advisory Committee" above, could serve as the LCAP English learner advisory committee if its composition includes a majority of parents/guardians of English learners.

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National SD Board Policy

Instruction

BP 6175(a)

MIGRANT EDUCATION PROGRAM

The Governing Board desires to provide a comprehensive program for migrant students that attempts to mitigate the impact of educational disruption, cultural and language barriers, social isolation, health-related problems, and other factors that may inhibit **the their** ability **of migrant students** to succeed in school. The district shall make use of available funds to provide supplementary services for migrant students.

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

(cf. 0415 - Equity)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

~~The Superintendent or designee shall convene a parent advisory council to actively involve parents/guardians in planning, operating, and evaluating the district's migrant education program. (Education Code 54444.2)~~

~~*(cf. 1220 - Citizen Advisory Committees)*~~

~~*(cf. 6020 - Parent Involvement)*~~

The Superintendent or designee shall cooperate with the regional migrant service center in outreach and identification of eligible migrant students and in the provision of migrant education services. **He/she The Superintendent or designee** shall also coordinate migrant education services with other programs within the district and with other public agencies that serve migrant workers and their families.

~~*(cf. 1020 - Youth Services)*~~

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

~~*(cf. 5141.6 - School Health Services)*~~

~~*(cf. 5147 - Dropout Prevention)*~~

MIGRANT EDUCATION PROGRAM (continued)

(cf. 5148 - Child Care and Development)
(cf. 5148.2 - Before/After School Programs)
(cf. 5148.3 - Preschool/Early Childhood Education)
(cf. 6164.2 - Guidance/Counseling Services)
(cf. 6171 - Title I Programs)
(cf. 6174 - Education for English Learners)

The district shall give first priority for services to migrant students who are failing, or **are** most at risk of failing, to meet ~~state content standards and challenging state performance state academic standards, and whose education has been interrupted during the regular school year or have dropped out of school.~~ **state academic standards, and whose education has been interrupted during the regular school year or have dropped out of school.** (20 USC 6394)

(cf. 6011 - Academic Standards)

The district shall provide services to eligible private school students residing within the district on an equitable basis with participating public school students. (20 USC 7881; 34 CFR 200.87)

MIGRANT EDUCATION PROGRAM (continued)

The Superintendent or designee shall ~~plan for late enrollments of migrant students. He/she shall~~ ensure that each migrant student is placed at the appropriate grade level **upon enrollment** and is provided services in accordance with ~~his/her~~ **an** individual needs assessment and learning plan.

~~The Board shall monitor the results of~~ **The Superintendent or designee shall annually report to the Board regarding student performance on** statewide assessments of core academic subjects and English language development, as appropriate, for students enrolled in the district's migrant education ~~services~~ **program**. In addition, the Superintendent or designee shall periodically report to the Board regarding the alignment of district services with the needs of students as identified in student needs assessments conducted pursuant to Education Code 54443.1. As necessary, the Board shall seek technical assistance from the migrant education regional service center and/or make changes in the services provided by the district in order to improve student achievement.

(cf. 0500 - Accountability)
(cf. 6162.51 - State Academic Achievement Tests)

Legal Reference: (see next page)

BP 6175(d)

MIGRANT EDUCATION PROGRAM (continued)

Legal Reference:

EDUCATION CODE

200 Educational equity

220 Prohibition against discrimination

234.7 Student protections relating to immigration and citizenship status

51225.1 Exemption from district graduation requirements

51225.3 High school graduation, course requirements

54440-54445 Migrant education program

CODE OF REGULATIONS, TITLE 5

3080 Application of uniform complaint procedures

4600-~~4687~~ 4670 Uniform complaint procedures

UNITED STATES CODE, TITLE 20

6311 Title I state plan

6381-6381k Even Start family literacy program

6391-6399 ~~Migrant education program~~ Education of migrant students

7881 Services for private school students

CODE OF FEDERAL REGULATIONS, TITLE 34

200.81-200.89 Migrant education program

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

2017 State Service Delivery Plan

Identification and Recruitment Manual: Policies and Procedures for Migrant Education Recruiters in the State of California, 2008

California Migrant Education Program: Comprehensive Needs Assessment, Initial Report of Findings, 2007

U.S. DEPARTMENT OF EDUCATION NON-REGULATORY GUIDANCE PUBLICATIONS

Title I, Part C Education of Migratory Children, October 2003

Education of Migratory Children Under Title I, Part C of the Elementary and Secondary Education Act of 1965, Non-Regulatory Guidance, rev. March 2017

WEB SITES

California Department of Education, Migrant Education Office: <http://www.cde.ca.gov/sp/me>

U.S. Department of Education, Office of Migrant Education: <http://www.ed.gov/about/offices/list/oese/ome>

West Ed, Migrant Student Information Network: <http://www.wested.org/es/we/view/pj/61>

<https://www.wested.org/project/migrant-student-information-network-msin>

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Policy Reference UPDATE Service

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National SD Administrative Regulation

Instruction

AR 6175(a)

MIGRANT EDUCATION PROGRAM

Eligibility

~~A student~~ **Students** age 3 to 21 years shall be eligible for the district's migrant education program if ~~he/she meets the criteria, specified in 20 USC 6399 and 34 CFR 200.81 as verified by a migrant education recruiter.~~ **they, their parents/guardians, or their spouses are migratory agricultural workers or fishers who, in the preceding 36 months, moved into the district due to economic necessity and engaged in new temporary or seasonal employment or personal subsistence in agriculture or fishing. If such employment was not secured soon after the move, students may be considered migrant students if they, their parents/guardians, or their spouses actively sought such new employment and have a recent history of moves for temporary or seasonal agricultural or fishing employment. (20 USC 6399; 34 CFR 200.81)**

AR 6175(b)

MIGRANT EDUCATION PROGRAM (continued)

~~The district shall give first priority for services to migrant students who are failing, or most at risk of failing, to meet state content standards and challenging state performance standards, and whose education has been interrupted during the regular school year. (20 USC 6394)~~

~~(cf. 6011 Academic Standards)~~

A student who ceases to be a migrant student during a school term shall be eligible for services until the end of the term. If comparable services are not available through other programs, a student who is no longer migratory may continue to receive services for one additional school year. Students who were eligible for services in secondary school may continue to be served through credit accrual programs until graduation. (20 USC 6394)

~~The district shall provide services to eligible private school students residing within the district on an equitable basis with participating public school students. (20 USC 7881; 34 CFR 200.87)~~

Student Records

The Superintendent or designee shall maintain records documenting the eligibility of students enrolled in the district's migrant education program. **However, the district shall not collect information or documents regarding the citizenship or immigration status of students or their family members for the purpose of determining eligibility for migrant education services.**

(cf. 5125 - Student Records)

(cf. 5145.13 - Response to Immigration Enforcement)

AR 6175(c)

MIGRANT EDUCATION PROGRAM (continued)

The Superintendent or designee shall acquire education and health records from migrant students' previous school districts, as appropriate.

When a migrant student transfers to another district, **his/her the student's** records shall be provided to the receiving district upon request at no cost in order to assist that district in meeting the needs of the student. (20 USC 6398)

Program Components

The migrant education program shall ~~provide~~ **include all of the following components:** (Education Code 54443.1)

1. A general needs assessment summarizing the needs of the population to be served
- ~~2. Individual assessment of the educational and relevant health needs of each participating student, within 30 days of enrollment~~
- 3. 2.** A comprehensive program to meet the educational, health, and related needs of participating students which supplements the district program and ~~which provides~~ **includes, but is not limited to:**
 - a. Instructional services, including academic, remedial and compensatory, bilingual-~~crosscultural, and multicultural, and vocational~~ **and career technical** instruction

(cf. 6174 - Education for English Learners)

(cf. 6177 - Summer Learning Programs)

(cf. 6178 - Career Technical Education)

- b. Counseling and career education services

(cf. 6164.2 - Guidance/Counseling Services)

- c. Preschool services in accordance with Education Code 54443

AR 6175(d)

MIGRANT EDUCATION PROGRAM (continued)

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

(cf. 5148.3 - Preschool/Early Childhood Education)

- d. Other educational services that are not otherwise available in sufficient quantity or quality to eligible migrant students
- e. **The acquisition of instructional materials and equipment necessary for to adequately provide the** appropriate services
- f. Other related services **needed to meet the special needs of eligible migrant students to** enable ~~migrant students~~ **them** to participate effectively in instructional services
- g. The coordination and teaming of existing resources serving migrant students, such as bilingual-crosscultural education, health screening, and compensatory education

(cf. 5141.6 - School Health Services)

(cf. 5147 - Dropout Prevention)

(cf. 6171 - Title I Programs)

- 2.3. Individual assessment of the educational and relevant health needs of each participating student, within 30 days of enrollment, including assessments concurrently provided pursuant to compensatory education, bilingual-crosscultural education, school improvement programs, and other programs serving the student**
- 4. A brief individual learning plan listing the services to be provided to each student, which shall be given to the parent/guardian in writing or at a parent/guardian conference, annually and **each time when** the student moves to a new district
- 5. Staffing and staff development plans and practices to meet the needs of students and implement the program

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

MIGRANT EDUCATION PROGRAM (continued)

6. Parent/guardian and community involvement as specified in Education Code 54444.2, including, but not necessarily limited to, the establishment of a parent/guardian advisory council to actively involve parents/guardians in planning, operating, and evaluating the district's migrant education program

(cf. 1220 - Citizen Advisory Committees)

(cf. 6020 - Parent Involvement)

The migrant education program shall provide for the same opportunities for parent/**guardian** involvement that are provided to parents/guardians for federal Title I programs. (20 USC 6394)

7. Evaluations which include annual student progress and overall program effectiveness and quality control reports

Contingent upon funding, the district shall provide home-based and/or school-based family literacy services to ~~migratory~~ **migrant** families to enhance ~~parents/guardians'~~ literacy levels, parenting skills, and English language skills **of parents/guardians**.

Summer School

The district shall conduct summer school program(s) for eligible migrant students. The summer school program shall respond to the individual needs of participating students and shall build on and be consistent with the instructional programs offered to these students during the regular school year. Coursework shall be of the same level of difficulty in each subject as that provided to students enrolled in regular classes of instruction within the district in the preceding year. (Education Code 54444.3)

Teachers in the summer school program shall have cultural training or background and understanding of the special needs of migrant students and possess the proper

MIGRANT EDUCATION PROGRAM (continued)

credential for the subjects and grade levels to which they are assigned. (Education Code 54444.3)

The program shall comply with the following requirements for instructional time: (Education Code 54444.3)

- 1. For kindergarten class, a minimum of 180 minutes per day, including recesses, for not less than 20 instructional days**
- 2. For grades 1-8, a minimum of 200 minutes per day, including recesses and passing time but excluding noon intermissions, for not less than 20 instructional days**
- 3. For grades 7-12, a minimum of 240 minutes per day, including passing time but excluding noon intermissions, for not less than 30 instructional days**

When district facilities that are suitable for the summer climate are available, the district shall make facilities available at cost to other agencies that request facilities for the operation of migrant summer school programs. When approved by the Superintendent of Public Instruction, the district may jointly offer facilities with a neighboring district to meet the needs of the migrant summer school program for the entire area. (Education Code 54444.3)

Applicability of Graduation Requirements

To obtain a high school diploma, migrant students shall complete all courses required by Education Code 51225.3 and shall generally fulfill any additional graduation requirements prescribed by the Board.

(cf. 6146.1 - High School Graduation Requirements).

However, when a migrant student who has completed the second year of high school transfers into the district or transfers between high schools within the district, the student shall be exempted from all district-adopted coursework and other district-established graduation requirements, unless the district makes a finding that the

MIGRANT EDUCATION PROGRAM (continued)

student is reasonably able to complete the additional requirements in time to graduate from high school by the end of the fourth year of high school. Within 30 calendar days of the transfer, the Superintendent or designee shall notify the student and the student's parent/guardian of the availability of the exemption and whether the student qualifies for it. If the Superintendent or designee fails to provide this notification, the student shall be eligible for the exemption once notified, even if the notification occurs after the student no longer meets the definition of a migrant student. (Education Code 51225.1)

(cf. 5145.6 - Parental Notifications)

To determine whether a migrant student is in the third or fourth year of high school, the district shall use either the number of credits the student has earned as of the date of the transfer or the length of school enrollment, whichever qualifies the student for the exemption. (Education Code 51225.1)

The Superintendent or designee shall notify any migrant student who is granted an exemption and the student's parent/guardian how any requirements that are waived will affect the student's ability to gain admission to a postsecondary educational institution and shall provide information about transfer opportunities available through the California Community Colleges. (Education Code 51225.1)

The district shall not require or request a migrant student to transfer schools in order to qualify for an exemption, and no request for a transfer solely to qualify for an exemption shall be made by a migrant student or parent/guardian. (Education Code 51225.1)

If a migrant student is exempted from local graduation requirements, the exemption shall continue to apply after the student no longer meets the definition of a migrant student if the student is still enrolled in school or transfers to another school or district. (Education Code 51225.1)

Upon making a finding that a migrant student is reasonably able to complete district graduation requirements within a fifth year of high school, the Superintendent or designee shall: (Education Code 51225.1)

- 1. Inform the student and parent/guardian of the student's option to remain in school for a fifth year to complete the district's graduation requirements and how that will affect the student's ability to gain admission to a postsecondary educational institution**
- 2. Provide information to the student about transfer opportunities available through the California Community Colleges**

MIGRANT EDUCATION PROGRAM (continued)

- 3. Upon agreement with the student or parent/guardian, permit the student to stay in school for a fifth year to complete the district's graduation requirements**

Parent Advisory Council

The parent advisory council shall be comprised of members who are knowledgeable of the needs of migrant students and shall be elected by the parents/guardians of students enrolled in the district's migrant education program. The composition of the council shall be determined by the parents/guardians at a general meeting to which all parents/guardians of participating students shall be invited. The parents/guardians shall be informed, in a language they understand, that they have the sole authority to decide on the composition of the council. (Education Code 54444.2)

At least two-thirds of the advisory council shall consist of parents/guardians of migrant students. (Education Code 54444.2)

All parent/guardian candidates for the council shall be nominated by parents/guardians. Nonparent candidates, such as teachers, administrators, other school personnel, or students, shall be nominated by the groups they represent. All other community candidates shall be nominated by the parents/guardians. (Education Code 54444.2)

The parent/guardian advisory council shall meet at least six times during the year and shall: (Education Code 54444.4)

1. Establish program goals, objectives, and priorities
2. Review annual needs assessments, program activities for each school, and individual learning plans
3. Advise on the selection, development, and reassignment of migrant education program staff
4. Participate actively in planning and negotiating program applications and service agreements
5. Perform all other responsibilities required under state and federal laws or regulations

The Superintendent or designee shall establish and implement a training program for advisory council members to enable them to carry out their responsibilities. The training program shall be

developed in consultation with the council and shall include appropriate training materials in a language understandable to each member. (Education Code 54444.2)

AR 6175(i)

MIGRANT EDUCATION PROGRAM (continued)

The Superintendent or designee shall provide the council, without charge, a copy of all applicable state and federal migrant education statutes, rules, regulations, guidelines, audits, monitoring reports, and evaluations. Upon request, these materials also shall be provided without charge to each member of the council. (Education Code 54444.2)

Notification and Complaints

Information regarding the educational rights of migrant students, as specified in Education Code 51225.1 and 51225.2, shall be included in the annual uniform complaint procedures notification distributed to students, parents/guardians, employees, and other interested parties pursuant to 5 CCR 4622. (Education Code 51225.1, 51225.2)

Any complaint that the district has not complied with requirements regarding the education of migrant students, as specified in Education Code 51225.1 or 51225.2, may be filed in accordance with the district's procedures in AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

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National SD

Board Policy

Instruction

BP 6179(a)

SUPPLEMENTAL INSTRUCTION

The Governing Board recognizes that high-quality supplemental instruction can motivate and support students to attain grade-level academic standards, overcome academic deficiencies, and/or acquire critical skills. The district shall offer programs of direct, systematic, and intensive supplemental instruction to meet student needs. Supplemental instruction shall be offered in accordance with law and may be used to assist the district in meeting its goals for student achievement.

(cf. 0460 - Local Control and Accountability Plan)
(cf. 5113.1 - Chronic Absence and Truancy)
(cf. 5147 - Dropout Prevention)
(cf. 6011 - Academic Standards)
(cf. 6146.1 - High School Graduation Requirements)
(cf. 6146.5 - Elementary/Middle School Graduation Requirements)
(cf. 6164.5 - Student Success Teams)

Supplemental instruction may be offered during and outside the regular school day, including during the summer, before school, after school, on Saturday, and/or during intersessions. When supplemental instruction is offered during the regular school day, it shall 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. 6142.7 - Physical Education and Activity)
(cf. 6176 - Weekend/Saturday Classes)
(cf. 6177 - Summer Learning Programs)

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.

SUPPLEMENTAL INSTRUCTION (continued)

When determined to be necessary by the principal or designee **and when written parent/guardian consent is obtained for the student's participation**, a student may be required to participate in supplemental instruction outside the regular school day. ~~In such cases, written parent/guardian consent shall be obtained for the student's participation.~~

Supplemental instruction shall be offered to students **in grades 2-9** who **have been retained or are recommended for retention, or are identified as being at risk for retention**, at their current grade level. (Education Code ~~37252.2~~, 48070.5)

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

~~(cf. 5123 - Promotion/Acceleration/Retention)~~

~~(cf. 6162.51 - State Academic Achievement Tests)~~

~~The district shall offer alternative supports designed to increase the academic achievement of socioeconomically disadvantaged students attending schools identified by the California Department of Education for program improvement for two or more consecutive years.~~

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

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

In addition, supplemental instruction may be offered to:

SUPPLEMENTAL INSTRUCTION (continued)

~~1. Students who are identified as being at risk for retention based on state assessment results, grades, or other indicators~~

~~(cf. 5121—Grades/Evaluation of Student Achievement)~~

~~(cf. 6162.51—State Academic Achievement Tests)~~

2.1. Students who demonstrate academic deficiencies that may jeopardize their attainment of academic standards

(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)

~~**3.2.** High school students who need support to successfully complete courses required for graduation~~

Legal Reference: (see next page)

SUPPLEMENTAL INSTRUCTION (continued)

Legal Reference:

EDUCATION CODE

37200-37202 School calendar

37223 Weekend classes

~~37252-37254.1~~ Supplemental instruction, summer school

42238.01-~~42238.07~~ **42238.5** Local control funding formula

46100 Length of school day

48070-48070.~~5-6~~ Promotion and retention

48200 Compulsory education

48985 Translation of notices

51210-51212 Courses of study, elementary schools

51220-51228 Courses of study, secondary schools

52060-52077 Local control and accountability plan

60603 Definitions, core curriculum areas

60640-60649 California Assessment of Student Performance and Progress

CODE OF REGULATIONS, TITLE 5

11470-11472 Summer school

UNITED STATES CODE, TITLE 20

6311 State plan

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Every Student Succeeds Act 2016-17 School Year Transition Plan, April 2016

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>

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Policy Reference UPDATE Service

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National SD

Administrative Regulation

Instruction

AR 6183(a)

HOME AND HOSPITAL INSTRUCTION

A student with a temporary disability which makes school attendance impossible or inadvisable shall **be entitled to** receive individual instruction **in the student's home at home** or in a hospital or other residential health facility, excluding state hospitals. **(Education Code 48206.3)**

(cf. 5112.2 - Exclusions from Attendance)

~~This instruction applies to students incurring~~ **Temporary disability means** a physical, mental, or emotional disability **incurred while a student is enrolled in regular day classes or an alternative education program, and** after which ~~they~~ **the student** can reasonably be expected to return to regular day classes or **an the** alternative education program ~~without special intervention.~~ It does not apply to students identified as individuals with exceptional needs **in which the student is enrolled. Temporary disability does not include a disability that would qualify a student for special education** pursuant to Education Code 56026. (Education Code 48206.3)

(cf. 5141.22 - Infectious Diseases)

(cf. 6158 - Independent Study)

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

At the beginning of the school year, the Superintendent or designee shall notify parents/guardians ~~that~~ **of district students regarding:** (Education Code **48206.3**, 48208, 48980)

1. ~~Individual instruction is available for temporarily disabled students as prescribed by Education Code 48206.3.~~ **The availability of individual instruction for any student with a temporary disability, including information regarding student eligibility for, and the duration of, individual instruction**
2. ~~If a student becomes temporarily disabled, it is the parent/guardian's responsibility to notify the receiving district of the student's presence in a qualifying hospital.~~ **The**

HOME AND HOSPITAL INSTRUCTION (continued)

rights and responsibilities of parents/guardians of any student with a temporary disability pursuant to Education Code 48207 and 48208

(cf. 5145.6 - Parental Notifications)

Parents/guardians shall notify the principal or designee when their child is temporarily disabled and needs individual instruction at home or in a hospital or other residential health facility.

Determination of Student Eligibility

Not later than five working days after receiving notification from a parent/guardian that a student has a temporary disability, the Superintendent or designee shall determine whether the student will be able to receive individual instruction at home or in a hospital or residential health facility. (Education Code 48208)

The Superintendent or designee may require verification through any reasonable means **that the student is temporarily disabled and needs individual instruction.** ~~that the student requires home instruction. In addition, this verification shall also state that the disabling condition will not expose the teacher to a contagious disease that can be transmitted through casual contact. Home or hospital instruction shall not be denied to students with Hepatitis B, herpes or HIV/AIDS, as long as the home or hospital practices current preventive protocol as determined by the U.S. Centers for Disease Control.~~

(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)

(cf. 4119.43/4219.43/4319.43 - Universal Precautions)

Provision of Individual Instruction

HOME AND HOSPITAL INSTRUCTION (continued)

Individual instruction at a student's home or in a hospital or other residential health facility shall begin no later than five working days after the Superintendent or designee has determined makes the determination that the student is able eligible to receive individualized instruction. (Education Code 48207.5, 48208)

The district shall be responsible for providing individual instruction to any temporarily disabled student who is in a hospital or other residential health facility located within district boundaries, whether or not the student is enrolled in the district. If the student is enrolled in another district, the Superintendent or designee may enter into an agreement to have the student's district of residence provide the individual instruction. The Superintendent or designee may also enter into an agreement to provide individual instruction to a district student who is in a hospital or other residential health facility located within the boundaries of another district. (Education Code 48208)

(cf. 5111.1 - District Residency)

Whenever the district provides individual instruction to a non-district student who is in a hospital or other residential health facility located within district boundaries, the Superintendent or designee shall, within five working days of the beginning of the individualized instruction, the Superintendent or designee shall provide written notification to the student's district of residence in which the student was previously enrolled stating that, effective on the date on which individual instruction began, the student shall not be counted by district of residence may not count the student for purposes of computing that district's average daily attendance, effective the date on which individualized instruction began. (Education Code 48208)

A student receiving individual instruction in a hospital or residential health facility for a partial week shall be entitled to attend school or receive individual instruction at home on days in which the student is not receiving individual instruction in the hospital or other residential health facility, if the student is well enough to do so. (Education Code 48207.3)

Home or hospital instruction shall be provided only by teachers with valid California teaching credentials who consent to the assignment. (Education Code 44865)

HOME AND HOSPITAL INSTRUCTION(continued)

(cf. 4112.2 - Certification)

(cf. 4113 - Assignment)

Insofar as possible, the teacher providing home or hospital instruction shall consult with the student's current classroom teacher(s) so as to provide a continuity of instruction that enables the student to stay abreast with the regular school program.

The district's attendance supervisor shall ensure that the absences of any temporarily disabled student receiving individual instruction at home or in a hospital or other residential health facility are excused until the student is able to return to the regular school program. (Education Code 48240)

(cf. 5113 - Absences and Excuses)

(cf. 5113.11 - Attendance Supervision)

Return to School

A student receiving individual instruction who is well enough to return to school shall be allowed to return to the school that the student attended immediately before receiving individual instruction, if the return occurs during the school year in which the individual instruction was initiated. (Education Code 48207.3)

Legal Reference: (see next page)

HOME AND HOSPITAL INSTRUCTION (continued)

Legal Reference:

EDUCATION CODE

44865 *Qualifications for home teachers*

45031 *Home teachers*

48200 *Minimum school day*

~~48206.3-48208 *Students Pupils with temporary disabilities; individual instruction; definitions; computing average daily attendance*~~

~~48206.5 *Continuation of individual instruction programs for students with temp. disabilities*~~

~~48207 *Pupils with temporary disabilities in hospitals out side of school district; compliance with residency requirements*~~

~~48208 *Presence of pupils with temporary disabilities in qualifying hospitals; notice by parents or guardians; commencement of individualized instruction*~~

~~48240 *Supervisors of attendance*~~

~~48980 *Required notification of rights and availability of nutrition and individualized instruction programs*~~

Parental notifications

51800-51802 *Employment of home teachers*

56026 *Individual with exceptional needs*

CODE OF REGULATIONS, TITLE 5

421 *Method of verification*

423 *Prolonged illness*

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