

WESTSIDE UNION SCHOOL DISTRICT
REGULAR BOARD MEETING
HILLVIEW MIDDLE SCHOOL
December 11, 2018

Mission Statement: Recognizing the exceptionalism of every child, the mission of Westside Union School District is to educate all students to universally high levels of academic competence. We are committed to comprehensive systems of instructional delivery that include research-based best practices to assure this outcome by “pointing the way, providing the path” to success.

Vision Statement: Our vision is to graduate students who have acquired the knowledge, skills and attitudes necessary to achieve significant career, educational, civic and personal goals, which will enrich our society as positive role models and responsible citizens.

5:00 p.m. – Regular Session
Adjourn to Closed Session
6:00 p.m. – Reconvene to Regular Session

CALL TO ORDER _____ p.m.

- I. OPEN SESSION _____ p.m.
A. Flag Salute
B. Roll Call

BOARD OF TRUSTEES

John Curiel	_____
Patricia Shaw	_____
Jennifer Navarro	_____
Steve DeMarzio	_____

SUPERINTENDENT

Regina Rossall	_____
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- II. ITEMS FROM THE FLOOR – Closed Session

Please submit a yellow “Request To Speak To The Board of Trustees” in the folder on the exhibit table for agenda and non-agenda items to the Secretary of the Board prior to the meeting. Not more than three (3) minutes are to be allotted to any one (1) speaker, no more than twenty (20) minutes on the same subject. This portion of the agenda is for presentations to the Board regarding closed session items only. This is not a question and answer period where the Board enters into dialogue. Testimony is not protected from damage claims for libel. Public Charges or allegations may result in legal action being brought by those individuals. If you have questions for the Board, please provide the Board President with a copy and an administrator will provide answers at a later date.

- III. CLOSED SESSION

Moved by _____ Seconded by _____

Ayes: _____ Noes: _____ Abstain: _____

Opened: _____ Closed: _____

- a. Conference with Labor Negotiators (Gov’t. Code §54957.6)
- b. Existing/Anticipated/Pending Litigation (Gov’t Code §54956.9)
1 Claim
- c. Conference with Real Property Negotiator
- d. Public Employee Discipline/Dismissal/Release/Appointment (Gov’t Code §54957)
- e. Pupil Personnel (Ed Code 35146 and 48918)
1 Case

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- IV. RECONVENE TO OPEN SESSION at _____ p.m.
- V. REPORT OF CLOSED SESSION ACTION
- VI. PRESENTATIONS
- A. Plaque for Outgoing President
 - B. 2018-19 First Interim Budget Presentation
- VII. HEARING SESSION/STAFF REPORTS
- A. Board Comments
 - B. Staff Reports
 - 1. Assistant Superintendent Administrative Services
 - 2. Assistant Superintendent Educational Services
 - 3. Deputy Superintendent
 - 4. Superintendent
- VIII. PERSONAL APPEARANCES
- A. Westside Union Teachers Association Representatives
 - B. California School Employees Association Representatives
 - C. Parent Teacher Association Representatives
 - D. West Antelope Valley Educational Foundation Representatives
- IX. ITEMS FROM THE FLOOR
- Please submit a yellow "Request To Speak To The Board of Trustees" in the folder on the exhibit table for agenda and non-agenda items to the Secretary of the Board prior to the meeting. Not more than three (3) minutes are to be allotted to any one (1) speaker, no more than twenty (20) minutes on the same subject. This is not a question and answer period where the Board enters into dialogue. Testimony is not protected from damage claims for libel. Public Charges or allegations may result in legal action being brought by those individuals. If you have questions for the Board, please provide the Board President with a copy and an administrator will provide answers at a later date.
- X. PUBLIC HEARING
- None
- XI. ANNUAL REORGANIZATIONAL MEETING
- ADMINISTRATION OF THE OATH OF OFFICE
- A. The Oath of Office will be administered to the recently elected Board of Trustee member. After the administration of the Oath of Office, the elected Trustee will take their place at the Board of Trustees table.
 - 1. John Curiel
 - 2. Bill Lindoff
 - 3. Jennifer Navarro
 - B. ELECTION OF OFFICERS - As required by Education Code, Section 35143, the Board of Trustees Officers are to be elected annually at the first meeting in December after the first Friday in December. At this time nominations and elections of officers for the period of December 11, 2018 until the Organizational Meeting in December of 2019 will commence:
 - 1. Election of President:

Moved by_____ Seconded by_____

NOMINEE	NOMINATED BY	SECONDED BY
_____	_____	_____

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Close Nominations

Vote:

Ayes: _____ Noes: _____ Abstain: _____

2. Election of Vice President:

Moved by _____ Seconded by _____

NOMINEE	NOMINATED BY	SECONDED BY
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_____	_____	_____
_____	_____	_____

Close Nominations

Vote:

Ayes: _____ Noes: _____ Abstain: _____

3. Election of Clerk:

Moved by _____ Seconded by _____

NOMINEE	NOMINATED BY	SECONDED BY
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_____	_____	_____
_____	_____	_____

Close Nominations

Vote:

Ayes: _____ Noes: _____ Abstain: _____

4. Election of Representative to the Antelope Valley School Boards Association:

Moved by _____ Seconded by _____

NOMINEE	NOMINATED BY	SECONDED BY
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_____	_____	_____
_____	_____	_____

Close Nominations

12-11-18

Vote:

Ayes: _____ Noes: _____ Abstain: _____

5. Election of Board Representative to the West Antelope Valley Educational Foundation (WAVE):

Moved by _____ Seconded by _____

NOMINEE	NOMINATED BY	SECONDED BY
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_____	_____	_____
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_____	_____	_____
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Close Nominations

Vote:

Ayes: _____ Noes: _____ Abstain: _____

XII. SEAT THE NEW OFFICERS FOR THE BOARD YEAR 2015 - PROCEDURAL MATTERS

1. Approval of the Schedule of Meeting Dates, Times and Location for the 2019 Board of Trustee Meetings Page i

Moved by _____ Seconded by _____

Ayes: _____ Noes: _____ Abstain: _____

2. Roberts' Rules of Order, Revised, be adopted as the ruling authority for all questions pertaining to Parliamentary Procedure.

Moved by _____ Seconded by _____

Ayes: _____ Noes: _____ Abstain: _____

3. Appointment of the District Superintendent, Regina L. Rossall, to serve as Secretary of the Board of Trustees per Board Bylaw 9122.

Moved by _____ Seconded by _____

Ayes: _____ Noes: _____ Abstain: _____

4. Approval to empower in the following order in the absence of the Superintendent the next in command are members of the Cabinet with the Deputy Superintendent first, Assistant Superintendent Educational Services second, Assistant Superintendent Administrative Services third. (BP 2110)

Moved by _____ Seconded by _____

Ayes: _____ Noes: _____ Abstain: _____

5. On behalf of the District approval that the Superintendent, Deputy Superintendent, Assistant Superintendent Educational Services, Assistant Superintendent Administrative Services, Supervisor of

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Fiscal Services, Director of Student Services, President of the Board of Trustees, and/or the Clerk of the Board of Trustees be authorized to sign all documents as the Authorized Agent of the District, and to sign warrants, orders for salary payment, Notices of Employment, and Contracts for the period of December 12, 2018, until the Organizational Meeting in December of 2019.

Moved by _____ Seconded by _____

Ayes: _____ Noes: _____ Abstain: _____

6. Approval to grant authority to the District Superintendent or designee to submit proposals and applications for state, local and federally supported programs for which the District may qualify.

Moved by _____ Seconded by _____

Ayes: _____ Noes: _____ Abstain: _____

7. Approval for the District to join the Antelope Valley School Boards Association and the California School Boards Association.

Moved by _____ Seconded by _____

Ayes: _____ Noes: _____ Abstain: _____

8. Approval to authorize Members of the Board of Trustees, Superintendent and Cabinet to attend all special executive and regular meetings of the Antelope Valley School Boards Association, with their necessary expenses to be paid from the district's budgeted conference funds.

Moved by _____ Seconded by _____

Ayes: _____ Noes: _____ Abstain: _____

XIII. BUSINESS SESSION

A. Organizational/Governance

1. Agenda

Item 1

Goal #

Moved by _____ Seconded by _____

To approve the Agenda of the Regular Meeting of December 11, 2018

Ayes: _____ Noes: _____ Abstain: _____

Actions proposed for the Consent Calendar, are items with adopted policies and approved practices of the District and are deemed routine in nature. They will be acted upon in one motion, without discussions, unless members of the Board request an item's removal. The item will then be removed from the motion to approve and after the approval of the consent agenda the item(s) will be heard.

Items 2a -2f

2. Consent

- a. Minutes of the Regular Meeting on December 4, 2018
- b. Fundraising Authorizations
- c. Personnel Report
- d. Purchase Orders
- e. Consultant/Contract Schedule
- f. Conference/Workshop Schedule

Moved by _____ Seconded by _____

Goal #

Approval of the Consent Items as presented

Ayes: _____ Noes: _____ Abstain: _____

3. Revised Board Policy 2110, Organizational Chart/Lines of Responsibility Item 3

Moved by _____ Seconded by _____

Approval of the first and final reading of the revised Board Policy 2110, Organizational Chart/Lines of Responsibility

Ayes: _____ Noes: _____ Abstain: _____

4. CSBA Delegate Assembly Nominations Item 4

Moved by _____ Seconded by _____

Approval of the Nomination of _____ for CSBA Delegate Assembly

Ayes: _____ Noes: _____ Abstain: _____

5. Discussion Item Item 5
- Board Governance

B. Educational Services

6. Presentation and Acceptance of California School Dashboard Item 6

Moved by _____ Seconded by _____

Approval of presentation and acceptance of California School Dashboard

Ayes: _____ Noes: _____ Abstain: _____

7. Revised Board Policies, Administrative Regulations and Exhibit Item 7

- BP 0410, Nondiscrimination in District Programs and Activities
- BP/AR 1312.3, Uniform Complaint Procedures
- BP/AR 5111, Admission
- BP/AR 5111.1, District Residency
- BP/AR 5125, Student Records
- AR/E 5125.1, Release of Directory Information
- BP 5131.2, Bullying
- BP/AR 5145.13, Response to Immigration Enforcement

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- BP/AR 5145.3, Nondiscrimination/Harassment
- BP 5145.9, Hate-Motivated Behavior
- BP 6161.3, Toxic Art Supplies

Goal #

Moved by _____ Seconded by _____

Approval of the second and final reading of the revised Board Policies, Administrative Regulations and Exhibit

Ayes: _____ Noes: _____ Abstain: _____

C. Business Services

8. 2017-18 Developer Fee Annual Report Item 8

Moved by _____ Seconded by _____

Approval of the 2017-18 Developer Fee Annual Report

Ayes: _____ Noes: _____ Abstain: _____

9. Resolution 19-06, Temporary Extraordinary Approval Authorization Item 9

Moved by _____ Seconded by _____

Approval of Resolution 19-06, Temporary Extraordinary Approval Authorization

Ayes: _____ Noes: _____ Abstain: _____

10. Revised Board Policy and Administrative Regulation Item 10
- AR3350, Travel/Conference Expenses
 - BP 3514.1, Hazardous Substances

Moved by _____ Seconded by _____

Approval of the first reading of the revised Board Policy and Administrative Regulation

Ayes: _____ Noes: _____ Abstain: _____

11. 2018-19 First Interim Budget Item 11

5

Moved by _____ Seconded by _____

Approval of the 2018-19 First Interim Budget

Ayes: _____ Noes: _____ Abstain: _____

XIV. INFORMATION SESSION

A. Items From The Floor – Continued

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- B. Dates to Remember:
 - 1. Regular Board Meeting – January 15, 2019
- C. Board Comments – Continued

- XV. NEW BUSINESS
 - Future Board Meeting Items

- XVI. CLOSED SESSION – Continued

- XVII. RECONVENE TO OPEN SESSION at _____ p.m.

- XVIII. REPORT OF CLOSED SESSION ACTION

- XIX. ADJOURNMENT
 - There being no further business to come before the Board, the regular meeting of December 11, 2018, is adjourned at _____ p.m. by the Board President.

In compliance with the Americans with Disabilities Act, if you need special assistance to access the Board meeting room or to otherwise participate at this meeting, including auxiliary aids or services, please contact Tonya Williams at (661) 722-0716. Notification at least 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to the Board meeting room.

Any writings or documents that are public records and are provided to a majority of the governing board regarding an open session item on this agenda will be made available for public inspection on the District Web Site, www.westside.k12.ca.us or in the District Office located at 41914 50th St. West, Quartz Hill, CA 93536 during normal business hours (8:00 a.m. – 4:00 p.m.).

Core Beliefs and Board Goals 2018-2019

The District uses data to create a learning-oriented culture for both staff and students which defines success in terms of improvement and progress.

1. **WE BELIEVE THAT OUR TEACHERS AND STAFF ARE OUR MOST VALUABLE ASSETS AND RESOURCES**
2. **WE OPERATE WITH TRANSPARENCY, TRUST AND INTEGRITY, GOVERNING IN A DIGNIFIED, PROFESSIONAL MANNER, TREATING EVERYONE WITH CIVILITY AND RESPECT**
3. **WE ARE ABSOLUTELY COMMITTED TO PROVIDING A SAFE, DISTINGUISHED AND ENGAGING LEARNING ENVIRONMENT THAT ENSURES ALL STUDENTS LEARN TO THEIR HIGHEST POTENTIAL**
 - ❧ A. Build the capacity of board and district staff in developing and monitoring data related to goals and priorities specifically in the area of cultural responsiveness and educational equity
 - ❧ B. A key concern and priority for this governing board is improving the accuracy and consistency of grading which should measure what students know, as they play a crucial role in every aspect of students' academic lives and future lives as global citizens. Areas of concern are: 1) Grades reflect progressive and mastery of content. 2) They are predictable and understood by parents and third parties. 3) That non-academic factors are graded separately. 4) The system adopted is not overwhelming for teachers.
 - ❧ C. The district will continue to develop School Safety protocols.
 - ❖ Annual Report by Educational Services
4. **WE ARE ABSOLUTELY COMMITTED TO PROVIDING THE NECESSARY FACILITIES TO MEET THE HOUSING AND EDUCATION NEEDS OF OUR CHANGING STUDENT POPULATION AND A VISION THAT PROMOTES AND SUPPORTS THEIR FUTURE**
 - ❧ A. Continue the Cottonwood Elementary School modernization
 - ❖ Annual Report by Business Services
5. **WE ARE FISCALLY TRUSTWORTHY AND DEDICATED TO RESPONSIBLE FINANCIAL ACCOUNTABILITY**
6. **WE BELIEVE IN AND PROMOTE PARENT AND COMMUNITY INVOLVEMENT IN WESTSIDE UNION SCHOOL DISTRICT**

2018-2019 Board Expectations

The District uses data to create a learning-oriented culture for both staff and students which defines success in terms of improvement and progress.

1. WE BELIEVE THAT OUR TEACHERS AND STAFF ARE OUR MOST VALUABLE ASSETS AND RESOURCES

EXPECTATIONS:

- a. Provide staff development to enable employees in a job classifications to maintain and improve their skills to meet stated goals of the Board to meet the needs of students. Continuously monitor and re-evaluate formula-driven staffing levels that adequately address student ratios and campus needs for all classifications of employees (classified, certificated, confidential, and administration)
- b. Maintain and monitor administrative training programs to enable existing staff to become administrators or to increase the skills of current administrators to assume increasing levels of responsibility in the future as well as immediately assisting with the reduction of attendance issues, traffic safety and student discipline at all school sites. Create programs that enable classified employees who want to become teachers to obtain the necessary information to do so, and work with the CSEA Board to make sure members know about contractual benefits available when taking college classes. As grants become available to help classified employees become teachers, apply for any for which the District is eligible.
- c. Provide ongoing recognition for school achievement, program development, i.e., California Gold Ribbon, Golden Bell, Employee of the Year, and Program Innovation: Joe Walker STEALTH, Gregg Anderson Academy, The IDEA Academy at Cottonwood, Westside Academy and Hillview 6th Grade Academy
- d. Continue a long-term plan to provide total compensation for all positions within the district that is competitive with the surrounding Antelope Valley elementary school districts
- e. Provide ongoing training to ensure a safe work place for all employees
- f. As funds are available revenues will be placed in a separate account to pay for long term post-employment benefits

➤ a, d & e - Annual Report by Human Resources

➤ b & c – Annual Report from Superintendent

➤ f – Annual Report by Business Services

2. WE OPERATE WITH TRANSPARENCY, TRUST AND INTEGRITY, GOVERNING IN A DIGNIFIED, PROFESSIONAL MANNER, TREATING EVERYONE WITH CIVILITY AND RESPECT

EXPECTATIONS

- a. Continue to improve the knowledge level of trustees through ongoing training, participation in political actions that influence improved funding and legislation for educational programs, and programs of independent study. All Board Members will attend the CSBA Annual Education Conference, with a report of sessions attended at a future Board Meeting, and receive a Masters in Governance certification
- b. The board will initiate the annual process for self-evaluation in June
- c. Annually set objectives to meet the goals of the district in June
- d. Continue to improve working relationship with employee unions to enable communications that enhance the overall well-being of the district including all employees
- e. A public-friendly version of the three major budget reports of the year shall be posted on the website

3. **WE ARE ABSOLUTELY COMMITTED TO PROVIDING A SAFE, DISTINGUISHED AND ENGAGING LEARNING ENVIRONMENT THAT ENSURES ALL STUDENTS LEARN TO THEIR HIGHEST POTENTIAL**

EXPECTATIONS:

- a. Staff will monitor comprehensive plans for improving student achievement including the Local Control Accountability Plan (LCAP) and the Comprehensive Safety Plans including the sections related to student discipline.
- b. All students will receive rigorous and effective instruction, support and intervention that afford equitable access to a high quality educational experience in an environment that nurtures critical thinking, communication, collaboration, creativity and social responsibility.
- c. Teachers will use research-based best practices to design and deliver instruction, which addresses the knowledge, concepts and skills outlined in the State Standards. Teachers will design lessons that actively engage the minds of all learners with that which is to be learned. Learning objectives that describe what students will be able to do successfully and independently at the end of each lesson will be clearly articulated. Formative assessment will be used to guide and inform instruction. Summative assessment will be used to measure student learning.
- d. Professional Development will be aligned to improve student outcomes. Data will be collected to substantiate growth in student achievement.

4. **WE ARE ABSOLUTELY COMMITTED TO PROVIDING THE NECESSARY FACILITIES TO MEET THE HOUSING AND EDUCATION NEEDS OF OUR CHANGING STUDENT POPULATION AND A VISION THAT PROMOTES AND SUPPORTS THEIR FUTURE**

EXPECTATION

- a. Monitor and maintain high-quality information technology systems throughout the District
- b. Continue to implement sustainable clean energy programs that promote the long-term well-being of both the District's finances and the environment.
- c. Receive annual updates to the District's Facilities Master Plan while exploring and securing options to finance the plan.

☞ b & c – Annual Report by Business Services

5. **WE ARE FISCALLY TRUSTWORTHY AND DEDICATED TO RESPONSIBLE FINANCIAL ACCOUNTABILITY**

EXPECTATIONS:

- a. Continue to decrease encroachment of general funds by Special Education
- b. Continue to update and implement the adopted Technology Plan
- c. Continue to increase operational efficiency
- d. Citizens Oversight Committee will hold required meetings
- e. Set budget priorities based on the goals of the District
- f. Support and retain partnerships that have a mutual priority to maximize the available dollars for improving programs for students
- g. Maintain student Average Daily Attendance to exceed 96% percent.
- h. Senior Staff to hold twice-yearly fiscal status updates at employee work locations in order to educate and inform our stakeholders
- i. Maintain a financially responsible, positive District budget for the current year and two out years in order to preserve Westside's financial solvency, educational programs and the continued payment of employee salaries.


☞ g - Annual ADA Report by Business Services

☞ a, b, c, d, e, f, h & i - Budget Presentations by Business Services

6. WE BELIEVE IN AND PROMOTE PARENT AND COMMUNITY INVOLVEMENT IN WESTSIDE UNION SCHOOL DISTRICT

EXPECTATIONS:

- a. Continue to monitor and implement plans to increase communication and participation with parents regarding their children's education including the use of PowerSchool/PowerTeacher by all teachers.
- b. Implement plans to improve parent communication and participation with parents of all students.
- c. Explore ongoing efforts to increase communication with the community, utilizing methods that are cost effective.
- d. Strengthen partnerships with businesses, community organizations, and public agencies.
- e. Annually share the Board's goals and accomplishments with the stakeholders. Each school year will begin with a State of the District presentation by Superintendent and staff where maximum efforts are made to assure that the meeting is well-attended by the public.
- f. Create, administer and compile surveys for constituents that will generate data to measure district effectiveness to drive district decisions.
- g. Continue to explore means of obtaining input from stakeholders.
- h. Each Trustee will regularly attend community and school site events
- i. The Board will play an active role in promoting our district's image in the community and positive working relationships with all stakeholders.
- j. Keep public postings and communications current. Staff will monitor weekly.
Partner with parents and community to develop and implement school programs.

 e - Posted on District Website

WESTSIDE UNION SCHOOL DISTRICT
41914 50th Street West
Quartz Hill, Ca. 93536

TO: Board of Trustees
FROM: Regina L. Rossall, Superintendent
DATE: Approved on December 11, 2018
RE: Suggested Board Meeting Dates and Site for 2019

Regular Board Meetings are scheduled on the 1st and 3rd Tuesdays of each month at 5:00 p.m.

The following is a suggested list of Regular Board Meetings with recommended site.

<u>Meeting Date</u>	<u>Place of Meeting</u>	<u>Time of Meeting</u>
Jan 15, 2019	Hillview Multipurpose Rm	5:00 p.m.
Feb 5, 2019	Hillview Multipurpose Rm	5:00 p.m.
Feb 19, 2019	Hillview Multipurpose Rm	5:00 p.m.
Mar 5, 2019	Hillview Multipurpose Rm	5:00 p.m.
Mar 19, 2019	Hillview Multipurpose Rm	5:00 p.m.
Apr 2, 2019	Hillview Multipurpose Rm	5:00 p.m.
Apr 16, 2019	Hillview Multipurpose Rm	5:00 p.m.
May 7, 2019	Hillview Multipurpose Rm	5:00 p.m.
May 21, 2019	Hillview Multipurpose Rm	5:00 p.m.
June 4, 2019	District Office Rooms 3 & 4	5:00 p.m.
June 18, 2019*	District Office Rooms 3 & 4	5:00 p.m.
June 25, 2019	District Office Rooms 3 & 4	5:00 p.m.
Aug 6, 2019	Hillview Multipurpose Rm	5:00 p.m.
Aug 20, 2019	Hillview Multipurpose Rm	5:00 p.m.
Sept 3, 2019	Hillview Multipurpose Rm	5:00 p.m.
Sept 17, 2019	Hillview Multipurpose Rm	5:00 p.m.
Oct 1, 2019	Hillview Multipurpose Rm	5:00 p.m.
Oct 15, 2019	Hillview Multipurpose Rm	5:00 p.m.
Nov 5, 2019	Hillview Multipurpose Rm	5:00 p.m.
Nov 19, 2019	Hillview Multipurpose Rm	5:00 p.m.
Dec 11, 2019	Hillview Multipurpose Rm	5:00 p.m.
Dec 17, 2019	Hillview Multipurpose Rm	5:00 p.m.

This schedule is subject to change.

*Superintendent's Evaluation

BOARD AGENDA

December 11, 2018

TO: BOARD OF TRUSTEES
PREPARED BY: Regina L. Rossall, Superintendent
SUBJECT: Board Meeting Agenda

BACKGROUND:

The Board is requested to approve the Agenda for December 11, 2018.

PROGRAM/EDUCATIONAL IMPLICATION:

None

COST ANALYSIS/FUNDING SOURCE:

None

SUPERINTENDENT'S RECOMMENDATION:

Approval

BOARD AGENDA

December 11, 2018

TO: BOARD OF TRUSTEES
PREPARED BY: Regina L. Rossall, Superintendent
SUBJECT: Board Minutes

BACKGROUND:

The Board is requested to approve the Minutes of the Regular Meeting on December 4, 2018.

PROGRAM/EDUCATIONAL IMPLICATION:

None

COST ANALYSIS/FUNDING SOURCE:

None

SUPERINTENDENT'S RECOMMENDATION:

Approval

WESTSIDE UNION SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES
December 4, 2018

I. CALL TO ORDER

At 5:02 p.m. John Curiel, President, called to order the Regular Board Meeting of the Westside Union School District Board of Trustees.

II. Flag Salute

Marguerite Johnson, Assistant Superintendent Educational Services

III. ROLL CALL

John Curiel, President – Present
Patricia K. Shaw, Vice President - Present
Jennifer Navarro, Member – Present
Steven DeMarzio, Member – Present

SUPERINTENDENT

Regina Rossall – Present

IV. OTHERS PRESENT

Bill Lindoff, Erin Rosentock, Doreen Kesselring, Kristin Studdt, Andrea Paxton, Deidre Murphy, Marie Norlin, Michelle Bruds, Michelle Sessions, Shari Nabors, Terri Rowitz, Debbie Farrow, Rhonda Hanson, Courtney Phelan, Jeri Gonzalez, Lisa Jehlicka, Susan Price, Sharon Ebert, Christina Khoury, Sylvia Borg-Otting, Kerry Longmead, Joy Kritzer, Alva Torres, Kim Blackstone, George Blackstone, Rodney Lots, Tina Turner, Maria Meza, Rob Garza, Wayne Trussell, Asiye Miras, Julie Colonello, Lisa Moscoso, Karen Tiffany, Lori Gudim, Michael M. Shaw.

V. CLOSED SESSION

M19-76 - The motion was made by Steve DeMarzio seconded by Patricia K. Shaw and carried 4/0 to adjourn to closed session at 5:03 p.m. to consider:

- a. Conference with Labor Negotiators (Gov't Code §54957.6)
- b. Existing/Anticipated/Pending Litigation (Gov't Code §54956.9)
- c. Conference with Real Property Negotiator
- d. Public Employee Discipline/Dismissal/Release/Appointment Unrepresented Management (Gov't Code §54957)
- e. Pupil Personnel (Ed Code 35146 and 48918)
1 Case

VI. RECONVENE TO OPEN SESSION at 6:05 p.m.

VII. CLOSED SESSION ACTION

M19-77 - The motion was made by Steve DeMarzio seconded by Patricia K. Shaw and carried 4/0 to approve the Findings of Records Panel Review for Case No. RR1819-01

VIII. PRESENTATIONS

- A. Quartz Hill Site and Employee Recognitions
- B. District Office Employee Recognition

IX. HEARING SESSION/STAFF REPORTS

A. Board Comments:

Steve DeMarzio

- Quartz Hill, great job, I think your attendance results are outstanding!!
- Congratulations to all the employees who received service pins this evening.

Jennifer Navarro

- Great job, Quartz Hill, kudos to your efforts to increase attendance. I enjoyed hearing about the Second Chance Breakfast and the Smile Committee.
- Congratulations to everyone who received service pins this evening; the district is lucky to have each of you.

Patricia K. Shaw:

- Quartz Hill, thank you so much for all you do for our students.
- Thank you to everyone who received service pins this evening.

John Curiel

- Thank you, Quartz Hill, for your well thought-out presentation. Early intervention is the key to attendance and grades. I like your Second Chance Breakfast and Hero Program. I appreciate all the work you are doing on your LCAP goals.
- Thank you to everyone who received service pins this evening; we appreciate all you do for the district.

B. Staff Reports:

1. Assistant Superintendent Administrative Services – Shawn Cabey
 - a. Absent
2. Assistant Superintendent Educational Services - Marguerite Johnson
 - a. Thank you, Quartz Hill, for a great presentation. We appreciate you paying attention to data, piloting MTSS and your attention to what makes the education a good experience for students. Your students are lucky to have you.
 - b. Congratulations to all who received service pins this evening, thank you.
3. Deputy Superintendent - Robert Hughes
 - a. Quartz Hill, I am sorry I had to step out and miss your presentation.
 - b. Congratulations to all who received service pins this evening; thank you for all you do.
4. Superintendent – Regina Rossall

Mrs. Rossall reviewed the following items with the Trustees:

 - a. Quartz Hill, great presentation. I know you have been working hard at looking at your data and assessment.
 - b. Attendance is an important piece of data.
 - c. Danielle, thank you for your work with your parent group.
 - d. New Teacher Induction received a \$1,000 check from CSBA for our efforts on recruitment and retention of new teachers. We received the check for being the best in that category.
 - e. Thank you to the District Office staff for coming out this evening. Congratulations to everyone who received service pins this evening.
 - f. I received a call today from the LA County Office of Education; we have been selected to be on their list of assistance because of our test scores for our students with disabilities on academics and suspension rate. They will be giving us support in these areas for these students.
 - g. We will be swearing in our three Trustees who were elected or reelected in November at the December 11, 2018, Board Meeting.

X. PERSONAL APPEARANCES

- A. Westside Union Teachers Association Representative – Bob Dunham, President
- B. California School Employee Association Representative – Jeri Holmes, President
 - Kudos to Quartz Hill, I enjoyed hearing about your new programs in your presentation this evening.
 - I will not be able to attend the next Board Meeting. Congratulations to those who will be sworn in at the next meeting and Happy Holidays.
- C. Parent Teachers Association Representative
- D. WAVE Representative – Jennifer Navarro and Robert Hughes

XI. ITEMS FROM THE FLOOR – Regular Session
Kristin Studt – Standards Based Grading

XII. PUBLIC HEARING
None

XIII. BUSINESS SESSION

Organizational/Governance

- 1. M19-78 - Item 1. Approval of the agenda of the Regular Board Meeting of December 4, 2018, as submitted. The motion was made by Steve DeMarzio seconded by Patricia K. Shaw and carried 4/0.
- 2. M19-79 - Items 2a – 2f. The motion was made by Jennifer Navarro seconded by Steve DeMarzio and carried 4/0 to approve the consent agenda.
 - 2a Minutes of the Regular Meeting on November 13, 2018
 - 2b Fundraising Authorizations
 - 2c Personnel Report
 - 2d Purchase Orders
 - 2e Consultant/Contract Agreement Schedule
 - 2f Conference/Workshop Schedule
- 3. M19-80 - Item 3. The motion was made by Steve DeMarzio seconded by Patricia K. Shaw and carried 4/0 to table the nomination to CSBA Region 22 Delegate Assembly to next Board Meeting, December 11, 2018
- 4. Item 4. Discussion Item
 - Board Governance
 - Master's in Governance – All Trustees will attend
 - CSBA Workshop Review – January

XIV. EDUCATIONAL SERVICES

- 5. M19-81 - Item 5. The motion was made by Patricia K. Shaw seconded by Steve DeMarzio and carried 4/0 to approve the first reading of the revised Board Policies, Administrative Regulations and Exhibit:
 - BP 0410, Nondiscrimination in District Programs and Activities
 - BP/AR 1312.3, Uniform Complaint Procedures
 - BP/AR 5111, Admission
 - BP/AR 5111.1, District Residency
 - BP/AR 5125, Student Records
 - AR/E 5125.1, Release of Directory Information

- BP 5131.2, Bullying
- BP/AR 5145.13, Response to Immigration Enforcement
- BP/AR 5145.3, Nondiscrimination/Harassment
- BP 5145.9, Hate-Motivated Behavior
- BP 6161.3, Toxic Art Supplies

XV. PERSONNEL

6. M19-82 - Item 6. The motion was made by Steve DeMarzio seconded by Jennifer Navarro and carried 4/0 to approve the Variable Term Waiver.

XVI. BUSINESS

7. M19-83 - Item 7. The motion was made by Steve DeMarzio seconded by Patricia K. Shaw and carried 4/0 to approve the Community Facilities District (CFD) 2007-1 – Fee Reimbursement

XVII. NEW BUSINESS

None

XVIII. UNFINISHED BUSINESS

CSBA Delegate Nominations

XIX. CLOSED SESSION – Continued

XX. RECONVENE TO OPEN SESSION at 7:39 p.m.

XXI. REPORT OF CLOSED SESSION ACTION

None

XXII. ADJOURNMENT – The meeting was adjourned at 7:40 p.m. by the Board President.

Clerk
December 11, 2018

BOARD AGENDA

December 11, 2018

TO: BOARD OF TRUSTEES
PREPARED BY: Regina L. Rossall, Superintendent
SUBJECT: Fund Raiser Approval List

BACKGROUND:

Attached for review and approval by the Board are individual requests from school organizations for fund raising activities. Each is presented on the District's pre-approved form.

PROGRAM/EDUCATIONAL IMPLICATION:

Funds raised as a result of the activities benefit the individual schools as described in each form.

COST ANALYSIS/FUNDING SOURCE:

Approval of these activities increases the funding available for the affected schools as noted on each form.

SUPERINTENDENT'S RECOMMENDATION:

Approval

FUND RAISER APPROVAL LIST

Approved at the Board Meeting of December 11, 2018

Leona Valley

Description: Book Fair and Story Time – Hot Chocolate
Date: December 9, 2018
Purpose: For PTO enrichment programs.
Requesting Group: Leona Valley PTO

Westside Union School District
41914 50th Street West
Quartz Hill, CA. 93536
(661) 722-0716 FAX: (661) 206-3645

DEC 5 2018

FUNDRAISING AUTHORIZATION
Elementary School

School Leona Valley

Date 11-30-18

Requesting Group: ☐ PTA ☒ PTO ☐ PTSA

Date(s) of Fund Raiser 12/9/18 Event Start Time 1-6pm

Location of Fund Raiser Barnes & Nobles

Description of Fund Raiser Bookfair, storytime & hot chocolate

Purpose of the Fund Raiser fundraisers for PTO enrichment programs

For the benefit of (be specific) all students at LV school

Person Supervising Fund Raiser K. Henderson - PTO Board

Person Responsible for the Money C. Lord, PTO Treasurer

Projected Expenses \$ 0 Projected Profit \$ 800

The food sales shall not impair students' participation in the District's Food Service program. (BP3554)
Sanitary and safety procedures shall comply with the State and County Uniform Retail Food Facilities Law. Home-baked goods may not be sold. (BB3554, CURFFL 113700-114455, AR3554)
Food sales will not begin until after the close of the regularly scheduled midday food service period. (Code of Regulations, Title 5 15500, Ed Code 51520)
Organizations are encouraged to select items of good nutritional quality (BP3554)
The food item being sold cannot be an item sold in the food service program at that school during that school day. (Code of Regulations, Title 5)

Signature of PTA/PTO/PTSA President K. Henderson Date 12-3-18

Signature of Principal or Assistant Shannon Rallall Date 12/3/18
I affirm that I have read and understand the District Wellness Policy and that the activity approved above is not in violation of that policy.

Approved by the Board of Trustees on _____

Note - Edible items that do not comply with the District's Wellness Policy may be sold to students a half an hour after the end of the school day.

WESTSIDE UNION SCHOOL DISTRICT
BOARD AGENDA

December 11, 2018

TO: BOARD OF TRUSTEES

PREPARED BY: Robert Hughes, Deputy Superintendent

SUBJECT: Personnel Report #19-10

BACKGROUND: The Board is requested to approve/ratify the following personnel Recommendations:

MANAGEMENT

CERTIFICATED

Employment

Bell, Danielle	Teacher Hourly, Tutoring Sub/JW/November 15, 2018- June 6, 2019/ Title I/Req# CE-00251
Benavidez, Paula	Teacher Hourly, EL Reading Club/JW/2018-2019 School Year/ Title III/Req# CE-00256
Biedermann, Angela	Certificated Coach, Instructional Leaders/ESF/December 1, 2018- June 30, 2019/URGF/Req# CE-00254
Cass, Monica	Certificated Coach, Instructional Leaders/ESF/December 1, 2018- June 30, 2019/URGF/Req# CE-00254
Conklin-Gordean, Roberta	Certificated Coach, Prime Time Sports/HV/September 24- December 6, 2018/Sup Grant/Req# CE-00145
Husband, Michelle	Certificated Coach, Instructional Leaders/ESF/December 1, 2018- June 30, 2019/URGF/Req# CE-00254
Garcia, Anna Romina	Certificated Coach, Instructional Leaders/ESF/December 1, 2018-

Grundy, Miriam	Certificated Coach, Instructional Leaders/ESF/December 1, 2018-June 30, 2019/URGF/Req# CE-00254
Maze, Buffie	Certificated Coach, Instructional Leaders/ESF/December 1, 2018-
Pinkney-Walker, Andriea	Certificated Coach, Prime Time Sports/HV/September 24-December 6, 2018/Sup Grant/Req# CE-00145
Stricklen, Christina	Certificated Coach, Instructional Leaders/ESF/December 1, 2018-June 30, 2019/URGF/Req# CE-00254
Tallosi, Brittany	Certificated Coach, Instructional Leaders/ESF/December 1, 2018-June 30, 2019/URGF/Req# CE-00254
Tyson, Shaun	Certificated Coach, Instructional Leaders/ESF/December 1, 2018-June 30, 2019/URGF/Req# CE-00254
Weber, Jonathan	Certificated Coach, Instructional Leaders/ESF/December 1, 2018-June 30, 2019/URGF/Req# CE-00254
Williams, Tessa	Teacher Hourly, Tutoring/SSS/October 29-December 19, 2018/SDC /Req# CE-00215

<u>Change</u>	<u>Position/Location/Effective Date/Salary/Funding/Req. #</u>
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<u>Leaves</u>	<u>Position/Location/Effective Date</u>
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<u>Separation</u>	<u>Position/Location/Effective Date</u>
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CLASSIFIED

<u>Employment</u>	<u>Position/Location/Effective Date/Salary/Funding/Req.#</u>
Aguilera, Catalina	Short-Term Instructional Assistant II/CW/2.83 hrs/per/day/Step 1/September 13, 2018-February 28, 2019/SDC/Req# CL-00290
Aguina, Stacey	Extra-Duty Playground Supervisor/DS/1 hr/per/day/Not to Exceed 16 days/Step 1/November 6, 2018-May 7, 2019/Sup Grant/Req# CL-0030
Arnold, Amanda	Extra-Duty Clerk IV-Library/ESF/1.5 hrs/per/day/Step 1/November 15, 2018/URGF/Req# CL-00318

Allen, Aspen	Instructional Assistant II/GA/3 hrs/per/day/Step 1/December 7, 2018/ SDC/Req# CL-00300
Brown, Mary	Extra-Duty Instructional Assistant II/QH/Not to Exceed 12 hrs/total/ Step 7/December 3, 2018-May 31, 2019/SUMS Grant/Req# CL-00317
Codd, Patricia	Substitute Child Nutrition Assistant I/Step 1/December 3, 2018/URGF
Conaway, Kerrie	Extra-Duty Instructional Assistant II/QH/Not to Exceed 12 hrs/total/ Step 7/December 3, 2018-May 31, 2019/SUMS Grant/Req# CL-00314
Garcia, Kristy	Substitute Playground Supervisor/Step 1/December 3, 2018/URGF
Harrison, Caryn	Instructional Assistant II-Speech/AH/3 hrs/per/day/Step 8/ November 26, 2018-March 8, 2019/SDC/Req# CL-00253
Ochoa, Leslie	Extra-Duty Instructional Assistant II/HV/1 hr/per/day/Step 1/ November 28, 2018/URGF/Req# CL-00334
Rosenstock, Erin	Extra-Duty Clerk IV-Library/ESF/1.5 hrs/per/day/Step 1/ November 28, 2018/URGF/Req# CL-00332
Winslow, LaVon	Extra-Duty Clerk IV-Library/ESF/2 hrs/per/day/2 days/per/wk/Step 8/ August 30, 2018-June 6, 2019/URGF/Req# CL-0099

<u>Change</u>	<u>Position/Location/Effective Date/Salary/Funding/Req. #</u>
Dizon, Perla	Child Nutrition Assistant I (1 hr/per/day) to (2 hrs/per/day)/CW-SD/ Step 1/October 22, 2018/URGF/Req# 15649

<u>Leaves</u>	<u>Position/Location/Effective Date/</u>
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<u>Separation</u>	<u>Position/Location/Effective Date/</u>
Adams, Beverly	Campus Climate Assistant/QH/December 14, 2018/Resignation
Lee, Jackeline	Child Nutrition Assistant I/VV/December 14, 2018/Resignation
McBride, Nicole	Playground Supervisor/AH/November 30, 2018/Resignation
Thompson, Ashley	Technician I-LVN/ESF/November 30, 2018/Resignation
Victoria, Julia	Instructional Assistant II/GA/December 11, 2018/Resignation

WESTSIDE UNION SCHOOL DISTRICT
BOARD AGENDA

December 11, 2018

TO: BOARD OF TRUSTEES

PREPARED BY: Robert Hughes, Deputy Superintendent

SUBJECT: Personnel Report #19-10

BACKGROUND: The Board is requested to approve/ratify the following personnel Recommendations:

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<u>Change</u>	<u>Position/Location/Effective Date/Salary/Funding/Req. #</u>
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<u>Leaves</u>	<u>Position/Location/Effective Date</u>
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<u>Separation</u>	<u>Position/Location/Effective Date</u>
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CLASSIFIED

<u>Employment</u>	<u>Position/Location/Effective Date/Salary/Funding/Req.#</u>
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<u>Change</u>	<u>Position/Location/Effective Date/Salary/Funding/Req. #</u>
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<u>Leaves</u>	<u>Position/Location/Effective Date/</u>
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<u>Separation</u>	<u>Position/Location/Effective Date/</u>
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Thompson, Ashley	Technician I-LVN/ESF/November 30, 2018/Resignation
Victoria, Julia	Instructional Assistant II/GA/December 11, 2018/Resignation

BOARD AGENDA

December 11, 2018

TO: BOARD OF TRUSTEES
PREPARED BY: Jeri Holmes, Purchasing
SUBJECT: Purchase Order Approval List

BACKGROUND:

Purchase orders are submitted for pre-approval if the purchase is over \$7,500. Purchase orders are submitted for ratification for items under \$7,500 per the adopted policy. Items that have already been approved by virtue of individual board action/direction are also included on the ratification list, even if their value is over \$7,500

PROGRAM/EDUCATIONAL IMPLICATION:

None

COST ANALYSIS/FUNDING SOURCE:

With approval of this action, the Board authorizes expenditures of:

Approval Items:

All Funds	36,071.90
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Ratification Items:

General Fund (01.0)	55,900.11
Child Nutrition Fund (13.0)	0.00
Deferred Maintenance Fund (14.0)	0.00
Building Fund: Bonds (21.0)	0.00
Capital Facilities Fund (25.0)	5,991.86
County Facilities Fund (35.0)	0.00
Anaverde Settlement (40.0)	76.63
CFD's (49.0)	0.00

Total	98,040.50
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ASSISTANT SUPERINTENDENT, ADMINISTRATIVE SERVICES RECOMMENDATION:

Approval

PURCHASE ORDERS
Approved/Ratified at the Meeting of December 11, 2018

PO's for Board Approval (note: General Fund (01.0) moneys unless otherwise noted)

<u>P.O. #</u>	<u>Vendor/Location</u>	<u>Description/Funding Source Detail</u>	<u>Amount</u>
P54144	Rally Auto Group Inc Maintenance/Operations	2019 GMC Savana 3500 Cargo Van General Funding	36,071.90
			Total 36,071.90
<u>P.O. #</u>	<u>Vendor/Location</u>	<u>Description/Funding Source Detail</u>	<u>Amount</u>
P53898A	Amazon.com Corporation Credit Cottonwood	Wooden Building Blocks Set Supplemental Grant	15.95
P53903A	Amazon.com Corporation Credit Hillview	Spin Master Quick Cups Game Supplemental Grant	21.89
P53904A	Amazon.com Corporation Credit Esperanza	Sidewalk Chalk Supplemental Grant	15.28
P53905A	Amazon.com Corporation Credit Quartz Hill	Instructional Materials Supplemental Grant	103.56
P54124	AVSTA All Sites	Field Trip Transportation: October 16-31, 2018 Reimbursable and Supplemental Grant	3,969.78
P54125	AVSTA all Sites	Field Trip Transportation: October 1-15, 2018 Reimbursable, Supplemental, AH Local Site Funds	2,945.24
P54126	Karen Smith Gregg Anderson	Reimburse: Robotics Team Awards Banquet Local Site Funds	500.00
P54127	Amerimac Office Products Quartz Hill	Digital Duplicator Masters and Ink General Funding	490.56
P54128	Minuteman Press Hillview	Detention Forms General Funding	184.49
P54129	Kelleen Koonce AH	Reimburse; LEGO Robotics Local Site Funds	150.00
P54130	Hussein Arrale DS	LEGO ROBOTICS 2 Competitions Title I	300.00
P54131	Michele Sessions GA	Garden Supplies Local Site Funds	235.00
P54132	Amy Young JW	Reimbursement: Dancing Feet Local Site Funds	140.00
P54133	Louis Denning HV	Reimbursement: Dancing Feet General Funding	66.00
P54134	Cathy Bennett RV	Supplies for Parent Meetings Local Site Funds	500.00
P54135	Christina Andrews ESF	Reimbursement of Spark PE Supplies Local Site Funds	200.00
P54136	Submarina Student Support Services	AH Training Lunch Supplemental Grant	113.14
P54137	Fire Island Grill Student Support Services	Crisis Intervention Lunch Supplemental Grant	291.46
P54138	Southwest School Supply ESF	New Art Teacher Supplies Supplemental Grant	2,500.00
P54139	Southwest School Supply EZ	Instructional Supplies General Funding	5,000.00
P54140	Southwest School Supply JW	Instructional Supplies General Funding	1,500.00
P54141	Southwest School Supply DS	Instructional Supplies General Funding	6,000.00
P54142	SEA Supply Warehouse	Facial Tissue (Whse Stock) General Funding	1,083.61
P54146	ConvergeOne Inc Rancho Vista	Chromebook II's (3) Technology Maintenance	760.71
P54150	Sierra School Equipment Company Risk Management	Office Chairs (2) General Funding	939.51

P54151	Proactive Work Health Services Risk Management	Employee Exams, etc General Funding	380.39
P54152	Apple Inc Student Support Services	iPad 32GB (1) Special Education	365.26
P54158	Staples Business Services	1099 Tax Envelopes General Funding	62.48
P54159	Vex Robotics Inc Del Sur	V5 Smart Motors Title I	264.36
P54160	Full Source LLC Gregg Anderson	Safety Vests General Funding	243.37
P54161	Demco Esperanza	Library Supplies Local Site Funds	189.87
P54162	The Library Store Esperanza	Library Supplies General Funding	115.12
P54163	Fitness Finders Quartz Hill	Swag Tags and Charms Title I	537.15
P54164	School Life Quartz Hill	Swag Tags and Charms Title I	2,956.04
P54165	Nasco Cottonwood	Art Supplies Supplemental Grant	2,199.78
P54166	Antelope Valley Press Board of Trustees	Welcome Ad General Funding	250.00
P54167	Southwest School Supply Del Sur	Art Supplies Title I	703.11
P54168	Really Good Stuff Esperanza	Kindergarten Journals Local Site Funds	341.59
P5169	Thinking Maps Inc Anaverde Hills	Instructional Materials Supplemental Grant	4,331.25
P54170	School Administrators Publishing Co Human Resources	Legal References for CA School Administrators 2018 General Funding	54.75
P54171	Submarina Student Support Services	Lunch for New Teacher Training Supplemental Grant	160.65
P54172	AV Hispanic Chamber of Commerce Board of Trustees	2019 Membership Dues General Funding	175.00
P54173	Apple Inc Student Support Services	iPad Mini 4 Special Education	420.49
P54174	Amazon.com Corporation Credit Anaverde Hills	Document Camera Cables General Funding	39.35
P54176	Amazon.com Corporation Credit Valley View	Projector and HoverCam Cables General Funding	92.97
P54177	Amazon.com Corporation Credit Westside Academy	Instructional Materials Supplemental Grant	351.30
P54178	Amazon.com Corporation Credit Gregg Anderson	Assorted Border Papers General Funding	212.46
P54179	Amazon.com Corporation Credit Student Support Services	iPad Case Special Education	28.16
P54180	Amazon.com Corporation Credit Student Support Services	Instructional Materials Special Education	236.20
P54181	Amazon.com Corporation Credit Student Support Services	iPad Mini Case Special Education	21.67
P514182	Amazon.com Corporation Credit Quartz Hill	Instructional Materials Title I	480.25
P54183	Amazon.com Corporation Credit Valley View	PE Materials Supplemental Grant	850.46
P54184	Amazon.com Corporation Credit Leona Valley	Instructional Materials Supplemental Grant	203.34
P54185	Dillon Bennewitz Del Sur	Reimburse: Snack Bar Startup for Basketball Season Local Site Funds	150.00
P54186	Dillon Bennewitz Del Sur	Reimburse: New Cooler for Snack Bar Local Site Funds	50.00
M20972	Tip Top Arborists	Tree Repair	3,955.00

M21123	Valley View	Maintenance	
	Westside Equipment Rentals	Maintenance Supplies - October	52.95
	Various Sites	Maintenance/Operations	
M21140	Clark and Howard Towing	Tow - Truck 73	75.00
	Maintenance	Maintenance	
M21224	CWI Cal West	Microphone Cables	56.92
	Del Sur	Maintenance	
M21232	Patriot Plumbing	Replace Leaking Water Line Pipe	649.33
	Quartz Hill	Maintenance	
M21244	Valley Construction	Electric 24" Stabila Level	217.91
	Maintenance	Maintenance	
M21273	California Fencing	Furnish and Install New Fence	6,400.00
	Leona Valley	Maintenance	

Total 55,900.11

CAPITAL FACILITIES (25)

P54143	Sierra School Equipment Company	Porcelain on Steel Markerboards: AH	5,991.86
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Total 5,991.86

ANAVERDE SETTLEMENT (40)

P54175	Amazon.com Corporate Credit	3-Pocket Hanging File Holder: Cottonwood	76.63
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Total 76.63

CHILD NUTRITION (13)

DEFERRED MAINTENANCE (14)

BUILDING FUND: BONDS (21)

COUNTY FACILITIES (35)

CFD's (49)

No Purchase Orders for Funds 13, 14, 21, 35 or 49

Total 0.00

BOARD AGENDA

December 11, 2018

TO: BOARD OF TRUSTEES

PREPARED BY: Jeri Holmes, Purchasing

SUBJECT: Consultant/Contract Agreement Schedule

BACKGROUND:

Consultant agreements and contracts are brought to the Board in accordance with Board Policy 3312 for various purposes including student assemblies, in-house staff workshops, and vendor provided services.

PROGRAM/EDUCATIONAL IMPLICATION:

These Consultant Agreements and Contracts provide support to the District's Educational Program.

COST ANALYSIS/FUNDING SOURCE:

With approval of this action, the Board authorizes expenditures and incoming funds of:

Student Assemblies	2,345.00
In-house Staff/Parent Workshops	0.00
Vendor Provided Services	17,905.25
Rental/Lease Contracts	0.00
<i>Total</i>	<u>20,250.25</u>

Incoming Funds	<i>1,296.00</i>
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ASSISTANT SUPERINTENDENT, ADMINISTRATIVE SERVICES RECOMMENDATION:

Approval

CONSULTANT/CONTRACT AGREEMENT SCHEDULE

Ratified/Approved at the Board Meeting of December 11, 2018

<u>Dates</u>	<u>Name/School Site</u>	<u>Description/Funding Source</u>	<u>Cost</u>	<u>Income</u>
2018-2023	California State University Northridge Human Resources/New Teachers	Clinical Practicum Agreement N/A	0.00	
2018-2019	ConvergeOne Inc Technology	SmartNet Renewal Technology Maintenance	824.68	
2018-2019	Dynamic Therapy Solutions Board of Trustees	IEE for Assistive Technology for Student per Settlement General Funding	1,500.00	
2018-2019	Kronos Inc Technology	Cloud Hosting for Additional Licenses Technology Maintenance	6,600.00	
January 10-11, 2019	My Name My Story Joe Walker	Leadership Training Title I	2,345.00	
2018-2019	Ricoh Technology	EFI Maintenance Technology Maintenance	8,000.00	
2018-2019	Tobii Dynavox LLC Gregg Anderson	Boardmaker Online SSS Special Education	980.57	
November 12, 2018	YMCA of Metropolitan Los Angeles Quartz Hill	Use of Facilities on Non-Student Day: Custodial Services District General Funding		72.00
Nov 19-21, 2018	YMCA of Metropolitan Los Angeles Quartz Hill	Use of Facilities on Non-Student Days: Custodial Services District General Funding		216.00
Dec 17, 2018 - January 4, 2019	YMCA of Metropolitan Los Angeles Quartz Hill	Use of Facilities on Non-Student Days: Custodial Services District General Funding		1,008.00
<u>Change</u>	PacificWest Energy Solutions	Solar Photovoltaic/Battery Storage/Lighting Changes: HV Solar Photovoltaic System Reduction from 260.8 kW DC to 198.1 kW DC; HV Battery Storage Addition 30kW DC; CW Lighting Scope Deletion	0.00	
	District	N/A		

Individual Services Agreements	Total	20,250.25	1,296.00
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These individual service agreements fall under previously Board approved Master Contracts. All agreements are funded through Special Education general funds.

<u>Nonpublic School/Agency</u>	<u>Service</u>	<u>Student ID</u>
None		

California Student Data Privacy Agreements

<u>Vendor</u>	<u>Full Agreement or Exhibit E</u>
International Academy of Science	Customized Agreement
Ripple Effects Inc	Exhibit E
Sutori	Exhibit E
Tobii Dynavox LLC	Exhibit E

BOARD AGENDA

December 11, 2018

TO: BOARD OF TRUSTEES

PREPARED BY: Jeri Holmes, Purchasing

SUBJECT: Conference/Workshop Schedule

BACKGROUND:

Conference requests are processed in compliance with Board Policy 3350.

PROGRAM/EDUCATIONAL IMPLICATION:

On-going staff development is a key to the success of the District's programs.

COST ANALYSIS/FUNDING SOURCE:

With approval of this action, the Board authorizes expenditures of \$6,475.94.

ASSISTANT SUPERINTENDENT ADMINISTRATIVE SERVICES RECOMMENDATION:

Approval

CONFERENCE/WORKSHOP SCHEDULE
Ratified/Approved at the Board Meeting of December 11, 2018

<u>Dates/Location</u>	<u>Title/Attendees/Funding Location</u>	<u>Fund. Source</u>	<u>Registration</u>	<u>Lodging</u>	<u>Meals</u>	<u>Mileage</u>	<u>Parking</u>	<u>Subs</u>	<u>Other</u>
November 1, 2018	SAVE Dinner Jennifer Navarro, John Curiel Board of Trustees	General Funding	190.00	0.00	0.00	0.00	0.00	0.00	0.00
December 14, 2018 Newport Beach	Holmon Capital: Banking and Econ Forecast Shawn Cabey Administrative Services	General Funding	0.00	0.00	0.00	113.75	50.00	0.00	0.00
January 9, 2019 Arcadia	Making Best of Google Classroom Breanna Thompson, Jennifer Brustuen, Jessica Iribarren, Timothy Barker, Shannon Hirsch, Nicole Bitvara, Gabriela Alfaro Sundown	Title I	1,883.00	0.00	0.00	167.99	0.00	864.00	0.00
January 9-10, 2019 Covina	NGSS Toolkit for Instructional Materials Marguerite Johnson, Drew Warden, Samara Gugler Educational Services	Restricted Textbooks/Core Curricula	750.00	0.00	0.00	196.20	0.00	0.00	0.00
March 1-2, 2019 Pasadena	33rd Annual Conf for Pre-K, TK, K & 1st Grade Teachers Sandra Havens, Jennifer Mann, Jodi Ta, Melissa Weir Quartz Hill	Title I	1,312.00	0.00	0.00	321.00	52.00	576.00	0.00
Changes	No Changes								
	Subtotals		4,135.00	0.00	0.00	798.94	102.00	1,440.00	0.00
	Grand Total		6,475.94						

BOARD AGENDA

December 11, 2018

TO: BOARD OF TRUSTEES

PREPARED BY: Regina L. Rossall, Superintendent

SUBJECT: First and Final Reading of Board Policy 2110, Organization Chart/Lines of Responsibility

BACKGROUND:

To insure there is continuity of programs in the absence of a Division or Department Supervisor.

PROGRAM/EDUCATIONAL IMPLICATION:

None

COST ANALYSIS/FUNDING SOURCE:

None

SUPERINTENDENT'S RECOMMENDATION:

Approval

Board Policy 2110
Organizational Chart/Lines of Responsibility

Will be handed out at the Board Meeting

BOARD AGENDA

December 11, 2018

TO: BOARD OF TRUSTEES

PREPARED BY: Regina L. Rossall, Superintendent

SUBJECT: Nominations for CSBA Delegate Assembly

BACKGROUND:

Annually CSBA has nominations for delegates for our region. The names of the delegates whose terms expire in 2019 are:

John Curiel (Westside Union SD)
R. Michael Dutton (AV Union HSD)
Steven M. sturgeon (William S. Hart Union HSD)

At this time the Board is requested to determine if they would like to submit a nomination to CSBA Delegate Assembly.

PROGRAM/EDUCATIONAL IMPLICATION:

None

COST ANALYSIS/FUNDING SOURCE:

None

SUPERINTENDENT'S RECOMMENDATION:

The Board of Trustees to determine if they would like to submit a nomination.

BOARD AGENDA

December 11, 2018

TO: BOARD OF TRUSTEES

PREPARED BY: Regina L. Rossall, Superintendent

SUBJECT: Discussion Items:

- Board Governance

BOARD AGENDA

December 11, 2018

TO: BOARD OF TRUSTEES

PREPARED BY: Marguerite Johnson, Assistant Superintendent Educational Services

SUBJECT: Presentation and Acceptance of the California School Dashboard

BACKGROUND:

Presentation of the California School Dashboard

PROGRAM/EDUCATIONAL IMPLICATION:

None

COST ANALYSIS/FUNDING SOURCE:

None

ASSISTANT SUPERINTENDENT EDUCATIONAL SERVICES RECOMMENDATION:

Approval

BOARD AGENDA

December 11, 2018

TO: BOARD OF TRUSTEES

PREPARED BY: Marguerite Johnson, Assistant Superintendent, Educational Services

SUBJECT: Revised Board Policies and Regulations – Second and Final Reading

BACKGROUND:

Annually policies are reviewed by CSBA and changes are suggested as a result of either recent judicial rulings or legislative enactment. Changes to these policies and regulations make our policies consistent with law. All revisions (except the deletion of BP 6161.3) make our policies compliant with AB 699, Safe Schools for Immigrant Students.

PROGRAM/EDUCATIONAL IMPLICATION:

Board Policy 0410 Nondiscrimination in District Programs and Activities- Revised

The policy has been revised to reflect AB 699 which (1) adds immigration status to the categories of characteristics that are protected against discrimination, (2) requires parent/guardian notification of their child's right to a free public education regardless of immigration status or religious beliefs, and (3) mandates that districts adopt a policy consistent with a model policy developed by the California Attorney General, which includes a statement regarding equitable services. The revisions are aligned with the Attorney General's model policy and SB 31 which prohibit districts from compiling or assisting in the compilation of a registry based on immigration status, religion, or other specified characteristics.

Board Policy/Administrative Regulation 1312.3 Uniform Complaint Procedures- Minor Revisions

Board Policy/Administrative Regulation 5111 Admission – Revised

The board policy has been updated to reflect state law that prohibits the collection of social security numbers or the last four digits of the social security numbers of students or their parents/guardians, unless otherwise required by law. Revisions also address AB 699 which prohibits districts from inquiring into students' citizenship or immigration status and the California Attorney General's model policy which provides that, under the limited circumstances when such information must be collected to comply with eligibility requirements for special state or federal programs, such information should be collected separately from the school enrollment process. The administrative regulation has been updated to reflect a requirement of the Attorney General's model policy that prohibits districts from requiring documentation that may indicate a student's national origin or immigration status, such as a passport, to the exclusion of other permissible documentation. Revisions to the regulation also reflects the authority to accept a parent/guardian affidavit as evidence of a child's age when other documentation is not available.

Board Policy/Administrative Regulation 5111.1 District Residency-New & Revised

The policy and regulation have been revised to reflect the requirements of AB 699 which prohibits districts from collecting information or documents regarding the citizenship or immigration status of students or their family members. The regulation has been revised to reflect changes in the law that provide that a student meets district residency requirements if the student's parent/guardian is transferring or pending transfer to a military installation within the state, or the student's parent/guardian was a resident of California who departed the state against his/her will pursuant to a transfer by a government agency, a court order, or the federal Immigration and Nationality Act.

Board Policy/Administrative Regulation 5125 Student Records- Revised

The policy has been updated to reflect the California Attorney General's model policy, developed pursuant to AB 699, which (1) prohibits districts from collecting information regarding students' citizenship or immigration status, and (2) requires district staff to receive training in the gathering and handling of sensitive student information. The policy also reflects state law limiting the collection of students' social security numbers or the last four digits of the social security numbers, and the requirements of SB 31 which prohibits districts from assisting in the compilation of a list, registry, or database based on students' national origin, ethnicity, or religion. The regulation has been updated to reflect SB 233 which expanded the types of records related to foster youth that must be made accessible to specified agencies, and a requirement of the Attorney General's model policy that the annual parental notification include a statement that a student's citizenship, place of birth, or national origin will not be released without parental consent or a court order

Administrative Regulation/Exhibit 5125.1- Release of Directory Information- Revised

The regulation and exhibit have been updated to reflect the California Attorney General's model policy, developed pursuant to AB 699, which requires that the annual parental notification include a statement that directory information does not include citizenship status, immigration status, place of birth, or national origin.

Board Policy 5131.2 Bullying- Revised

The policy has been revised to reflect AB 699 which requires districts to educate students about the negative impact of bullying based on actual or perceived immigration status or religious beliefs and customs. The policy has also been revised to reflect the California Attorney General's model policy developed pursuant to AB 699, which requires staff training with specified components related to bullying prevention and response.

Board Policy/Administrative Regulation 5145.13 Response to Immigration Enforcement- New

Both the policy and regulation are new. Both address the requirements of AB 699 which mandated districts to adopt, by July 1, 2018, policy consistent with the model policy developed by the California Attorney General, including policy related to the district's response to requests by law enforcement for access to information, students, or school grounds for immigration enforcement purposes and actions to be taken in the event that a student's family member is detained or deported. The policy also addresses the requirements SB 31 which prohibits districts from compiling or assisting federal government authorities with compiling a list, registry, or database based on students' national origin, ethnicity, or religion.

Board Policy/Administrative Regulation 5145.3 Nondiscrimination/Harassment- Revised

Both the policy and regulation have been revised to comply with AB 699 which prohibits discrimination based on immigration status.

Board Policy 5145.9 Hate-Motivated Behavior- Replaced

The policy has been revised to define hate-motivated behavior and expand material related to collaboration, staff training, and enforcement of rules regarding student conduct. Revisions also provide for the use of uniform complaint procedures when the behavior is determined to be based on unlawful discrimination.

Board Policy 6161.3 Toxic Art Supplies- Delete

This policy is being deleted and key concepts incorporated into BP 3514.1 - Hazardous Substances.

COST ANALYSIS:

There are no costs associated with updating these policies and administrative regulations.

SUPERINTENDENT'S RECOMMENDATION:

Approval

Westside Union SD

Board Policy - Revised

Nondiscrimination In District Programs And Activities

Philosophy, Goals, Objectives and Comprehensive Plans

BP 0410(a)

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

(cf. 1240 - Volunteer Assistance)

(cf. 4030 -Nondiscrimination in Employment)

(cf. 4032- Reasonable Accommodation)

(cf. 4033 - Lactation Accommodation)

(cf. 4119.11/4219.1114319.11- Sexual Harassment)

(cf. 4161.8/4261.8/4361.8 - Family Care and Medical Leave)

(cf. 5131.2 - Bullying)

(cf. 5145.3- Nondiscrimination/Harassment)

(cf. 5145.7- Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

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

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2- Athletic Competition)

(cf. 6164.4 - Identification and Evaluation of individuals for Special Education)

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

(cf. 6178- Career Technical Education)

(cf. 6200 - Adult Education)

All individuals shall be treated equitably in the receipt of district and school services. Personally identifiable information collected in the implementation of any district program, including, but not limited to, student and family information for the free and reduced-price lunch program, transportation, or any other educational program, shall be used only for the purposes of the program, except when the Superintendent or designee authorizes its use for another purpose in accordance with law. Resources and data collected by the district shall not be used, directly or by others, to compile a list, registry, or database of individuals based on race, gender, sexual orientation, religion, ethnicity, national origin, or immigration status or any other category identified above.

(cf. 3540 - Transportation)

(cf. 3553 - Free and Reduced Price Meals)
(cf. 5145.13 - Response to Immigration Enforcement)

District programs and activities shall also be free of any racially derogatory or discriminatory school or athletic team names, mascots, or nicknames.

~~Annually,~~ The Superintendent or designee shall annually review district programs and activities to ensure the removal of any derogatory or discriminatory name, image, practice, or other barrier that may unlawfully prevent an individual or group in any of the protected categories stated above from accessing district programs and activities. He/she shall take prompt, reasonable actions to remove any identified barrier. The Superintendent or designee shall report his/her findings and recommendations to the Board after each review.

(cf. 1330 - Use of Facilities)

All allegations of unlawful discrimination in district programs and activities shall be investigated and resolved in accordance with the procedures specified in AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

Pursuant to 34 CFR 104.8 and 34 CFR 106.9, the Superintendent or designee shall notify students, parents/guardians, employees, employee organizations, applicants for admission and employment, and sources of referral for applicants about the district's policy on nondiscrimination and related complaint procedures. Such notification shall be included in each the annual parental notification distributed pursuant to Education Code 48980 and, as applicable, in announcements, bulletins, catalogs, handbooks, application forms, or other recruitment materials distributed to these groups and, as applicable, to the public by the district. As appropriate, such The notification shall also be posted on the district's web site and, social media and in district schools and offices, including staff lounges, student government meeting rooms, and other prominent locations as appropriate. ~~and shall be posted on the district's web site and, when available, district-supported social media.~~

(cf. 1113 - District and School Web Sites)
(cf. 1114 - District-Sponsored Social Media)
~~(cf. 1312.3 - Uniform Complaint Procedures)~~
~~(cf. 4031 - Complaints Concerning Discrimination in Employment)~~
(cf. 4112.9/4212.9/4312.9 - Employee Notifications)
(cf. 5145.6 - Parental Notifications)

In addition, the annual parental notification shall inform parents/guardians of their children's right to a free public education regardless of immigration status or religious beliefs, including information on educational rights issued by the California Attorney General. Alternatively, such information may be provided through any other cost-effective means determined by the

Superintendent or designee. (Education Code 234.7)

The district's nondiscrimination policy and related informational materials shall be published in a format that parents/guardians can understand. In addition, when 15 percent or more of a school's students speak a single primary language other than English, those materials shall be translated into that other language.

Access for Individuals with Disabilities

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

When structural changes to existing district facilities are needed to provide individuals with disabilities access to programs, services, activities, or facilities, the Superintendent or designee shall develop a transition plan that sets forth the steps for completing the changes.

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

The Superintendent or designee shall ensure that the district provides auxiliary aids and services when necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program, or activity. These aids and services may include, but are not limited to, qualified interpreters or readers, assistive listening devices, assistive technologies or other modifications to increase accessibility to district and school web sites, notetakers, written materials, taped text, and Braille or large print materials. Individuals with disabilities shall notify the Superintendent or principal if they have a disability that requires special assistance or services. Reasonable notification should be given prior to the school a sponsored function, program, or meeting.

(cf. 6020 - Parent Involvement)
(cf. 9320 - Meetings and Notices)
(cf. 9322 - Agenda/Meeting Materials)

The individual identified in AR 1312.3 - Uniform Complaint Procedures as the employee responsible for coordinating the district's response to complaints and for complying with state and federal civil rights laws is hereby designated as the district's ADA coordinator. He/she shall receive and address requests for accommodation submitted by individuals with disabilities, and shall investigate and resolve complaints regarding their access to district programs, services, activities, or facilities.

Assistant Superintendent, Educational Services
41914 50th St West
(661) 722-0716

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

48980 Parental notifications

48985 Notices to parents in language other than English

51007 Legislative intent: state policy

GOVERNMENT CODE

8310.3 California Religious Freedom Act

11000 Definitions

11135 Nondiscrimination in programs or activities funded by state

~~11138 Rules and regulations~~

12900-12996 Fair Employment and Housing Act

54953.2 Brown Act compliance with Americans with Disabilities Act

PENAL CODE

422.55 Definition of hate crime

422.6 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 5

4600-4687 ~~4670~~ Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities in Education Act

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

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

6311 State plans

6312 Local education agency plans

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

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

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

2000h-2000h-6 Title IX

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 Americans with Disabilities Act

36.303 Auxiliary aids and services

CODE OF FEDERAL REGULATIONS, TITLE 34

100.1-100.13 Nondiscrimination in federal programs, effectuating Title VI

104.1-104.39 Section 504 of the Rehabilitation Act of 1973

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

106.9 Dissemination of policy

Management Resources:

CSBA PUBLICATIONS

Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students

Against Sex Discrimination, July 2016

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

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

CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS

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

CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING PUBLICATIONS

California Law Prohibits Workplace Discrimination and Harassment

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

Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016

Dear Colleague Letter: Title IX Coordinators, April 2015

Dear Colleague Letter: May 26, 2011

Dear Colleague Letter: Harassment and Bullying, October 2010

Notice of Non-Discrimination. Fact Sheet, August 2010

Dear Colleague Letter: Electronic Book Readers, June 29, 2010

Notice of Non-Discrimination, January 1999

Protecting Students from Harassment and Hate Crime, January 1999

Nondiscrimination in Employment Practices in Education, August 1991

U.S. DEPARTMENT OF JUSTICE PUBLICATIONS

2010 ADA Standards for Accessible Design, September 2010

Accessibility of State and Local Government Websites to People with Disabilities, June 2003

WORLD WIDE WEB CONSORTIUM PUBLICATIONS

Web Content Accessibility Guidelines, December 2008

WEB SITES

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

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

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

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

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

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

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

U.S. Department of Justice, Civil Rights Division, Americans with Disabilities Act:

<http://www.ada.gov>

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

World Wide Web Consortium, Web Accessibility Initiative: <http://www.w3.org/wai>

Policy WESTSIDE UNION SCHOOL DISTRICT

adopted: November 19, 2013 Quartz Hill, California

revised: October 3, 2017

Westside Union SD

Board Policy - Revised

Uniform Complaint Procedures

Community Relations

BP 1312.3(a)

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

Complaints Subject to the UCP

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

1. Any complaint alleging district violation of applicable state or federal law or regulations governing adult education programs, After School Education and Safety programs, agricultural vocational education, American Indian education centers and early childhood education program assessments, bilingual education, peer assistance and review programs for teachers, career technical and technical education and training programs, child care and development programs, child nutrition programs, compensatory education, consolidated categorical aid programs, Economic Impact Aid, English learner programs, federal education programs in Title I-VII, migrant education, Regional Occupational Centers and Programs, school safety plans, special education programs, State Preschool Programs, Tobacco-Use Prevention Education programs, and any other district-implemented program which is listed in Education Code 64000(a)

(cf. 3553 - Free and Reduced Price Meals)
(cf. 3555 - Nutrition Program Compliance)
(cf. 5131.62 - Tobacco)
(cf. 5148 - Child Care and Development)
(cf. 5148.2 - Before/After School Programs)
(cf. 5148.3 - Preschool/Early Childhood Education)
(cf. 6159 - Individualized Education Program)
(cf. 6171 - Title I Programs)
(cf. 6174 - Education for English Language Learners)
(cf. 6175 - Migrant Education Program)
(cf. 6178 - Career Technical Education)
(cf. 6178.1 - Work-Based Learning)
(cf. 6178.2 - Regional Occupational Center/Program)
(cf. 6200 - Adult Education)

2. Any complaint alleging the occurrence of unlawful discrimination, (such as

discriminatory harassment, intimidation, or bullying), against any student, employee, or other person in district programs and activities, including, but not limited to, those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on the person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, immigration status, ethnic group identification, age, religion, marital status, pregnancy or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55 (5 CCR 4610) , or based on his/her association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610)

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

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

3. Any complaint alleging district noncompliance with the requirement to provide reasonable accommodation to a lactating student on school campus to express breast milk, breastfeed an infant child, or address other breastfeeding-related needs of the student (Education Code 222)

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

4. Any complaint alleging district noncompliance with the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities (5 CCR 4610)

(cf. 3260 - Fees and Charges)

(cf. 3320 - Claims and Actions Against the District)

5. Any complaint alleging district noncompliance with legal requirements related to the implementation of the local control and accountability plan (Education Code 52075)

(cf. 0460 - Local Control and Accountability Plan)

6. Any complaint, by or on behalf of any student who is a foster youth, alleging district noncompliance with any legal requirement applicable to the student regarding placement decisions, the responsibilities of the district's educational liaison to the student, the award of credit for coursework satisfactorily completed in another school or district, school transfer, or the grant of an exemption from Board-imposed graduation requirements (Education Code 48853, 48853.5, 49069.5, 51225.1, 51225.2)

(cf. 6173.1 - Education for Foster Youth)

7. Any complaint alleging district noncompliance with the physical education instructional minutes requirement for students in elementary school (Education Code 51210, 51223)

(cf. 6142.7 - Physical Education and Activity)

8. Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy
9. Any other complaint as specified in a district policy

The Board recognizes that alternative dispute resolution (ADR) can, depending on the nature of the allegations, offer a process to reach a resolution to the complaint that is agreeable to all parties. ADR such as mediation may be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. The Superintendent or designee shall ensure that the use of ADR is consistent with state and federal laws and regulations.

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

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 5125 - Student Records)
(cf. 9011 - Disclosure of Confidential/Privileged Information)

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

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

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

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

(cf. 3580 - District Records)

Non-UCP Complaints

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

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services, the County Protective Services Division, and the appropriate law enforcement agency.

(cf. 5141.4 - Child Abuse Prevention and Reporting)

2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services and shall, for licensing-exempt facilities, be referred to the appropriate Child Development regional administrator.

3. Any complaint alleging fraud shall be referred to the Legal, Audits and Compliance Branch of the California Department of Education.

Any complaint alleging employment discrimination or harassment shall be investigated and resolved by the district in accordance with the procedures specified in AR 4030 - Nondiscrimination in Employment.

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

(cf. 1312.4 - Williams Uniform Complaint Procedures)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

222 Reasonable accommodations; lactating students

8200-8498 Child care and development programs

8500-8538 Adult basic education

18100-18203 School libraries

32280-32289 School safety plan, uniform complaint procedures

33380-33384 California Indian Education Centers

35186 Williams uniform complaint procedures

44500-44508 California Peer Assistance and Review Program for Teachers

48853-48853.5 Foster youth

48985 Notices in language other than English

49010-49013 Student fees

49060-49079 Student records

49069.5 Rights of parents
 49490-49590 Child nutrition programs
 49701 Interstate Compact on Educational Opportunity for Military Children
 51210 Courses of study grades 1-6
 51223 Physical education, elementary schools
 51225.1-51225.2 Foster youth and homeless children, and former juvenile court school students, and military-connected students; course credits; graduation requirements
 51226-51226.1 Career technical education
 51228.1-51228.3 Course periods without educational content
 52060-52077 Local control and accountability plan, especially
 52075 Complaint for lack of compliance with local control and accountability plan requirements
 52160-52178 Bilingual education programs
 52300-52490 Career technical education
 52500-52616.24 Adult schools
 54000-54029 Economic Impact Aid
 54400-54425 Compensatory education programs
 54440-54445 Migrant education
 54460-54529 Compensatory education programs
 56000-56867 Special education programs
 59000-59300 Special schools and centers
 64000-64001 Consolidated application process
 GOVERNMENT CODE
 11135 Nondiscrimination in programs or activities funded by state
 12900-12996 Fair Employment and Housing Act
 HEALTH AND SAFETY CODE
 104420 Tobacco-Use Prevention Education
 PENAL CODE
 422.55 Hate crime; definition
 422.6 Interference with constitutional right or privilege
 CODE OF REGULATIONS, TITLE 2
 11023 Harassment and discrimination prevention and correction
 CODE OF REGULATIONS, TITLE 5
 3080 Application of section
 4600-4687 Uniform complaint procedures
 4900-4965 Nondiscrimination in elementary and secondary education programs
 UNITED STATES CODE, TITLE 20
 1221 Application of laws
 1232g Family Educational Rights and Privacy Act
 1681-1688 Title IX of the Education Amendments of 1972
 6301-6577 Title I basic programs
 6801-6871 Title III language instruction for limited English proficient and immigrant students
 7101-7184 Safe and Drug-Free Schools and Communities Act
 7201-7283g Title V promoting informed parental choice and innovative programs
 7301-7372 Title V rural and low-income school programs

12101-12213 Title II equal opportunity for individuals with disabilities
UNITED STATES CODE, TITLE 29
794 Section 504 of Rehabilitation Act of 1973
UNITED STATES CODE, TITLE 42
2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended
2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964
6101-6107 Age Discrimination Act of 1975
CODE OF FEDERAL REGULATIONS, TITLE 28
35.107 Nondiscrimination on basis of disability; complaints
CODE OF FEDERAL REGULATIONS, TITLE 34
99.1-99.67 Family Educational Rights and Privacy
100.3 Prohibition of discrimination on basis of race, color or national origin
104.7 Designation of responsible employee for Section 504
106.8 Designation of responsible employee for Title IX
106.9 Notification of nondiscrimination on basis of sex
110.25 Notification of nondiscrimination on the basis of age

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Sample UCP Board Policies and Procedures

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

Dear Colleague Letter: Title IX Coordinators, April 2015

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

Dear Colleague Letter: Harassment and Bullying, October 2010

Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001

U.S. DEPARTMENT OF JUSTICE PUBLICATIONS

Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 2002

WEB SITES

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

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

Family Policy Compliance Office: <http://familypolicy.ed.gov>

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

U.S. Department of Justice: <http://www.justice.gov>

Policy WESTSIDE UNION SCHOOL DISTRICT

adopted: June 6, 2017 Quartz Hill, California

revised: April 17, 2018

Westside Union SD

Administrative Regulation - Revised

Uniform Complaint Procedures

Community Relations

AR 1312.3(a)

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

(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 1312.2 - Complaints Concerning Instructional Materials)
(cf. 1312.4 - Williams Uniform Complaint Procedures)
(cf. 4030 - Nondiscrimination in Employment)

Compliance Officers

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

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

Deputy Superintendent
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Lancaster, Ca 93536
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Assistant Superintendent, Educational Services (Lead Compliance Officer)
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The compliance officer who receives a complaint may assign another compliance officer to investigate and resolve the complaint. The compliance officer shall promptly notify the

complainant and respondent, if applicable, if another compliance officer is designated assigned to investigate the complaint.

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

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

(cf. 4331 - Staff Development)

(cf. 9124 - Attorney)

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

Notifications

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

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

(cf. 0420 - School Plans/Site Councils)
(cf. 0460 - Local Control and Accountability Plan)
(cf. 1220 - Citizen Advisory Committees)
(cf. 3260 - Fees and Charges)
(cf. 4112.9/4212.9/4312.9 - Employee Notifications)
(cf. 5145.6 - Parental Notifications)
(cf. 6173 - Education for Homeless Children)
(cf. 6173.1 - Education for Foster Youth)
(cf. 6173.2 - Education of Children of Military Families)
(cf. 6173.3 - Education for Juvenile Court School Students)

The notice shall:

1. Identify the person(s), position(s), or unit(s) responsible for receiving complaints
2. Advise the complainant of any civil law remedies that may be available to him/her under state or federal discrimination laws, if applicable
3. Advise the complainant of the appeal process, including, if applicable, the complainant's right to take a complaint directly to the California Department of Education (CDE) or to pursue remedies before civil courts or other public agencies, such as the U.S. Department of Education's Office for Civil Rights (OCR) in cases involving unlawful discrimination (such as discriminatory harassment, intimidation, or bullying).
4. Include statements that:
 - a. The district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs.
 - b. The complaint review shall be completed within 60 calendar days from the date of receipt of the complaint unless the complainant agrees in writing to an extension of the timeline.
 - c. A complaint alleging retaliation, ~~or~~ unlawful discrimination, (such as discriminatory harassment, intimidation, or bullying) must be filed not later than six months from the date it occurred, or six months from the date the complainant first obtained knowledge of the facts of the alleged discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension.
 - d. Complaints should be filed in writing and signed by the complainant. If a complainant is unable to put his/her complaint in writing, for example, due to conditions such as a disability or illiteracy, district staff shall assist him/her in the filing of the complaint.
 - e. If a complaint is not filed in writing but the district receives notice of any allegation that is subject to the UCP, the district shall take affirmative steps to investigate and address the

allegations, in a manner appropriate to the particular circumstances.

If the allegation involves retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) and the investigation confirms that discrimination has occurred, the district will take steps to prevent recurrence of discrimination and correct its discriminatory effects on the complainant, and on others, if appropriate.

f. A student enrolled in a public school shall not be required to pay a fee for his/her participation in an educational activity that constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities.

g. The Board is required to adopt and annually update a local control and accountability plan (LCAP), in a manner that includes meaningful engagement of parents/guardians, students, and other stakeholders in the development and/or review of the LCAP.

h. A foster youth shall receive information about educational rights related to his/her educational placement, enrollment in and checkout from school, as well as the responsibilities of the district liaison for foster youth to ensure and facilitate these requirements and to assist the student in ensuring proper transfer of his/her credits, records, and grades when he/she transfers between schools or between the district and another district.

i. A foster youth, homeless student, former juvenile court school student, or child of a military family who transfers into a district high school or between district high schools shall be notified of the district's responsibility to:

(1) Accept any coursework or part of the coursework that the student has satisfactorily completed in another public school, juvenile court school, or a nonpublic, nonsectarian school or agency, and to issue full or partial credit for the coursework completed

(2) Not require the student to retake any course or a portion of a course which he/she has satisfactorily completed in another public school, juvenile court school, or a nonpublic, nonsectarian school or agency

(3) If the student has completed his/her second year of high school before the transfer, provide the student information about district-adopted coursework and Board-imposed graduation requirements from which he/she may be exempted pursuant to Education Code 51225.1

j. The complainant has a right to appeal the district's decision to CDE by filing a written appeal within 15 calendar days of receiving the district's decision.

In any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the respondent also shall have the right to file an appeal with CDE in the same manner as the complainant, if he/she is dissatisfied with the district's decision.

- k. The appeal to CDE must include a copy of the complaint filed with the district and a copy of the district's decision.
- l. Copies of the district's UCP are available free of charge.

The annual notification and complete contact information of the compliance officer(s), and information related to Title IX as required pursuant to Education Code 221.6 shall be posted on the district web site and, if available, provided through district-supported social media.

(cf. 1113 - District and School Web Sites)
(cf. 1114 - District-Sponsored Social Media)

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

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

District Responsibilities

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

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

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

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

All complainants shall be protected from retaliation.

Filing of Complaints

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

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

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

1. A complaint alleging district violation of applicable state or federal law or regulations governing the programs specified in the accompanying Board policy (item #1 of the section "Complaints Subject to the UCP") may be filed by any individual, public agency, or organization. (5 CCR 4630)
2. Any complaint alleging noncompliance with law regarding the prohibition against requiring students to pay student fees, deposits, and charges or any requirement related to the LCAP may be filed anonymously if the complaint provides evidence, or information leading to evidence, to support an allegation of noncompliance. A complaint about a violation of the prohibition against the charging of unlawful student fees may be filed with the principal of the school. However, any such complaint shall be filed no later than one year from the date the alleged violation occurred. (Education Code 49013, 52075; 5 CCR 4630)
3. A complaint alleging unlawful discrimination, (such as discriminatory harassment, intimidation, or bullying), may be filed only by a person who alleges that he/she personally suffered unlawful discrimination or by a person who believes that an individual or any specific class of individuals has been subjected to it. The complaint shall be initiated no later than six months from the date when the alleged discrimination occurred, or six months from the date when the complainant first obtained knowledge of the facts of the alleged discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension. (5 CCR 4630)
4. When a complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) is filed anonymously, the compliance officer shall pursue an investigation or other response as appropriate, depending on the specificity and reliability of the information provided and the seriousness of the allegation.
5. When the complainant or alleged victim of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) requests confidentiality, the compliance officer shall inform him/her that the request may limit the district's ability to investigate the conduct or take other necessary action. When honoring a request for confidentiality, the district will nevertheless take all reasonable steps to investigate and respond to the complaint consistent with the request.

District staff shall assist him/her in the filing of the complaint. (5 CCR 4600)

Mediation

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

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

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

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

Investigation of Complaint

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

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

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

parties of the status of the investigation.

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

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

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

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

Report of Findings

Unless extended by written agreement with the complainant, a final decision shall be sent to the complainant within 60 calendar days of the district's receipt of the complaint. Within 30 calendar days of receiving the complaint, the compliance officer shall prepare and send to the complainant a written report of the district's investigation and decision, as described in the section "Final Written Decision" below. If the complainant is dissatisfied with the compliance officer's decision, he/she may, within five business days, file his/her complaint in writing with the Board.

The Board may consider the matter at its next regular Board meeting or at a special Board meeting convened in order to meet the 60-day time limit within which the complaint must be answered. The Board may decide not to hear the complaint, in which case the compliance officer's decision shall be final.

If the Board hears the complaint, the compliance officer shall send the Board's decision to the complainant within 60 calendar days of the district's initial receipt of the complaint or within the

time period that has been specified in a written agreement with the complainant. (5 CCR 4631)

In resolving any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying), the respondent also shall be sent the district's decision and, in the same manner as the complainant, may file a complaint with the Board if dissatisfied with the decision

Final Written Decision

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

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

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

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

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

3. Disposition of the complaint
4. Rationale for such disposition

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

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

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

For complaints of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), including remedies offered or provided to the subject of the complaint

- a. The corrective actions imposed on the individual found to have engaged in the conduct that relate directly to the subject of the complaint
 - b. Individual remedies offered or provided to the subject of the complaint or another person who was the subject of the complaint
 - c. Systemic measures the school has taken to eliminate a hostile environment and prevent recurrence
6. Notice of the complainant's and respondent's right to appeal the district's decision within 15 calendar days to CDE and procedures to be followed for initiating such an appeal

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

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

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

Corrective Actions

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

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

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

9. Determination of whether any past actions of the victim that resulted in discipline were related to the treatment the victim received and described in the complaint

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

1. Transfer from a class or school as permitted by law
2. Parent/guardian conference
3. Education regarding the impact of the conduct on others
4. Positive behavior support
5. Referral to a student success team
6. Denial of participation in extracurricular or co-curricular activities or other privileges as permitted by law
7. Disciplinary action, such as suspension or expulsion, as permitted by law

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

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

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

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

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

Appeals to the California Department of Education

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

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

The complainant or respondent shall specify the basis for the appeal of the decision and whether the facts are incorrect and/or the law has been misapplied. The appeal shall be accompanied by a copy of the locally filed complaint and a copy of the district's decision. (5 CCR 4632)

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

1. A copy of the original complaint
2. A copy of the written decision
3. A summary of the nature and extent of the investigation conducted by the district, if not covered by the decision
4. A copy of the investigation file including, but not limited to, all notes, interviews, and documents submitted by the parties and gathered by the investigator
5. A report of any action taken to resolve the complaint
6. A copy of the district's uniform complaint procedures
7. Other relevant information requested by the CDE

Regulation WESTSIDE UNION SCHOOL DISTRICT
approved: February 3, 2015 Quartz Hill, California
revised: September 20, 2016
revised: June 6, 2017
revised: April 17, 2018

Westside Union SD

Board Policy - Revised

Admission

Students

BP 5111(a)

The Board of Trustees encourages the enrollment and appropriate placement of all school-aged children in school. The Superintendent or designee shall inform parents/guardians of students entering seeking admission to a district school at any grade level about admission requirements and shall assist them with enrollment procedures.

The Superintendent or designee shall announce and publicize the timeline and process for registration of students at district schools. Applications for intradistrict or interdistrict enrollment shall be subject to the timelines specified in applicable Board policies and administrative regulations.

(cf. 1112 - Media Relations)
(cf. 1113 - District and School Web Sites)
(cf. 1114 - District-Sponsored Social Media)
(cf. 5116.1 - Intradistrict Open Enrollment)
(cf. 5117 - Interdistrict Attendance)
(cf. 5118 - Open Enrollment Act Transfers)

All appropriate staff shall receive training on district admission policies and procedures, including information regarding the types of documentation that can and cannot be requested.

The district's enrollment application shall include information about the health care options and enrollment assistance available to families within the district. The district shall not discriminate against any child for not having health care coverage and shall not use any information relating to a child's health care coverage or his/her interest in learning about health care coverage in any manner that would harm the child or his/her family. (Education Code 49452.9)

Verification of Admission Eligibility

Before enrolling any child in a district school, the Superintendent or designee shall verify the child's age, residency, immunization, and other applicable eligibility criteria specified in law, the accompanying administrative regulation, or other applicable Board policy or administrative regulation.

(cf. 0410—Nondiscrimination in District Programs and Activities)
(cf. 5111.1 - District Residency)
(cf. 5111.12 - Residency Based on Parent/Guardian Employment)
(cf. 5119 - Students Expelled from Other Districts)
(cf. 5125 - Student Records)
(cf. 5141.3 - Health Examinations)

(cf. 5141.31 - Immunizations)

(cf. 5141.32 - Health Screening for School Entry)

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

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

The district shall not inquire into or request documentation of a student's social security number or the last four digits of the social security number or the citizenship or immigration status of the student or his/her family members. (Education Code 234.7, 49076.7)

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

(cf. 5145.13 - Response to Immigration Enforcement)

(cf. 5145.3 - Nondiscrimination/Harassment)

However, such information may be collected when required by state or federal law or to comply with requirements for special state or federal programs. In any such situation, the information shall be collected separately from the school enrollment process and the Superintendent or designee shall explain the limited purpose for which the information is collected. Enrollment in a district school shall not be denied on the basis of any such information of the student or his/her parents/guardians obtained by the district, or the student's or parent/guardian's refusal to provide such information to the district.

School registration information shall list all possible means of documenting a child's age for grades K-1 as authorized by Education Code 48002 or otherwise prescribed by the Board. Any alternative document allowed by the district shall be one that all persons can obtain regardless of immigration status, citizenship status, or national origin and shall not reveal information related to citizenship or immigrant status.

The Superintendent or designee shall immediately enroll a homeless student, foster youth, student who has had contact with the juvenile justice system, or a child of a military family regardless of outstanding fees or fines owed to the student's last school, lack of clothing normally required by the school, such as school uniforms, or his/her inability to produce previous academic, medical, or other records normally required for enrollment. (Education Code 48645.5, 48850, 48852.7, 48853.5, 49701; 42 USC 11432)

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

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

(cf. 6173.3 - Education for Juvenile Court School Students)

~~All resident students who are enrolling either in the school in their attendance area or in another district school shall be subject to the timelines established by the Board in BP/AR 5116.1—Intradistrict Open Enrollment. Nonresident students may apply for interdistrict attendance in accordance with the timelines specified in applicable Board policies and administrative regulations.~~

~~(cf. 5116.1—Intradistrict Open Enrollment)
(cf. 5117—Interdistrict Attendance)
(cf. 5118—Open Enrollment Act Transfers)~~

Legal Reference:

EDUCATION CODE

234.7 Student protections relating to immigration and citizenship status
46300 Computation of average daily attendance, inclusion of kindergarten and transitional kindergarten
46600 Agreements for admission of students desiring interdistrict attendance
48000 Minimum age of admission (kindergarten)
48002 Evidence of minimum age required to enter kindergarten or first grade
48010 Minimum age of admission (first grade)
48011 Admission from kindergarten or other school; minimum age
48050-48053 Nonresidents
48200 Children between ages of 6 and 18 years (compulsory full-time education)
48350-48361 Open Enrollment Act
48645.5 Enrollment of former juvenile court school students
48850-48859 Educational placement of foster youth
49076 Access to records by persons without written consent or under judicial order
49076.7 Student records; data privacy; social security numbers
49408 Information of use in emergencies
49452.9 Health care coverage options and enrollment assistance
49700-49704 49703 Education of children of military families

HEALTH AND SAFETY CODE

120325-120380 Education and child care facility immunization requirements
121475-121520 Tuberculosis tests for students

CODE OF REGULATIONS, TITLE 5

200 Promotion from kindergarten to first grade
201 Admission to high school

CODE OF REGULATIONS, TITLE 17

6000-6075 School attendance immunization requirements

UNITED STATES CODE, TITLE 5

552a Note Refusal to disclose social security number

UNITED STATES CODE, TITLE 42

11431-11435 McKinney Homeless Assistance Act

COURT DECISIONS

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Management Resources:

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WEB SITES

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

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

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Legal Guidance on Providing All Children Equal Access to Education, Regardless of Immigration Status, February 2017

CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS

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U.S. DEPARTMENT OF JUSTICE CIVIL RIGHTS DIVISION AND U.S. DEPARTMENT OF EDUCATION OFFICE FOR CIVIL RIGHTS JOINT PUBLICATIONS

Dear Colleague Letter: School Enrollment Procedures, May 8, 2014

Fact Sheet: Information on the Rights of All Children to Enroll in School, May 8, 2014

Information on the Rights of All Children to Enroll in School: Questions and Answers for States, School Districts and Parents, May 8, 2014

WEB SITES

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

California Department of Education, Health Care Coverage and Enrollment Assistance: <http://www.cde.ca.gov/ls/he/hc>

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

U.S. Department of Education, Office for Civil Rights: <http://www2.ed.gov/about/offices/list/ocr>

U.S. Department of Justice: <http://www.justice.gov>

Policy WESTSIDE UNION SCHOOL DISTRICT

adopted: May 15, 2012 Quartz Hill, California

Westside Union SD

Administrative Regulation - Revised

Admission

Students

AR 5111(a)

Age of Admittance to Kindergarten and First Grade

At the beginning of each school year, the Superintendent or designee shall enroll any ~~otherwise~~-eligible child who will have his/her fifth or sixth birthday on or before September 1 of that year into kindergarten or first grade, as applicable. (Education Code 48000, 48010)

Any child who will have his/her fifth birthday year and from September 2 through December 2 shall be offered a transitional kindergarten program in accordance with law and Board policy. (Education Code 48000)

(cf. 5123 - Promotion/Acceleration/Retention)
(cf. 6170.1 - Transitional Kindergarten)

On a case-by-case basis, a child who turns five years old in a given school year may be enrolled in kindergarten or TK on or after his or her fifth birthday during the first three quarters of the school year with the approval of the child's parent/guardian, provided that: (Education Code 48000)

1. The Superintendent or designee determines that the admittance is in the best interests of the child. Results from an assessment administered by the district will be considered when making the determination.
2. The parent/guardian is given information regarding the advantages and disadvantages and any other explanatory information about the effect of this early admittance.

(cf. 5145.6 - Parental Notifications)

The Superintendent or designee shall make a recommendation to the Board regarding whether a child should be granted early entry to kindergarten. In doing so, the Superintendent or designee shall consider various factors including the availability of classroom space and any negotiated maximum class size.

(cf. 6151 - Class Size)
(cf. 7111 - Evaluating Existing Buildings)

Documentation of Age/Grade

Prior to the admission of a child to kindergarten or first grade, the parent/guardian shall present proof of the child's age. (Education Code 48002)

Evidence of the child's age may include:

1. A certified copy of a birth certificate or a statement by the local registrar or county recorder certifying the date of birth
2. A duly attested baptism certificate
3. Passport
4. When none of the above documents is obtainable, an affidavit of the parent/guardian
5. Other means prescribed by the Board

~~When none of the foregoing is obtainable, the parent/guardian may provide any other appropriate means of proving the age of the child. (Education Code 48002)~~

Regulation WESTSIDE UNION SCHOOL DISTRICT
approved: May 15, 2012 Quartz Hill, California
reviewed, readopted: April 4, 2017

Westside Union ESD

Board Policy - NEW

District Residency

Students

BP 5111.1(a)

The Board of Trustees desires to admit all students who reside within district boundaries or who fulfill the district residency requirements through other means as allowed by law. The Superintendent or designee shall develop procedures to facilitate the receipt and verification of students' proof of residency.

(cf. 5116 - School Attendance Boundaries)

The Superintendent or designee shall annually notify parents/guardians of all existing attendance options available in the district, including, but not limited to, all options for meeting residency requirements for school attendance. (Education Code 48980)

(cf. 5116.1 - Intradistrict Open Enrollment)

(cf. 5117 - Interdistrict Attendance)

(cf. 5145.6 - Parental Notifications)

The Superintendent or designee shall require parents/guardians to provide documentation of the student's residency upon admission to a district school. A copy of the document or written statement offered as verification of residency shall be maintained in the student's mandatory permanent record. (5 CCR 432)

(cf. 5111 - Admission)

(cf. 5125 - Student Records)

When establishing students' residency for enrollment purposes, the Superintendent or designee shall not inquire into the citizenship or immigration status of students or their family members.

(cf. 5145.13 - Response to Immigration Enforcement)

A student's enrollment may be denied when the submitted documentation is insufficient to establish district residency. In any such case, the Superintendent or designee shall notify the parent/guardian in writing, including specific reasons for the denial.

Investigation of Residency

When the Superintendent or designee reasonably believes that a student's parent/guardian has provided false or unreliable evidence of residency, he/she may make reasonable efforts to determine that the student meets district residency requirements. An investigation may be initiated when the Superintendent or designee is able to identify specific, articulable facts

supporting the belief that the parent/guardian has provided false or unreliable evidence of residency. (Education Code 48204.1, 48204.2)

The Superintendent or designee may assign a trained district employee to conduct the investigation. The investigation may include the examination of records, including public records, and/or interviews of persons who may have knowledge of the student's residency.

If necessary, the Superintendent or designee may employ the services of a private investigator to conduct the investigation. Before hiring a private investigator, the Superintendent or designee shall make other reasonable efforts to determine whether the student resides in the district. (Education Code 48204.2)

The investigation shall not include the surreptitious collection of photographic or videographic images of persons or places subject to the investigation. However, the use of technology is not prohibited if done in open and public view. (Education Code 48204.2)

Any employee or contractor engaged in the investigation shall truthfully identify himself/herself as an investigator to individuals contacted or interviewed during the course of the investigation. (Education Code 48204.2)

Appeal of Enrollment Denial

If the Superintendent or designee, upon investigation, determines that a student does not meet district residency requirements and denies the student's enrollment in the district, he/she shall provide the student's parent/guardian an opportunity to appeal that determination. (Education Code 48204.2)

The Superintendent or designee shall send the student's parent/guardian written notice specifying the basis for the district's determination. This notice shall also inform the parent/guardian that he/she may, within 10 school days, appeal the decision and provide new evidence of residency.

The burden shall be on the parent/guardian to show why the district's determination to deny enrollment should be overruled. (Education Code 48204.2)

A student who is currently enrolled in the district shall be allowed to remain in attendance at his/her school pending the results of the appeal. A student who is not currently enrolled in the district shall not be permitted to attend any district school unless his/her appeal is successful.

In an appeal of the Superintendent's determination that district residency requirements were not met, the Board shall review any evidence provided by the parent/guardian or obtained during the district's investigation and shall make a decision at its next regularly scheduled meeting following the parent/guardian's request for the appeal. The Board's decision shall be final.

Legal Reference:

EDUCATION CODE

220 Prohibition of discrimination

234.7 Student protections relating to immigration and citizenship status

35160.5 Intradistrict open enrollment

35351 Assignment of students to particular schools

46600-46611 Interdistrict attendance permits

48050-48054 Nonresidents

48200-48208 Compulsory education law, especially:

48204 Residency requirements

48204.1-48204.4 Evidence of residency

48300-48317 Student attendance alternatives, school district of choice program

48350-48361 Open Enrollment Act transfers

48645.5 Former juvenile court school students, enrollment

48852.7 Education of homeless students; immediate enrollment

48853.5 Education of foster youth; immediate enrollment

48980 Notifications at beginning of term

52317 Regional occupational program, admission of persons including nonresidents

FAMILY CODE

6550-6552 Caregivers

GOVERNMENT CODE

6205-6210 Confidentiality of residence for victims of domestic violence

CODE OF REGULATIONS, TITLE 5

432 Retention of student records

UNITED STATES CODE, TITLE 8

1229c Immigration and Nationality Act

UNITED STATES CODE, TITLE 42

11431-11435 McKinney-Vento Homeless Assistance Act

COURT DECISIONS

Katz v. Los Gatos-Saratoga Joint Union High School District, (2004) 117 Cal.App.4th 47

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Management Resources:

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Legal Guidance on Providing All Children Equal Access to Education, Regardless of Immigration Status, February 2017

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Information on the Rights of All Children to Enroll in School: Questions and Answers for

States, School Districts and Parents, May 8, 2014

WEB SITES

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

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

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

California Secretary of State, Safe at Home Program: <http://www.sos.ca.gov/safeathome>

U.S. Department of Education, Office for Civil Rights: <http://www2.ed.gov/ocr>

U.S. Department of Justice: <http://www.justice.gov>

(12/15 3/17) 5/18

Westside Union SD

Administrative Regulation - Revised

District Residency

Students

AR 5111.1(a)

Cautionary Notice 2010-13: ~~AB 1610 (Ch. 724, Statutes of 2010) amended Education Code 37252.2 to relieve districts from the obligation, until July 1, 2013, to perform any activities that are deemed to be reimbursable state mandates under that section. As a result, certain provisions of the following policy or administrative regulation that reflect those requirements may be suspended.~~

Criteria for Residency

~~Prior to admission in district schools, students shall provide proof of residency.~~

~~(cf. 5111—Admission)~~

A student shall be deemed to have complied with district residency requirements for enrollment in a district school if he/she meets any of the following criteria:

1. The student's parents/guardians reside within district boundaries. (Education Code 48200)

~~(cf. 5111.13—Residency for Homeless Children)~~

2. The student is placed within district boundaries in a regularly established licensed children's institution, a licensed foster home, or a family home pursuant to a court-ordered commitment or placement. (Education Code 48204)

3. The student has been admitted through the district's interdistrict attendance program option. (Education Code 48204)

(cf. 5117 - Interdistrict Attendance)

(cf. 5118- Open Enrollment Act Transfers)

4. The student is an emancipated minor residing within district boundaries. (Education Code 48204)

5. The student lives with a caregiving adult within district boundaries and the caregiving adults submits an affidavit to that effect. (Education Code 48204)

~~(cf. 5111.11—Residency of Students with Caregiver)~~

6. The student resides in a state hospital located within district boundaries. (Education

Code 48204)

7. The student is confined to a hospital or other residential health facility within district boundaries for treatment of a temporary disability. (Education Code 48204, 48207)

(cf. 6183 - Home and Hospital Instruction)

8. The student's parent/guardian resides outside district boundaries but is employed within district boundaries and lives with the student at the place of employment for a minimum of three days during the school week. (Education Code 48204)

9. The student's 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. (Education Code 48204.3)

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

~~7. The student is an elementary school student whose parent/guardian is employed within district boundaries.~~

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

~~8. The student is confined to a hospital or other residential health facility within district boundaries for treatment of a temporary disability. (Education Code 48207)~~

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

~~District residency is not required for enrollment in a regional occupational center or program if there are openings in the program or class. (Education Code 52317)~~

10. The student's parent/guardian was a resident of California who departed the state against his/her will due to a transfer by a government agency that had custody of the parent/guardian, a lawful order from a court or government agency authorizing his/her removal, or removal or departure pursuant to the federal Immigration and Nationality Act, and the student lived in California immediately before moving out of state as a result of his/her parent/guardian's departure. (Education Code 48204.4)

(cf. 5145.13 - Response to Immigration Enforcement)

Residency Based on Parent/Guardian Employment (Allen Bill Transfers)

District residency status may be granted to a student if at least one of his/her parents/guardians is physically employed within district boundaries for a minimum of 10 hours during the school week. No student seeking residency on this basis shall be denied enrollment based on race,

ethnicity, sex, parental income, scholastic achievement, or any of the individual characteristics set forth in Education Code 220. However, the Superintendent or designee may deny enrollment into the district if any of the following circumstances is present: (Education Code 48204)

1. The additional cost of educating the student would exceed the amount of additional state aid received as a result of the transfer.
2. Enrollment of the student would adversely affect the district's court-ordered or voluntary desegregation plan as determined by the Governing Board.
3. Other circumstances exist that are not arbitrary.

Such circumstances may include, but are not limited to, overcrowding of school facilities at the relevant grade level.

Once a student establishes residency on this basis, he/she shall not be required to reapply for enrollment in subsequent years. The student may continue to attend school in the district through the highest grade level offered by the district if the parent/guardian so chooses and if at least one parent/guardian of the student continues to be physically employed by an employer situated within district boundaries, subject to the exceptions in items #1-3 above. (Education Code 48204)

The Superintendent or designee may deny a transfer out of the district by a student whose parent/guardian is employed within the boundaries of another district if the difference between the number of students entering and exiting the district on the basis of parent/guardian employment exceeds the limits prescribed in Education Code 48204. (Education Code 48204)

Proof of Residency

~~The Superintendent or designee shall retain a copy of the document or written verification offered as proof of residency. In addition, the Superintendent or designee shall annually verify the student's residency and retain a copy of the document or written statement offered as verification. —(5 CCR 432)~~

~~When presented with a substitute address designated by the Secretary of State for victims of domestic violence residing within district boundaries, the Superintendent or designee shall accept and use the substitute address for all future communication and correspondence and in all public records. —(Government Code 6207)~~

~~(cf. 3580—District Records)
(cf. 5125—Student Records)~~

~~If any district employee reasonably believes that the parent/guardian of a student has provided~~

~~false or unreliable evidence of residency, the Superintendent or designee shall make reasonable efforts to determine whether the student meets legal residency requirements.~~

~~Reasonable evidence of residency may be established by documentation including, but not limited to, any of the following: (Education Code 48204.6)~~

- ~~1. Utility service statements and/or receipts as listed on the Verification of Residency~~
- ~~2. Property tax statement~~
- ~~3. Statement of Residency executed by the student's parent/guardian and property owner/primary resident~~

The district shall not solicit or collect information or documents regarding the citizenship or immigration status of students or their family members for the purpose of determining residency within the district. (Education Code 234.7)

Evidence of residency may be established by documentation showing the name and address of the parent/guardian within the district, including, but not limited to, any of the following: (Education Code 48204.1)

1. Property tax payment receipt
2. Rental property contract, lease, or payment receipt
3. Utility service contract, statement, or payment receipt
4. Pay stub
5. Voter registration
6. Correspondence from a government agency
7. Declaration of residency executed by the student's parent/guardian
8. If the student is an unaccompanied youth as defined in 42 USC 11434a, a declaration of residency executed by the student
9. If the student is residing in the home of a caregiving adult within district boundaries, an affidavit executed by the caregiving adult in accordance with Family Code 6552

(cf. 5141 - Health Care and Emergencies)

A parent/guardian seeking residency status on the basis of his/her employment within district boundaries shall submit proof of the employment which may include, but not be limited to, a paycheck stub or letter from his/her employer listing a physical address within district boundaries. Such evidence shall also indicate the number of hours or days per school week that

the parent/guardian is employed at that location.

A parent/guardian who is transferred or pending transfer into a military installation within the state shall provide proof of residence in the district within 10 days after the published arrival date provided on official documentation. For this purpose, he/she may use as his/her address a temporary on-base billeting facility, a purchased or leased home or apartment, or federal government or public-private venture off-base military housing. (Education Code 48204.3)

A student whose parent/guardian's departure from the state occurred against his/her will pursuant to item #10 in the section "Criteria for Residency" above shall be in compliance with district residency requirements if he/she provides official documentation of the parent/guardian's departure and evidence demonstrating that the student was enrolled in a public school in California immediately before moving outside the state. (Education Code 48204.4)

Any homeless or foster youth or student who has had contact with the juvenile justice system shall be immediately enrolled in school even if he/she is unable to provide proof of residency. (Education Code 48645.5, 48852.7, 48853.5; 42 USC 11432)

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

(cf. 6173.3 - Education for Juvenile Court School Students)

Safe at Home/Confidential Address Program

When a student or parent/guardian participating in the Safe at Home program requests that the district use the substitute address designated by the Secretary of State, the Superintendent or designee may request the actual residence address for the purpose of establishing residency within district boundaries but shall use the substitute address for all future communications and correspondence and shall not include the actual address in the student's file or any other public record. (Government Code 6206, 6207)

(cf. 3580 - District Records)

Admission for Nonresidents

A student commuting from an adjacent state or adjacent foreign country may be admitted if the Superintendent or designee enters into an agreement, either with the parent/guardian or with the Board of Trustees of the district in the adjacent state, providing for the payment of tuition sufficient to reimburse the total cost of educating the student. (Education Code 48050-48052)

(cf. 5111.2 - Nonresident Foreign Students)

Revocation of Enrollment

If the Superintendent or designee, upon investigation, determines that a student's enrollment is based on false evidence of residency, he/she shall revoke the student's enrollment. Before any such revocation, the parent/guardian shall be sent written notice of the facts leading to the decision. This notice shall state the parent/guardian's right, within 10 school days, to schedule a meeting with a hearing officer to inspect supporting documents, rebut district evidence, question any district witnesses, and present oral and/or documentary evidence, including witnesses, on the student's behalf. For good cause, the hearing officer may extend the meeting date for an additional 10 days to permit the parent/guardian to obtain required documentation.

If the parent/guardian fails to schedule the above meeting, the student's enrollment shall be revoked 11 school days after the date of the notice.

If the above meeting is held, the hearing officer shall prepare a written decision describing his/her findings. If this decision upholds the revocation, the parent/guardian shall be informed of his/her right to appeal to the Board within 10 days. The hearing officer's decision shall be final unless appealed.

A parent/guardian who appeals to the Board shall have the right to have a representative present and to rebut district evidence, question any district witnesses, and present oral and/or documentary evidence, including witnesses, on the student's behalf. Except in cases where good cause is shown, the Board shall not reopen the record to consider evidence or argument which was not presented to the hearing officer. The student may continue to attend school during the period of the appeal. The Board's decision shall be final.

Legal Reference:

EDUCATION CODE

35351—Assignment of students to particular schools

48050-48054—Nonresidents

48200-48208—Persons included (compulsory education law)

48980—Notifications at beginning of term

52317—ROP, admission of persons including nonresidents to attendance area

FAMILY CODE

6550-6552—Caregivers

GOVERNMENT CODE

6205-6210—Confidentiality of addresses for victims of domestic violence, sexual assault or stalking

CODE OF REGULATIONS, TITLE 5

432—Varieties of student records

UNCODIFIED STATUTES

AB 687, Ch. 309, Statutes of 1995

COURT DECISIONS

Katz v. Los Gatos-Saratoga Joint Union High School District, (2004) 117 Cal.App.4th 47

Management Resources:

~~CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES~~

~~0303.95 Verification of residency, LO: 1-95~~

~~WEB SITES~~

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

~~California Secretary of State, Safe at Home Program: <http://www.ss.ca.gov/safeathome>~~

Regulation WESTSIDE UNION SCHOOL DISTRICT

approved: April 19, 2011 Quartz Hill, California

Westside Union SD

Board Policy - Revised

Student Records

Students

BP 5125(a)

The Board of Trustees recognizes the importance of keeping accurate, comprehensive student records as required by law. The Superintendent or designee shall ensure that the district's administrative regulation and school site procedures for maintaining the confidentiality of student records are consistent with state and federal law. The Superintendent or designee shall establish administrative regulations governing the identification, collection, retention, and security of student records. These regulations shall ensure the rights of authorized persons to have timely access to student records while maintaining the confidentiality of student records consistent with state and federal law.

The Superintendent or designee shall establish administrative regulations governing the identification, retention, and security of student records, as well as timely access for authorized persons. These regulations shall ensure parental rights to review, inspect and copy student records and shall protect the student and the student's family from invasion of privacy.

(cf. 3580 - District Records)

(cf. 4040 - Employee Use of Technology)

(cf. 5125.1 - Release of Directory Information)

(cf. 5125.3 - Challenging Student Records)

The Superintendent or designee shall designate a certificated employee to serve as custodian of records, with responsibility for student records at the district level. At each school, the principal or a certificated designee shall act as custodian of records for students enrolled at that school. The custodian of records shall be responsible for implementing Board policy and administrative regulation regarding student records. (5 CCR 431)

All appropriate personnel shall receive training regarding district policies and procedures for gathering and handling sensitive student information.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

The district shall not collect or solicit social security numbers or the last four digits of social security numbers of students or their parents/guardians, unless otherwise required to do so by state or federal law. (Education Code 49076.7)

No information or documents regarding the citizenship or immigration status of students or their family members shall be collected, except as required by state or federal law or as required to administer a state or federally supported educational program. The Superintendent or designee

shall not disclose student records to a person, agency, or organization for immigration enforcement purposes without parental consent, a court order, or a judicial subpoena. If a district employee receives such a request, he/she shall immediately report the request to the Superintendent. The Superintendent shall report the request to the Board in a timely manner that ensures the confidentiality and privacy of any potentially identifying information. (Education Code 234.7)

(cf. 5145.13 - Response to Immigration Enforcement)

The Superintendent or designee shall not compile a list, registry, or database based on students' national origin, ethnicity, or religious belief, practice, or affiliation, nor shall he/she disclose student information to federal government authorities for the purpose of compiling such a list, registry, or database for purposes of immigration enforcement. Such information may only be compiled or exchanged with other local, state, or federal agencies if the information is aggregated and is not personally identifiable. (Government Code 8310.3)

Contract for Digital Storage, Management, and Retrieval of Student Records

The Superintendent or designee may enter into a contract with a third party for the digital storage, management, and retrieval of student records and/or to authorize a third party provider of digital software to access, store, and use student records, provided that the contract meets the requirements of Education Code 49073.1 and other applicable state and federal laws.

(cf. 3312 - Contracts)

Legal Reference:

EDUCATION CODE

234.7 Student protections relating to immigration and citizenship status

17604 Contracts

48201 Student records for transfer students who have been suspended/expelled

48853.5 Foster youth; placement, immunizations

48902 Notification of law enforcement of specified violations

48904-48904.3 Withholding grades, diplomas, or transcripts

48918 Rules governing expulsion procedures

48980 Parental notifications

48985 Notices in parent/guardian's primary language

49060-49079 Student records

49091.14 Parental review of curriculum

51747 Independent study

56041.5 Rights of students with disabilities

56050 Surrogate parents

56055 Foster parents

69432.9 Cal Grant program; notification of grade point average

BUSINESS AND PROFESSIONS CODE

22580-22582 Digital privacy

22584-22585 Student Online Personal Information Protection Act

22586-22587 Early Learning Personal Information Protection Act

CODE OF CIVIL PROCEDURE

1985.3 Subpoena duces tecum

FAMILY CODE

3025 Access to records by noncustodial parents

6552 Caregiver's authorization affidavit

GOVERNMENT CODE

6252-6260 Inspection of public records

HEALTH AND SAFETY CODE

120440 Immunizations; disclosure of information

PENAL CODE

245 Assault with deadly weapon

WELFARE AND INSTITUTIONS CODE

681 Truancy petitions

701 Juvenile court law

16010 Health and education records of a minor

CODE OF REGULATIONS, TITLE 5

430-438 Individual student records

16020-16027 Destruction of records of school districts

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act

1232h Protection of Pupil Rights Amendment

UNITED STATES CODE, TITLE 26

152 Definition of dependent child

UNITED STATES CODE, TITLE 42

11434a McKinney-Vento Homeless Assistance Act; definitions

CODE OF FEDERAL REGULATIONS, TITLE 16

Part 312 Children's Online Privacy Protection Rule

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99.1-99.67 Family Educational Rights and Privacy

300.501 Opportunity to examine records for parents of student with disability

Management Resources:

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Final Rule and Analysis of Comments and Changes, Family Educational Rights and Privacy,

December 9, 2008, Vol. 73, No. 237, pages 74806-74855

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Data in the Cloud: A Legal and Policy Guide for School Boards on Student Data Privacy in the Cloud Computing Era, April 2014

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IDEA and FERPA Confidentiality Provisions, 2014

Joint Guidance on the Application of the Family Educational Rights and Privacy Act (FERPA) and the Health Insurance Portability and Accountability Act of 1996 (HIPAA) to Student Health Records, 2008

Balancing Student Privacy and School Safety: A Guide to the Family Educational Rights and Privacy Act for Elementary and Secondary Schools, October 2007

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

U.S. Department of Education, Family Policy Compliance,
<http://www.ed.gov/policy/gen/guid/fpc>

Policy WESTSIDE UNION SCHOOL DISTRICT

adopted: April 21, 2015 Quartz Hill, California

Westside Union SD

Administrative Regulation - Revised

Student Records

Students

AR 5125(a)

Definitions

Student means any individual who is or has been in attendance at the district and regarding whom the district maintains student records. (34 CFR 99.3)

Attendance includes, but is not limited to, attendance in person or by paper correspondence, videoconference, satellite, Internet, or other electronic information and telecommunication technologies for students who are not physically present in the classroom, and the period during which a person is working under a work-study program. (34 CFR 99.3)

Student records are any items of information (in handwriting, print, tape, film, computer, or other medium) gathered within or outside the district that are directly related to an identifiable student and maintained by the district, required to be maintained by an employee in the performance of his/her duties, or maintained by a party acting for the district. Any information maintained for the purpose of second-party review is considered a student record. Student records include the student's health record. (Education Code 49061, 49062; 5 CCR 430; 34 CFR 99.3)

Student records do not include: (Education Code 49061, 49062; 5 CCR 430; 34 CFR 99.3)

1. Directory information

(cf. 5125.1 - Release of Directory Information)

2. Informal notes compiled by a school officer or employee which remain in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to any other person except a substitute employee

3. Records of the law enforcement unit of the district, subject to the provisions of 34 CFR 99.8

(cf. 3515 - Campus Security)

(cf. 3515.3 - District Police/Security Department)

4. Records created or received by the district after an individual is no longer a student in attendance and that are not directly related to the individual's attendance as a student

5. Grades on peer-graded papers before they are collected and recorded by a teacher

Mandatory permanent student records are those records which are maintained in perpetuity and

which schools have been directed to compile by state law, regulation, or administrative directive. (5 CCR 430)

Mandatory interim student records are those records which the schools are directed to compile and maintain for stipulated periods of time and are then destroyed in accordance with state law, regulation, or administrative directive. (5 CCR 430)

Permitted student records are those records having clear importance only to the current educational process of the student. (5 CCR 430)

Disclosure means to permit access to, or the release, transfer, or other communication of, personally identifiable information contained in student records to any party, except the party that provided or created the record, by any means including oral, written, or electronic. (34 CFR 99.3)

Access means a personal inspection and review of a record or an accurate copy of a record, or receipt of an accurate copy of a record or an oral description or communication of a record, and a request to release a copy of any record. (Education Code 49061)

Personally identifiable information includes, but is not limited to: (34 CFR 99.3)

1. The student's name
2. The name of the student's parent/guardian or other family members
3. The address of the student or student's family
4. A personal identifier, such as the student's social security number, student number, or biometric record (e.g., fingerprints, retina and iris patterns, voiceprints, DNA sequence, facial characteristics, and handwriting)
5. Other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name
6. Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty
7. Information requested by a person who the district reasonably believes knows the identity of the student to whom the student record relates

Adult student is a person who is or was enrolled in school and who is at least 18 years of age. (5 CCR 430)

Parent/guardian means a natural parent, an adopted parent, legal guardian, surrogate parent, or

foster parent. (Education Code 49061, 56050, 56055)

Legitimate educational interest is an interest held by any school official, employee, contractor, or consultant whose duties, responsibilities, or contractual obligations to the district, whether routine or as a result of special circumstances, require him/her to have access to student records.

School officials and employees are officials or employees whose duties and responsibilities to the district, whether routine or as a result of special circumstances, require that they have access to student records.

Contractor or consultant is anyone with a formal written agreement or contract with the district regarding the provision of services or functions outsourced to him/her by the district. Contractor or consultant shall not include a volunteer or other party. (Education Code 49076)

Custodian of records is the employee responsible for the security of student records maintained by the district and for devising procedures for assuring that access to such records is limited to authorized persons. (5 CCR 433)

County placing agency means the county social service department or county probation department. (Education Code 49061)

Persons Granted Absolute Access

The following persons shall have absolute access to any and all student records in accordance with law:

1. Parents/guardians of students younger than age 18 years, including the parent who is not the student's custodial parent (Education Code 49069; Family Code 3025)
2. An adult student age 18 years or older, or a student under the age of 18 years who attends a postsecondary institution, in which case the student alone shall exercise rights related to his/her student records and grant consent for the release of records (34 CFR 99.3, 99.5)
3. Parents/guardians of an adult student with disabilities who is age 18 years or older and has been declared incompetent under state law (Education Code 56041.5)

(cf. 6159 - Individualized Education Program)

Access for Limited Purpose/Legitimate Educational Interest

In addition, the following persons or agencies shall have access to those particular records that are relevant to their legitimate educational interest or other legally authorized purpose:

1. Parents/guardians of a student age 18 or older who is a dependent child as defined under 26 USC 152 (Education Code 49076; 34 CFR 99.31)

2. Students who are age 16 or older or who have completed the 10th grade (Education Code 49076; 34 CFR 99.31)

3. School officials and employees, consistent with the definition provided in the section "Definitions" above (Education Code 49076; 34 CFR 99.31)

4. Members of a school attendance review board (SARB) who are authorized representatives of the district and any volunteer aide age 18 or older who has been investigated, selected, and trained by the SARB to provide follow-up services to a referred student (Education Code 49076)

(cf. 5113.1 - Chronic Absence and Truancy)

(cf. 5113.12- District School Attendance Review Board)

5. Officials and employees of other public schools, school systems, or postsecondary institutions where the student intends or is directed to enroll, including local, county, or state correctional facilities where educational programs leading to high school graduation are provided, or where the student is already enrolled, as long as the disclosure is for purposes related to the student's enrollment or transfer (Education Code 49076; 34 CFR 99.31)

Unless the annual parent/guardian notification issued pursuant to Education Code 48980 includes a statement that the district may disclose students' personally identifiable information to officials of another school, school system, or postsecondary institution where the student seeks or intends to enroll, the Superintendent or designee shall make a reasonable attempt to notify the parent/guardian or adult student at his/her last known address, provide a copy of the record that is disclosed, and give the parent/guardian or adult student an opportunity for a hearing to challenge the record. (34 CFR 99.34)

6. Federal, state, and local officials, as needed for an audit, evaluation, or compliance activity related to a state or federally funded education program and in accordance with a written agreement developed pursuant to 34 CFR 99.35 (Education Code 49076; 34 CFR 99.3, 99.31, 99.35)

7. Any county placing agency acting as an authorized representative of a state or local educational agency which is required to audit or evaluate a state or federally supported education program pursuant to item #6 above (Education Code 49076)

8. Any person, agency, or organization authorized in compliance with a court order or lawfully issued subpoena (Education Code 49077; 5 CCR 435; 34 CFR 99.31)

Unless otherwise instructed by the court, the Superintendent or designee shall, prior to disclosing a record pursuant to a court order or subpoena, give the parent/guardian or adult student at least three days' notice of the name of the requesting agency and the specific record requested, if lawfully possible within the requirements of the judicial order. (Education Code 49077; 5 CCR 435; 34 CFR 99.31)

9. Any district attorney who is participating in or conducting a truancy mediation program or participating in the presentation of evidence in a truancy petition (Education Code 49076)

10. A district attorney's office for consideration against a parent/guardian for failure to comply with compulsory education laws (Education Code 49076)

11. Any probation officer, district attorney, or counsel of record for a minor student for the purposes of conducting a criminal investigation or an investigation in regards to declaring the minor student a ward of the court or involving a violation of a condition of probation, subject to evidentiary rules specified in Welfare and Institutions Code 701 (Education Code 49076)

When disclosing records for these purposes, the Superintendent or designee shall obtain written certification from the recipient of the records that the information will not be disclosed to another party without prior written consent of the student's parent/guardian or the holder of the student's educational rights, unless specifically authorized by state or federal law. (Education Code 49076)

12. Any judge or probation officer for the purpose of conducting a truancy mediation program for a student or for the purpose of presenting evidence in a truancy petition pursuant to Welfare and Institutions Code 681 (Education Code 49076)

In such cases, the judge or probation officer shall certify in writing to the Superintendent or designee that the information will be used only for truancy purposes. Upon releasing student information to a judge or probation officer, the Superintendent or designee shall inform, or provide written notification to, the student's parent/guardian within 24 hours. (Education Code 49076)

13. ~~Any foster family agency with jurisdiction over currently enrolled or former students for purposes of accessing those students' records of grades and transcripts and any individualized education program developed and maintained by the district (Education Code 49069.3)~~ A foster family agency with jurisdiction over a currently enrolled or former student; short-term residential treatment program staff responsible for the education or case management of a student; or a caregiver who has direct responsibility for the care of a student, including a certified or licensed foster parent, an approved relative or nonrelated extended family member, or a resource family, as defined (Education Code 49076)

Such individuals shall have access to the student's current or most recent records of grades, transcripts, attendance, discipline, online communication on platforms established by schools for students and parents/guardians, and any individualized education program or Section 504 plan developed and maintained by the district (Education Code 49069.3)

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

(cf. 6173.1 - Education for Foster Youth)

14. A student age 14 years or older who is both a homeless student and an unaccompanied

minor as defined in 42 USC 11434a (Education Code 49076)

(cf. 6173 - Education for Homeless Children)

15. An individual who completes items #1-4 of the caregiver's authorization affidavit pursuant to Family Code 6552 and signs the affidavit for the purpose of enrolling a minor in school (Education Code 49076)

16. A caseworker or other representative of a state or local child welfare agency or tribal organization that has legal responsibility for the care and protection of a student, provided that the information is directly related to providing assistance to address the student's educational needs (Education Code 49076; 20 USC 1232(g))

17. Appropriate law enforcement authorities, in circumstances where Education Code 48902 requires that the district provide special education and disciplinary records of a student with disabilities who is suspended or expelled for committing an act violating Penal Code 245 (Education Code 48902, 49076)

When disclosing such records, the Superintendent or designee shall obtain written certification by the recipient of the records as described in item #11 above. (Education Code 49076)

18. Designated peace officers or law enforcement agencies in cases where the district is authorized by law to assist law enforcement in investigations of suspected criminal conduct or kidnapping and a written parental consent, lawfully issued subpoena, or court order is submitted to the district, or information is provided to it indicating that an emergency exists in which the student's information is necessary to protect the health or safety of the student or other individuals (Education Code 49076.5; 34 CFR 99.1-99.67)

In such cases, the Superintendent or designee shall provide information about the identity and location of the student as it relates to the transfer of that student's records to another public school district or California private school. (Education Code 49076.5)

When disclosing records for the above purposes, the Superintendent or designee shall obtain the necessary documentation to verify that the person, agency, or organization is a person, agency, or organization that is permitted to receive such records.

Any person, agency, or organization granted access is prohibited from releasing information to another person, agency, or organization without written permission from the parent/guardian or adult student unless specifically allowed by state law or the federal Family Educational Rights and Privacy Act. (Education Code 49076)

In addition, the parent/guardian or adult student may provide written consent for access to be granted to persons, agencies, or organizations not afforded access rights by law. The written consent shall specify the records to be released and the party or parties to whom they may be

released. (Education Code 49075)

Only a parent/guardian having legal custody of the student may consent to the release of records to others. Either parent/guardian may grant consent if both parents/guardians notify the district, in writing, that such an agreement has been made. (Education Code 49061)

(cf. 5021 - Noncustodial Parents)

Discretionary Access

At his/her discretion, the Superintendent or designee may release information from a student's records to the following:

1. Appropriate persons, including parents/guardians of a student, in an emergency if the health and safety of the student or other persons are at stake (Education Code 49076; 34 CFR 99.31, 99.32, 99.36)

When releasing information to any such appropriate person, the Superintendent or designee shall record information about the threat to the health or safety of the student or any other person that formed the basis for the disclosure and the person(s) to whom the disclosure was made. (Education Code 49076; 34 CFR 99.32)

Unless it would further endanger the health or safety of the student or other persons, the Superintendent or designee shall inform the parent/guardian or adult student within one week of the disclosure that the disclosure was made, of the articulable and significant threat to the health or safety of the student or other individuals that formed the basis for the disclosure, and of the parties to whom the disclosure was made.

2. Accrediting associations (Education Code 49076; 34 CFR 99.31)
3. Under the conditions specified in Education Code 49076 and 34 CFR 99.31, organizations conducting studies on behalf of educational institutions or agencies for the purpose of developing, validating, or administering predictive tests, administering student aid programs, or improving instruction, provided that: (Education Code 49076; 34 CFR 99.31)
 - a. The study is conducted in a manner that does not permit personal identification of parents/guardians and students by individuals other than representatives of the organization who have legitimate interests in the information.
 - b. The information is destroyed when no longer needed for the purposes for which the study is conducted.
 - c. The district enters into a written agreement with the organization that complies with 34 CFR 99.31.

4. Officials and employees of private schools or school systems where the student is enrolled or intends to enroll, subject to the rights of parents/guardians as provided in Education Code 49068 and in compliance with 34 CFR 99.34 (Education Code 49076; 34 CFR 99.31, 99.34)
5. Local health departments operating countywide or regional immunization information and reminder systems and the California Department of Public Health, unless the parent/guardian has requested that no disclosures of this type be made (Health and Safety Code 120440)
6. Contractors and consultants having a legitimate educational interest based on services or functions which have been outsourced to them through a formal written agreement or contract by the district, excluding volunteers or other parties (Education Code 49076)

(cf. 3600 - Consultants)

~~Persons, agencies, or organizations not afforded access rights by law may be granted access only through written consent of the parent/guardian or adult student, or by judicial order. (Education Code 49075)~~

~~Only a parent/guardian having legal custody of the student may consent to the release of records to others. Either parent may grant consent if both parents notify the district, in writing, that such an agreement has been made. (Education Code 49061)~~

(cf. 5021—Nonecustodial Parents)

~~Any person, agency, or organization granted access is prohibited from releasing information to another person, agency, or organization without written permission from the parent/guardian or adult student unless specifically allowed by state law or the federal Family Educational Rights and Privacy Act. (Education Code 49076)~~

De-identification of Records

When authorized by law for any program audit, educational research, or other purposes, the Superintendent or designee may release information from a student record without prior consent of the parent/guardian or adult student after the removal of all personally identifiable information. Prior to releasing such information, the Superintendent or designee shall make a reasonable determination that the student's identity is not personally identifiable, whether through single or multiple releases and taking into account other reasonably available information. (Education Code 49074, 49076; 34 CFR 99.31)

Process for Providing Access to Records

Student records shall be maintained in a central file at the school attended by the student or, when records are maintained in ~~at~~ different locations, a notation shall be placed in the central file

indicating where other records may be found. Parents/guardians shall be notified of the location of student records if not centrally located. (Education Code 49069; 5 CCR 433)

The custodian of records shall be responsible for the security of student records and shall ensure that access is limited to authorized persons. (5 CCR 433)

The custodian of records shall develop reasonable methods, including physical, technological, and administrative controls, to ensure that school officials and employees obtain access to only those student records in which they have legitimate educational interests. (34 CFR 99.31)

To inspect, review, or obtain copies of student records, authorized persons shall submit a request to the custodian of records. Prior to granting the request, the custodian of records shall authenticate the individual's identity. For any individual granted access based on a legitimate educational interest, the request shall specify the interest involved.

When ~~prior written consent~~ is required by law, the parent/guardian shall provide a written, signed, and dated consent before the district discloses the student record. Such consent may be given through electronic means in those cases where it can be authenticated. The district's consent form shall specify the records that may be disclosed, state the purpose of the disclosure, and identify the party or class of parties to whom the disclosure may be made. Upon request by the parent/guardian, the district shall provide him/her a copy of the records disclosed. (34 CFR 99.30)

If the parent/guardian refuses to provide written consent for the release of student information, the Superintendent or designee shall not release the information, unless it is otherwise subject to release based on a court order or a lawful subpoena.

Within five business days following the date of request, a parent/guardian or other authorized person shall be granted access to inspect, review, and obtain copies of student records during regular school hours. (Education Code 49069)

Qualified certificated personnel shall be available to interpret records when requested. (Education Code 49069)

The custodian of records or the Superintendent or designee shall prevent the alteration, damage, or loss of records during inspection. (5 CCR 435)

Access Log

A log shall be maintained for each student's record which lists all persons, agencies, or organizations requesting or receiving information from the records and the legitimate educational interest of the requester. (Education Code 49064)

In every instance of inspection by persons who do not have assigned educational responsibility, the custodian of records shall make an entry in the log indicating the record inspected, the name

of the person granted access, the reason access was granted, and the time and circumstances of inspection. (5 CCR 435)

The log ~~does not need to~~ shall include requests for access to records of access by: (~~Education Code 49064~~)

1. Parents/guardians or adult students
2. Students who are 16 years of age or older or who have completed the 10th grade
3. Parties obtaining district-approved directory information
4. Parties who provide written parental consent, in which case the consent notice shall be filed with the record pursuant to Education Code 49075
5. School officials and employees who have a legitimate educational interest

The log shall be accessible only to the parent/guardian, adult student, dependent adult student, student who is age 16 years or older or who has completed the 10th grade, custodian of records, and certain state or federal officials. (Education Code 49064; 5 CCR 432)

6. Law enforcement personnel seeking to enforce immigration laws

Duplication of Student Records

To provide copies of any student record, the district shall charge a reasonable fee not to exceed the actual cost of providing the copies. No charge shall be made for providing up to two transcripts or up to two verifications of various records for any former student. No charge shall be made to locate or retrieve any student record. (Education Code 49065)

(cf. 3260 - Fees and Charges)

Changes to Student Records

Only or a parent/guardian having legal custody of a student or an adult student may challenge the content of a record or offer a written response to a record. (Education Code 49061)

(cf. 5125.3 - Challenging Student Records)

No additions except routine updating shall be made to a student's record after high school graduation or permanent departure without prior consent of the parent/guardian or adult student. (5 CCR 437)

A student's legal name or gender as entered on the mandatory student record required pursuant to 5 CCR 432 shall only be changed pursuant to a court order with proper documentation.

However, at the written request of a student or, if appropriate, his/her parents/guardians, the district shall use the student's preferred name and pronouns consistent with his/her gender identity on all other district-related documents.

(cf. 5145.3 - Nondiscrimination/Harassment)

Retention and Destruction of Student Records

All anecdotal information and assessment reports maintained as student records shall be dated and signed by the individual who originated the data. (5 CCR 431)

The following mandatory permanent student records shall be kept indefinitely: (5 CCR 432, 437)

1. Legal name of student
2. Date and place of birth and method of verifying birth date

(cf. 5111 - Admission)

3. Sex of student
4. Name and address of parent/guardian of minor student
 - a. Address of minor student if different from the above
 - b. Annual verification of parent/guardian's name and address and student's residence

(cf. 5111.1 - District Residency)

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

5. Entrance and departure dates of each school year and for any summer session or other extra session
6. Subjects taken during each year, half-year, summer session, or quarter, and marks or credits given

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

7. Verification of or exemption from required immunizations

(cf. 5141.31 - Immunizations)

8. Date of high school graduation or equivalent

Mandatory interim student records, unless forwarded to another district, shall be maintained subject to destruction during the third school year after the school year in which they originated, following a determination that their usefulness has ceased or the student has left the district. These records include: (Education Code 48918, 51747; 5 CCR 432, 437, 16027)

1. Expulsion orders and the causes therefor

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

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

2. A log identifying persons or agencies who request or receive information from the student record

3. Health information, including verification or waiver of the health screening for school entry

(cf. 5141.32 - Health Screening for School Entry)

4. Information on participation in special education programs, including required tests, case studies, authorizations, and evidence of eligibility for admission or discharge

(cf. 6159 - Individualized Education Program)

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

5. Language training records

(cf. 6174 - Education for English Language Learners)

6. Progress slips/notices required by Education Code 49066 and 49067

7. Parental restrictions/stipulations regarding access to directory information

8. Parent/guardian or adult student rejoinders to challenged records and to disciplinary action

9. Parent/guardian authorization or denial of student participation in specific programs

10. Results of standardized tests administered within the past three years

(cf. 6162.51 - Standardized Testing and Reporting Program)

~~(cf. 6162.52 - High School Exit Examination)~~

11. Written findings resulting from an evaluation conducted after a specified number of missed assignments to determine whether it is in a student's best interest to remain in independent study

(cf. 6158 - Independent Study)

Permitted student records may be destroyed six months after the student completes or withdraws from the educational program, including: (5 CCR 432, 437)

1. Objective counselor and/or teacher ratings
2. Standardized test results older than three years
3. Routine disciplinary data

(cf. 5144 - Discipline)

4. Verified reports of relevant behavioral patterns
5. All disciplinary notices
6. Supplementary attendance records

Records shall be destroyed in a way that assures they will not be available to possible public inspection in the process of destruction. (5 CCR 437)

Transfer of Student Records

When a student transfers into this district from any other school district or a private school, the Superintendent or designee shall inform the student's parent/guardian of his/her rights regarding student records, including the right to review, challenge, and receive a copy of student records. (Education Code 49068; 5 CCR 438)

When a student transfers into this district from another district, the Superintendent or designee shall request that the student's previous district provide any records, either maintained by that district in the ordinary course of business or received from a law enforcement agency, regarding acts committed by the transferring student that resulted in his/her suspension or expulsion. (Education Code 48201)

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

(cf. 5119 - Students Expelled From Other Districts)

When a student transfers from this district to another school district or to a private school, the Superintendent or designee shall forward a copy of the student's mandatory permanent record within 10 school days of the district's receipt of the request for the student's records. The original record or a copy shall be retained permanently by this district. If the transfer is to another California public school, the student's entire mandatory interim record shall also be forwarded. If the transfer is out of state or to a private school, the mandatory interim record may be forwarded. Permitted student records may be forwarded to any other district or private

school. (Education Code 48918, 49068; 5 CCR 438)

Upon receiving a request from a county placing agency to transfer a student in foster care out of a district school, the Superintendent or designee shall transfer the student's records to the next educational placement within two business days. (Education Code 49069.5)

All student records shall be updated before they are transferred. (5 CCR 438)

Student records shall not be withheld from the requesting district because of any charges or fees owed by the student or parent/guardian. (5 CCR 438)

If the district is withholding grades, diploma, or transcripts from the student because of his/her damage or loss of school property, this information shall be sent to the requesting district along with the student's records.

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

Notification of Parents/Guardians

Upon any student's initial enrollment, and at the beginning of each school year thereafter, the Superintendent or designee shall notify parents/guardians and eligible students, in writing, of their rights related to student records. ~~Insofar as practicable, the district shall provide these notices in the student's home language and shall effectively notify parents/guardians or eligible students with disabilities. (Education Code 49063; 34 CFR 99.7) .~~ If 15 percent or more of the students enrolled in the district speak a single primary language other than English, then the district shall provide these notices in that language. Otherwise, the district shall provide these notices in the student's home language insofar as practicable. The district shall effectively notify parents/guardians or eligible students with disabilities. (Education Code 49063, 48985; 34 CFR 99.7)

(cf. 5145.6 - Parental Notifications)

The notice shall include: (Education Code 49063; 34 CFR 99.7, 99.34)

1. The types of student records kept by the district and the information contained therein
2. The title(s) of the official(s) responsible for maintaining each type of record
3. The location of the log identifying those who request information from the records
4. District criteria for defining school officials and employees and for determining legitimate educational interest
5. District policies for reviewing and expunging student records

6. The right to inspect and review student records and the procedures for doing so
7. The right to challenge and the procedures for challenging the content of a student record that the parent/guardian or student believes to be inaccurate, misleading, or otherwise in violation of the student's privacy rights
8. The cost, if any, charged for duplicating copies of records
9. The categories of information defined as directory information pursuant to Education Code 49073
10. The right to consent to disclosures of personally identifiable information contained in the student's records except when disclosure without consent is authorized by law
11. Availability of the curriculum prospectus developed pursuant to Education Code 49091.14 containing the titles, descriptions, and instructional aims of every course offered by the school

(cf. 5020 - Parent Rights and Responsibilities)

12. Any other rights and requirements set forth in Education Code 49060-49078, and the right of parents/guardians to file a complaint with the U.S. Department of Education concerning an alleged failure by the district to comply with 20 USC 1232g
13. A statement that the district forwards education records to other agencies or institutions that request the records and in which the student seeks or intends to enroll or is already enrolled as long as the disclosure is for purposes related to the student's enrollment

In addition, the annual parental notification shall include a statement that a student's citizenship status, immigration status, place of birth, or any other information indicating national origin will not be released without parental consent or a court order.

Regulation WESTSIDE UNION SCHOOL DISTRICT
approved: April 21, 2015 Quartz Hill, California

Westside Union SD

Administrative Regulation - Revised

Release Of Directory Information

Students

AR 5125.1(a)

Definition

Directory information means information contained in an education student record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. Such student information includes: (Education Code 49061; 20 USC 1232g; 34 CFR 99.3) (~~34 CFR 99.3; Education Code 49061~~)

1. Name
2. Address
3. Telephone number
4. Email address
5. Date and place of birth
6. Major field of study
7. Participation record in officially recognized activities and sports
8. Weight and height of athletic team members
9. Dates of attendance
10. Degrees and awards received
11. Most recent previous school attended

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

Directory information does not include a student's social security number or student identification number. However, for purposes of accessing or communicating in electronic systems, directory information may include a student identification number, user identification, or other personal identifier used by the student provided that the identifier cannot be used to gain access to education records except when used in conjunction with a personal identification

number, password, or other factor known or possessed only by the authorized user. (34 CFR 99.3)

Directory information also does not include a student's citizenship status, immigration status, place of birth, or any other information indicating national origin.

Notification to Parents/Guardians

At the beginning of each school year, all parents/guardians shall be notified as to the categories of directory information the school or district plans to release and the recipients of the information. The notification shall also inform parents/guardians of their right to refuse to let the district designate any or all types of information as directory information, how to refuse release, and the period of time within which a parent/guardian must notify the district in writing that he/she does not want a certain category of information designated as directory information. (34 CFR 99.37; Education Code 49063, 49073) (Education Code 49063, 49073; 20 USC 1232g; 34 CFR 99.37)

(cf. 5125 - Student Records)

(cf. 5145.6 - Parental Notifications)

In addition, the annual parental notification shall include a statement that directory information does not include citizenship status, immigration status, place of birth, or any other information indicating national origin and that the district will not release such information without parental consent or a court order.

(cf. 5145.13 - Response to Immigration Enforcement)

Parent/Guardian Consent

~~Directory information shall not be released regarding any student whose parent/guardian notifies the district in writing that such information not be disclosed without the parent/guardian's prior consent.~~ (20 USC 1232g, 7908; Education Code 49073)

No directory information of a student identified as a homeless child or youth as defined in 42 USC 11434a shall be released, unless the parent/guardian, or the student if he/she is 18 years or older, has provided written consent that directory information may be released. For any other student, directory information shall not be released if his/her parent/guardian notifies the district in writing that such information not be disclosed without the parent/guardian's prior consent. (Education Code 49073; 20 USC 1232g, 7908)

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)

(cf. 9011 - Disclosure of Confidential/Privileged Information)

AR 5125.1(c)

For a former student, the district shall continue to honor any valid request to opt out of the disclosure of directory information made while the student was in attendance at the district, unless the opt-out request has been rescinded. (34 CFR 99.37)

Regulation WESTSIDE UNION SCHOOL DISTRICT
approved: September 1, 2009 Quartz Hill, California

Westside Union SD

Exhibit - Revised

Release Of Directory Information

Students

E5125.1(a)

PARENT/GUARDIAN NOTICE

RELEASE OF DIRECTORY INFORMATION

The Family Educational Rights and Privacy Act (FERPA), a federal law, requires that Westside Union School District, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, the district may disclose appropriately designated "directory information" without written consent, unless you have advised the district to the contrary in accordance with district procedures. The primary purpose of directory information is to allow the district to include this type of information from your child's education records in certain school and/or district publications. Examples include:

- * PTA/PTO/PTSA
- * A playbill, showing your child's role in a drama production
- * The annual yearbook
- * Honor roll or other recognition lists
- * Promotion programs

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent/guardian's prior written consent. Outside organizations include, but are not limited to, companies that publish yearbooks. In addition, two federal laws require districts receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA), as amended, to provide military recruiters, upon request, with students' names, addresses, and telephone listings, unless parents/guardians have advised the district that they do not want their child's information disclosed without their prior written consent.

If you do not want the district to disclose directory information from your child's education records without your prior written consent, you must notify the district in writing by September 30th, or within 20 school days of enrollment if you enroll your child after the start of the school year.. The district has designated the following information as directory information:

1. Name

2. Address
3. Telephone number
4. Email address
5. Date of birth
6. Participation in officially recognized activities and sports
7. Dates of attendance
8. Awards received
9. Most recent previous school attended

The district also may disclose your child's student identification number, user identification, or other unique personal identifier used to communicate in electronic systems, provided it cannot be used to access education records without a personal identification number (PIN), password, or other factor that only the authorized user knows. Your child's social security number will not be used for this purpose.

Directory information does not include your child's citizenship status, immigration status, place of birth, or any other information indicating national origin. The district will not disclose such information without your consent or court order.

Exhibit WESTSIDE UNION SCHOOL DISTRICT
version: August 18, 2015 Quartz Hill, California

Westside Union SD

Board Policy - Revised

Bullying

Students

BP 5131.2(a)

The Board of Trustees recognizes the harmful effects of bullying on student learning and school attendance and desires to provide a safe school environments 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, or other means, harass, sexually harass, threaten, intimidate, retaliate, cyberbully, cause bodily injury to, or commit hate violence against any other student or school personnel.

(cf. 5131 - Conduct)

(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. ~~on the Internet, social media, or other technologies using a telephone, computer, or any wireless communication device.~~ 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. 1400 - Relations Between Other Governmental Agencies and the Schools)~~

(cf. 6020 - Parent Involvement)

As appropriate, the Superintendent or designee may collaborate with law enforcement, courts, social services, mental health services, other agencies, and community organizations in the development and implementation of joint strategies to promote safety in schools and the

community and to provide services for alleged victims and perpetrators of bullying.

(cf. 1020 - Youth Services)

Bullying Prevention

To the extent possible, district schools shall focus on prevention of bullying by establishing clear rules for student conduct and implementing strategies to establish 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)

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, social 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)

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

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.

~~Staff shall receive related professional development, including information about early warning signs of harassing/intimidating behaviors and effective response.~~

(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

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, 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 complaint of bullying, whether it is discriminatory or nondiscriminatory, shall be investigated and resolved in accordance with the district's uniform complaint procedures specified in AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

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. Within two business days of receiving a report of bullying, the

principal shall notify a district compliance officer identified in AR 1312.3. 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.

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

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.

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.

(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

4600-4687 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:

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

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

California's Social and Emotional Learning: Guiding Principles, 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: Bullying of Students with Disabilities, August 2013

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: <http://gtlcenter.org>

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

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

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

ON[the]LINE, digital citizenship resources: <http://www.onthelineca.org>

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

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

Policy WESTSIDE UNION SCHOOL DISTRICT

adopted: December 15, 2015

Quartz Hill, California

Westside Union ESD

Board Policy - New

Response To Immigration Enforcement

Students

BP 5145.13(a)

The Board of Trustees is committed to the success of all students and believes that every school site should be a safe and welcoming place for all students and their families irrespective of their citizenship or immigration status.

District staff shall not solicit or collect information or documents regarding the citizenship or immigration status of students or their family members or provide assistance with immigration enforcement at district schools, except as may be required by state and federal law. (Education Code 234.7)

(cf. 5111 - Admission)

(cf. 5111.1 - District Residency)

No student shall be denied equal rights and opportunities nor be subjected to unlawful discrimination, harassment, intimidation, or bullying in the district's programs and activities on the basis of his/her immigration status. (Education Code 200, 220, 234.1)

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

(cf. 5131.2 - Bullying)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

The Superintendent or designee shall notify parents/guardians regarding their children's right to a free public education regardless of immigration status or religious beliefs and their rights related to immigration enforcement. (Education Code 234.7)

(cf. 5145.6 - Parental Notifications)

Consistent with requirements of the California Office of the Attorney General, the Superintendent or designee shall develop procedures for addressing any requests by a law enforcement officer for access to district records, school sites, or students for the purpose of immigration enforcement.

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

(cf. 5125 - Student Records)

(cf. 5125.1 - Release of Directory Information)

Teachers, school administrators, and other school staff shall receive training regarding

immigration issues, including information on responding to a request from an immigration officer to visit a school site or to have access to a student.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

The Superintendent or designee shall report to the Board in a timely manner any requests for information or access to a school site by an officer or employee of a law enforcement agency for the purpose of enforcing the immigration laws. Such notification shall be provided in a manner that ensures the confidentiality and privacy of any potentially identifying information.
(Education Code 234.7)

Legal Reference:

EDUCATION CODE

200 Educational equity

220 Prohibition of discrimination

234.1 Safe Place to Learn Act

234.7 Student protections relating to immigration and citizenship status

48204.4 Evidence of residency for school enrollment

48980 Parental notifications

48985 Notices to parents in language other than English

GOVERNMENT CODE

8310.3 California Religious Freedom Act

PENAL CODE

422.55 Definition of hate crime

627.1-627.6 Access to school premises, outsiders

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act

COURT DECISIONS

Plyler v. Doe, 457 U.S. 202 (1982)

Management Resources:

CSBA PUBLICATIONS

Legal Guidance on Providing All Children Equal Access to Education, Regardless of Immigration Status, February 2017

CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS

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

WEB SITES

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

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

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

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

California Department of Justice: <http://www.justice.gov>

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

U.S. Immigration and Customs Enforcement: <http://www.ice.gov>

U.S. Immigration and Customs Enforcement, Online Detainee Locator System:
<http://locator.ice.gov/odls>

Westside Union ESD

Administrative Regulation - New

Response To Immigration Enforcement

Students

AR 5145.13(a)

Responding to Requests for Information

Unless authorized by the Family Educational Rights and Privacy Act pursuant to 20 USC 1232g, student information shall not be disclosed to immigration law enforcement authorities without parental consent, a court order, or judicial subpoena. The Superintendent or designee shall annually notify parents/guardians that the district will not release student information to third parties for immigration enforcement purposes, unless the parent/guardian consents or as required to do so by a court order or judicial subpoena.

(cf. 1340 - Access to District Records)
(cf. 3580 - District Records)
(cf. 5125 - Student Records)
(cf. 5125.1 - Release of Directory Information)

Upon receiving any verbal or written request for information related to a student's or family's immigration or citizenship status, district staff shall:

1. Notify the Superintendent or designee about the information request
2. Provide students and families with appropriate notice and a description of the immigration officer's request
3. Document any request for information by immigration authorities
4. Provide students and parents/guardians with any documents provided by the immigration enforcement officer, unless such disclosure is prohibited by a subpoena served on the district or in cases involving investigations of child abuse, neglect, or dependency

(cf. 5141.4 - Child Abuse Prevention and Reporting)

Resources and data collected by the district shall not be used, directly or by others, to compile a list, registry, or database of individuals based on national origin, immigration status, religion, or other category of individual characteristics protected against unlawful discrimination.
(Government Code 8310.3)

Responding to Requests for Access to Students or School Grounds

District staff shall receive parent/guardian consent before a student is interviewed or searched by any officer seeking to enforce civil immigration laws at the school, unless the officer presents a

valid, effective warrant signed by a judge or a valid, effective court order. A student's parent/guardian shall be immediately notified if a law enforcement officer requests or gains access to the student for immigration enforcement purposes, unless the judicial warrant or subpoena restricts disclosure to the parent/guardian.

(cf. 5145.12 - Search and Seizure)

All visitors and outsiders, including immigration enforcement officers, shall register with the principal or designee upon entering school grounds during school hours. Each visitor or outsider shall provide the principal or designee with his/her name, address, occupation, age if less than 21, purpose in entering school grounds, proof of identity, and any other information required by law. (Penal Code 627.2, 627.3)

(cf. 1250 - Visitors/Outsiders)

As early as possible, district staff shall notify the Superintendent or designee of any request by an immigration enforcement officer for access to the school or a student or for review of school documents, including service of lawful subpoenas, petitions, complaints, warrants, or other such documents.

In addition, district staff shall take the following actions in response to an officer present on the school campus specifically for immigration enforcement purposes:

1. Advise the officer that before school personnel can respond to the officer's request, they must first receive notification and direction from the Superintendent or designee, except under exigent circumstances that necessitate immediate action
2. Request to see the officer's credentials, including his/her name and badge number, and the phone number of the officer's supervisor, and note or make a copy of all such information
3. Ask the officer for his/her reason for being on school grounds and document the response
4. Request that the officer produce any documentation that authorizes his/her school access
5. Make a copy of all documents produced by the officer and retain one copy for school records
6. If the officer declares that exigent circumstances exist and demands immediate access to the campus, comply with the officer's orders and immediately contact the Superintendent or designee
7. If the officer does not declare that exigent circumstances exist, respond according to the requirements of the officer's documentation, as follows:
 - a. If the officer has an Immigrations and Customs Enforcement (ICE) administrative

warrant, district staff shall inform the agent that they cannot consent to any request without first consulting with the district's legal counsel or other designated district official.

b. If the officer has a federal judicial warrant, such as a search and seizure warrant or an arrest warrant signed by a federal judge or magistrate, district staff shall promptly comply with the warrant. If feasible, district staff shall consult with the district's legal counsel or designated administrator before providing the officer with access to the person or materials specified in the warrant.

c. If the officer has a subpoena for production of documents or other evidence, district staff shall inform the district's legal counsel or other designated official of the subpoena and await further instructions as to how to proceed.

8. Do not attempt to physically impede the officer, even if the officer appears to be exceeding the authorization given under a warrant or other document. If an officer enters the premises without consent, district staff shall document the officer's actions while on campus.

9. After the encounter with the officer, promptly make written notes of all interactions with the officer, including:

- a. A list or copy of the officer's credentials and contact information
- b. The identity of all school personnel who communicated with the officer
- c. Details of the officer's request
- d. Whether the officer presented a warrant or subpoena to accompany his/her request, what was requested in the warrant or subpoena, and whether the warrant or subpoena was signed by a judge
- e. District staff's response to the officer's request
- f. Any further action taken by the officer
- g. A photo or copy of any documents presented by the officer

10. Provide a copy of these notes and associated documents collected from the officer to the district's legal counsel or other designated district official

The district's legal counsel or other designated official shall submit a timely report to the Board of Trustees regarding the officer's requests and actions and the district's responses. (Education Code 234.7)

The Superintendent or designee shall also email the Bureau of Children's Justice in the California Department of Justice (BCJ@doj.ca.gov) regarding any attempt by a law enforcement officer to

access a school site or a student for immigration enforcement purposes.

Responding to the Detention or Deportation of Student's Family Member

The Superintendent or designee shall encourage students and their families to update their emergency contact information as needed throughout the school year and to provide alternative contacts, including an identified trusted adult guardian, in case a student's parent/guardian is detained or is otherwise unavailable. The Superintendent or designee shall notify students' families that information provided on the emergency cards will only be used in response to specific emergency situations and not for any other purpose.

(cf. 5141 - Health Care and Emergencies)

The Superintendent or designee shall also encourage all students and families to learn their emergency phone numbers and be aware of the location of important documentation, including birth certificates, passports, social security cards, physicians' contact information, medication lists, lists of allergies, and other such information that would allow the students and families to be prepared in the event that a family member is detained or deported.

In the event that a student's parent/guardian is detained or deported by federal immigration authorities, the Superintendent or designee shall release the student to the person(s) designated in the student's emergency contact information or to any individual who presents a caregiver's authorization affidavit on behalf of the student. The Superintendent or designee shall only contact child protective services if district personnel are unable to arrange for the timely care of the student by the person(s) designated in the emergency contact information maintained by the school or identified on a caregiver's authorization affidavit.

The Superintendent or designee shall notify a student whose parent/guardian was detained or deported that the student continues to meet the residency requirements for attendance in a district school, provided that the parent/guardian was a resident of California and the student lived in California immediately before he/she moved out of state as a result of the parent/guardian's departure. (Education Code 48204.4)

(cf. 5111.1 - District Residency)

The Superintendent or designee may refer a student or his/her family members to other resources for assistance, including, but not limited to, an ICE detainee locator, legal assistance, or the consulate or embassy of the parent/guardian's country of origin.

Westside Union SD

Board Policy - Revised

Nondiscrimination/Harassment

Students

BP 5145.3(a)

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

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

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5145.7- Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

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

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

This policy shall apply to all acts related to school activity or to school attendance occurring within a district school, and to acts which occur off campus or outside of school-related or school-sponsored activities but which may have an impact or create a hostile environment at school

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

~~(cf. 5131 - Conduct)~~

~~(cf. 5131.2 - Bullying)~~

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

~~(cf. 5145.7 - Sexual Harassment)~~

~~(cf. 5145.9 - Hate-Motivated Behavior)~~

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

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

Unlawful discrimination, including discriminatory harassment, intimidation, or bullying may result from physical, verbal, nonverbal, or written conduct based on any of the categories listed above. Unlawful discrimination also includes the creation of a hostile environment through prohibited conduct that is so severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating,

threatening, hostile, or offensive educational environment; has the effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects a student's educational opportunities.

Unlawful discrimination also includes disparate treatment of students based on one of the categories above with respect to the provision of opportunities to participate in school programs or activities or the provision or receipt of educational benefits or services.

The Board also prohibits any form of retaliation against any individual who reports or participates in the reporting of unlawful discrimination, files or participates in the filing of a complaint, or investigates or participates in the investigation of a complaint or report alleging unlawful discrimination. Retaliation complaints shall be investigated and resolved in the same manner as a discrimination complaint.

The Superintendent or designee shall facilitate students' access to the educational program by publicizing the district's nondiscrimination policy and related complaint procedures to students, parents/guardians, and employees. He/she shall provide training and information on the scope and use of the policy and complaint procedures and take other measures designed to increase the school community's understanding of the requirements of law related to discrimination. The Superintendent or designee shall regularly review the implementation of the district's nondiscrimination policies and practices and, as necessary, shall take action to remove any identified barrier to student access to or participation in the district's educational program. He/she shall report his/her findings and recommendations to the Board after each review.

(cf. 1312.3 - Uniform Complaint Procedures)
 (cf. 1330 - Use of Facilities)
 (cf. 4131 - Staff Development)
 (cf. 4231 - Staff Development)
 (cf. 4331 - Staff Development)
 (cf. 6145 - Extracurricular and Cocurricular Activities)
 (cf. 6145.2 - Athletic Competition)
 (cf. 6164.2 - Guidance/Counseling Services)

Regardless of whether a complainant complies with the writing, timeline, and/or other formal filing requirements, all complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, shall be investigated and prompt action taken to stop the discrimination, prevent recurrence, and address any continuing effect on students.

Students who engage in unlawful discrimination, including discriminatory harassment, intimidation, ~~bullying, or retaliation~~ ~~retaliation, or bullying~~ in violation of law, Board policy, or administrative regulation shall be subject to appropriate consequence ~~or discipline~~, which may include suspension or expulsion when the behavior is severe or pervasive as defined in Education Code 48900.4. Any employee who permits or engages in prohibited discrimination, including discriminatory harassment, intimidation, ~~bullying, or retaliation~~ ~~retaliation or 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)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
(cf. 5145.2 - Freedom of Speech/Expression)

Record-Keeping

The Superintendent or designee shall maintain a record of all reported cases of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, to enable the district to monitor, address, and prevent repetitive prohibited behavior in district schools.

(cf. 3580 - District Records)

Legal Reference:

EDUCATION CODE

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

CIVIL CODE

1714.1 Liability of parents/guardians for willful misconduct of minor

GOVERNMENT CODE

11135 Nondiscrimination in programs or activities funded by state

PENAL CODE

422.55 Definition of hate crime
422.6 Crimes, harassment

CODE OF REGULATIONS, TITLE 5

432 Student record
4600-4687 4670 Uniform complaint procedures
4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1681-1688 Title IX of the Education Amendments of 1972
12101-12213 Title II equal opportunity for individuals with disabilities

UNITED STATES CODE, TITLE 29

794 Section 504 of Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

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

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

6101-6107 Age Discrimination Act of 1975

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34

99.31 Disclosure of personally identifiable information

100.3 Prohibition of discrimination on basis of race, color or national origin

104.7 Designation of responsible employee for Section 504

106.8 Designation of responsible employee for Title IX

106.9 Notification of nondiscrimination on basis of sex

110.25 Prohibition of discrimination based on age

COURT DECISIONS

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

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

Management Resources:

CSBA PUBLICATIONS

Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Sex Discrimination, July 2016

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

Final Guidance Regarding Transgender Students, Privacy, and Facilities, March 2014

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

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FIRST AMENDMENT CENTER PUBLICATIONS

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

NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS

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

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

Dear Colleague Letter: Transgender Students, May 2016

Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016

Dear Colleague Letter: Title IX Coordinators, April 2015

Dear Colleague Letter: Harassment and Bullying, October 2010

Notice of Non-Discrimination, January 1999 Fact Sheet, August 2010

WEB SITES

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

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

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

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

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

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

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

Policy WESTSIDE UNION SCHOOL DISTRICT

adopted: February 3, 2015 Quartz Hill, California

revised: March 7, 2017

Westside Union SD

Administrative Regulation - Revised

Nondiscrimination/Harassment

Students

AR 5145.3(a)

The district designates the individual(s) identified below as the employee(s) responsible for coordinating the district's efforts to comply with state and federal civil rights laws, including Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, and the Age Discrimination Act of 1975, and to answer inquiries regarding the district's nondiscrimination policies. The individual(s) shall also serve as the compliance officer(s) specified in AR 1312.3 - Uniform Complaint Procedures as the responsible employee to handle complaints alleging unlawful discrimination targeting a student, including discriminatory harassment, intimidation, or bullying, based on the student's actual or perceived race, color, ancestry, nationality, national origin, ~~nationality~~, immigration status, ethnicity, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, or parental status, ~~pregnancy~~, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, genetic information, or any other legally protected status or association with a person or group with one or more of these actual or perceived characteristics. The coordinator/compliance officer(s) may be contacted at: (Education Code 234.1; 5 CCR 4621)

Assistant Superintendent Educational Services
41914 50th Street West
Lancaster, CA 93536
(661) 722-0716
ma.johnson@westside.k12.ca.us

Deputy Superintendent
41914 50th Street West
Lancaster, CA 93536
(661) 722-0716
r.hughes@westside.k12.ca.us

(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 1312.3 - Uniform Complaint Procedures)

Measures to Prevent Discrimination

To prevent unlawful discrimination, including discriminatory harassment, intimidation, retaliation, and bullying, of students at district schools or in school activities and to ensure equal access of all students to the educational program, the Superintendent or designee shall implement the following measures:

1. Publicize the district's nondiscrimination policy and related complaint procedures,

including the coordinator/compliance officer's contact information, to students, parents/guardians, employees, volunteers, and the general public by posting them on the district's web site and other prominent locations and providing easy access to them through district-supported social media, when available. (Education Code 234.1)

2. Post in a prominent and conspicuous location on the district and school web sites information regarding Title IX prohibitions against discrimination based on a student's sex, gender, gender identity, pregnancy, and parental status, including the following: (Education Code 221.61)

a. The name and contact information of the district's Title IX coordinator, including the phone number and email address

b. The rights of students and the public and the responsibilities of the district under Title IX, including a list of rights as specified in Education Code 221.8 and web links to information about those rights and responsibilities located on the web sites of the Office for Equal Opportunity and the U.S. Department of Education's Office for Civil Rights (OCR)

c. A description of how to file a complaint of noncompliance with Title IX in accordance with AR 1312.3 - Uniform Complaint Procedures, which shall include:

(1) An explanation of the statute of limitations within which a complaint must be filed after an alleged incident of discrimination has occurred and how a complaint may be filed beyond the statute of limitations

(2) An explanation of how the complaint will be investigated and how the complainant may further pursue the complaint, including web links to this information on the OCR's web site

(3) A web link to the OCR complaints form and the contact information for the office, including the phone number and email address for the office

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

3. Provide to students a handbook that contains age-appropriate information that clearly describes the district's nondiscrimination policy, procedures for filing a complaint, and resources available to students who feel that they have been the victim of any such behavior. (Education Code 234.1)

4. Annually notify all students and parents/guardians of the district's nondiscrimination policy AR 5145.3(c), including its responsibility to provide a safe, nondiscriminatory school environment for all students, including transgender and gender-nonconforming students. The notice shall inform students and parents/guardians that they may request to meet with the compliance officer to determine how best to accommodate or resolve concerns that may arise from the district's implementation of its nondiscrimination policies. The notice shall also inform

all students and parents/guardians that, to the extent possible, the district will address any individual student's interests and concerns in private.

(cf. 5145.6 - Parental Notifications)

5. The Superintendent or designee shall ensure that all students and parents/guardians, including students and parents/guardians with limited English proficiency, are notified of how to access the relevant information provided in the district's nondiscrimination policy and related complaint procedures, notices, and forms in a language they can understand.

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

6. Provide to students, employees, volunteers, and parents/guardians age-appropriate training and information regarding the district's nondiscrimination policy; what constitutes prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying; how and to whom a report of an incident should be made; and how to guard against segregating or stereotyping students when providing instruction, guidance, supervision, or other services to them. Such training and information shall include details of guidelines the district may use to provide a discrimination-free environment for all district students, including transgender and gender-nonconforming students.

(cf. 1240 - Volunteer Assistance)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

7. At the beginning of each school year, inform school employees that any employee who witnesses any act of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, against a student is required to intervene if it is safe to do so. (Education Code 234.1)

8. At the beginning of each school year, inform each principal or designee of the district's responsibility to provide appropriate assistance or resources to ~~protect students' privacy rights and ensure their safety~~ protect students from threatened or potentially discriminatory behavior and ~~ensure their privacy rights~~.

Enforcement of District Policy

The Superintendent or designee shall take appropriate actions to reinforce BP 5145.3 - Nondiscrimination/Harassment. As needed, these actions may include any of the following:

1. Removing vulgar or offending graffiti

(cf. 5131.5 - Vandalism and Graffiti)

2. Providing training to students, staff, and parents/guardians about how to recognize unlawful discrimination, how to report it or file a complaint, and how to respond

3. Disseminating and/or summarizing the district's policy and regulation regarding unlawful discrimination

4. Consistent with the laws regarding the confidentiality of student and personnel records, communicating the school's response to students, parents/guardians, and the community the school's response plan to unlawful discrimination or harassment

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

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)

(cf. 5125 - Student Records)

5. Taking appropriate disciplinary action against students, employees, and anyone determined to have engaged in wrongdoing, including any student who is found to have made a complaint of discrimination that he/she knew was not true

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

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

(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)

Process for Initiating and Responding to Complaints

Any student who feels that he/she has been subjected to unlawful discrimination described above or in district policy is strongly encouraged to immediately contact the compliance officer, principal, or any other staff member. In addition, any student who observes any such incident is strongly encouraged to report the incident to the compliance officer or principal, whether or not the alleged victim files a complaint.

Any school employee who observes an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, or to whom such an incident is reported shall report the incident to the compliance officer or principal within a school day, whether or not the alleged victim files a complaint.

Any school employee who witnesses an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)

When a verbal report of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, is made to or received by the principal or compliance officer, he/she shall make a note of the report and encourage the student or parent/guardian to file the complaint in writing, pursuant to the provisions in AR 1312.3 - Uniform Complaint Procedures. Once notified verbally or in writing, the principal or compliance officer shall begin the investigation and shall implement immediate measures necessary to stop the discrimination and ensure that all students have access to the educational program and a safe school environment. Any interim measures adopted to address unlawful discrimination shall, to the extent possible, not disadvantage the complainant or a student who is the victim of the alleged unlawful discrimination.

Any report or complaint alleging unlawful discrimination by the principal, compliance officer, or any other person to whom a report would ordinarily be made or complaint filed shall instead be made to or filed with the Superintendent or designee who shall determine how the complaint will be investigated.

(cf. 5141.4 - Child Abuse Prevention and Reporting)

Transgender and Gender-Nonconforming Students

Gender identity of a student means a student's gender-related identity, appearance, or behavior, as determined by the student's internal sense of his/her gender, whether or not that gender-related identity, appearance, or behavior is different from that traditionally associated with the student's physiology or assigned sex at birth.

Gender expression means a student's gender-related appearance and behavior, whether stereotypically associated with the student's assigned sex at birth. (Education Code 210.7)

Gender transition refers to the process in which a student changes from living and identifying as the sex assigned to the student at birth to living and identifying as the sex that corresponds to the student's gender identity.

Gender-nonconforming student means a student whose gender expression differs from stereotypical expectations.

Transgender student means a student whose gender identity or gender expression is different from that traditionally associated with the assigned sex at birth.

Regardless of whether they are sexual in nature, acts of verbal, nonverbal, or physical aggression, intimidation, or hostility that are based on sex, gender identity, or gender expression, or that have the purpose or effect of producing a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment are prohibited. Examples of types of conduct which are prohibited in the district and which may constitute gender-based harassment include, but are not limited to:

1. Refusing to address a student by a name and the pronouns consistent with his/her gender identity
2. Disciplining or disparaging a student or excluding him/her from participating in activities for behavior or appearance that is consistent with his/her gender identity or that does not conform to stereotypical notions of masculinity or femininity, as applicable
3. Blocking a student's entry to the bathroom that corresponds to his/her gender identity
4. Taunting a student because he/she participates in an athletic activity more typically favored by a student of the other sex
5. Revealing a student's transgender status to individuals who do not have a legitimate need for the information, without the student's consent
6. Use of gender-specific slurs
7. Physical assault of a student motivated by hostility toward him/her because of his/her gender, gender identity, or gender expression

The district's uniform complaint procedures (AR 1312.3) shall be used to report and resolve complaints alleging discrimination against transgender and gender-nonconforming students.

Examples of bases for complaints include, but are not limited to, the above list, as well as improper rejection by the district of a student's asserted gender identity, denial of access to facilities that correspond with a student's gender identity, improper disclosure of a student's transgender status, discriminatory enforcement of a dress code, and other instances of gender-based harassment.

To ensure that transgender and gender-nonconforming students are afforded the same rights, benefits, and protections provided to all students by law and Board policy, the district shall address each situation on a case-by-case basis, in accordance with the following guidelines:

1. Right to privacy: A student's transgender or gender-nonconforming status is his/her private information and the district will only disclose the information to others with the student's prior written consent, except when the disclosure is otherwise required by law or when the district has compelling evidence that disclosure is necessary to preserve the student's physical or mental well-being. In any case, the district shall only allow disclosure of a student's personally identifiable information to employees with a legitimate educational interest as determined by the district pursuant to 34 CFR 99.31. Any district employee to whom a student's transgender or gender-nonconforming status is disclosed shall keep the student's information confidential. When disclosure of a student's gender identity is made to a district employee by a student, the employee shall seek the student's permission to notify the compliance officer. If the student refuses to give permission, the employee shall keep the student's information confidential, unless he/she is required to disclose or report the student's information pursuant to this administrative regulation,

and shall inform the student that honoring the student's request may limit the district's ability to meet the student's needs related to his/her status as a transgender or gender-nonconforming student. If the student permits the employee to notify the compliance officer, the employee shall do so within three school days.

As appropriate given the student's need for support, the compliance officer may discuss with the student any need to disclose the student's transgender or gender-nonconformity status or gender identity or gender expression to his/her parents/guardians and/or others, including other students, teacher(s), or other adults on campus. The district shall offer support services, such as counseling, to students who wish to inform their parents/guardians of their status and desire assistance in doing so.

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

2. **Determining a Student's Gender Identity:** The compliance officer shall accept the student's assertion of his/her gender identity and begin to treat the student consistent with his/her gender identity unless district personnel present a credible and supportable basis for believing that the student's assertion is for an improper purpose.

3. **Addressing a Student's Transition Needs:** The compliance officer shall arrange a meeting with the student and, if appropriate, his/her parents/guardians to identify and develop strategies for ensuring that the student's access to education programs and activities is maintained. The meeting shall discuss the transgender or gender-nonconforming student's rights and how those rights may affect and be affected by the rights of other students and shall address specific subjects related to the student's access to facilities and to academic or educational support programs, services, or activities, including, but not limited to, sports and other competitive endeavors. In addition, the compliance officer shall identify specific school site employee(s) to whom the student may report any problem related to his/her status as a transgender or gender-nonconforming individual, so that prompt action could be taken to address it. Alternatively, if appropriate and desired by the student, the school may form a support team for the student that will meet periodically to assess whether the student's arrangements are meeting his/her educational needs and providing equal access to programs and activities, educate appropriate staff about the student's transition, and serve as a resource to the student to better protect the student from gender-based discrimination.

4. **Accessibility to Sex-Segregated Facilities, Programs, and Activities:** When the district maintains sex-segregated facilities, such as restrooms and locker rooms, and sex-segregated programs and activities, such as physical education classes, intermural sports, and interscholastic athletic programs students shall be permitted to access facilities and participate in programs and activities consistent with his/her gender identity. To address any student's privacy concerns in using sex-segregated facilities, the district shall offer available options such as a gender-neutral or single-use restroom or changing area, a bathroom stall with a door, an area in the locker room separated by a curtain or screen, access to a staff member's office, or use of the locker room before or after the other students. However, the district shall not require a student to utilize these

options because he/she is transgender or gender-nonconforming. In addition, a student shall be permitted to participate in accordance with his/her gender identity in other circumstances where students are separated by gender, such as for class discussions, yearbook pictures, and field trips. A student's right to participate in a sex-segregated activity in accordance with his/her gender identity shall not render invalid or inapplicable any other eligibility rule established for participation in the activity.

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

(cf. 6153 - School-Sponsored Trips)

(cf. 7110 - Facilities Master Plan)

5. Student Records: A student's legal name or gender as entered on the mandatory student record required pursuant to 5 CCR 432 shall only be changed ~~pursuant to a court order~~ with proper documentation. However, at the written request of a student or, if appropriate, his/her parents/guardians, the district shall use the student's preferred name and pronouns consistent with his/her gender identity on all other district-related documents.

(cf. 5125 - Student Records)

(cf. 5125.1 - Release of Directory Information)

6. Names and Pronouns: If a student so chooses, district personnel shall be required to address the student by a name and the pronouns consistent with his/her gender identity, without the necessity of a court order or a change to his/her official district record. However, inadvertent slips or honest mistakes by district personnel in the use of the student's name and/or consistent pronouns shall not constitute a violation of this administrative regulation or the accompanying district policy.

7. Uniforms/Dress Code: A student has the right to dress in a manner consistent with his/her gender identity, subject to any dress code adopted on a school site.

(cf. 5132 - Dress Code)

Regulation WESTSIDE UNION SCHOOL DISTRICT
approved: February 3, 2015 Quartz Hill, California
revised: June 6, 2017

Westside Union SD

Board Policy - Delete

Hate-Motivated Behavior

Students

BP 5145.9(a)

In order to create a safe learning environment for all students, the Board of Trustees desires to protect the right of every student to be free from hate-motivated behavior and will promote harmonious relationships among students so as to enable them to gain a true understanding of the civil rights and social responsibilities of people in society. The district prohibits discriminatory behavior or statements that degrade an individual on the basis of his/her actual or perceived race, ethnicity, culture, heritage, gender, sex, sexual orientation, physical/mental attributes, or religious beliefs or practices.

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

(cf. 0450 - Comprehensive Safety Plan)

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

(cf. 5131.5 - Vandalism and Graffiti)

(cf. 5136 - Gangs)

(cf. 5137 - Positive School Climate)

(cf. 5141.52 - Suicide Prevention)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5147 - Dropout Prevention)

(cf. 5149 - At-Risk Students)

The Superintendent or designee shall collaborate with regional programs and community organizations to promote safe environments for youth. These efforts shall be focused on providing an efficient use of district and community resources.

(cf. 1020 - Youth Services)

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

(cf. 1700 - Relations Between Private Industry and the Schools)

(cf. 5148.2 - Before/After School Programs)

(cf. 5148.3 - Preschool/Early Childhood Education)

(cf. 6020 - Parent Involvement)

The district shall provide age-appropriate instruction to help promote an understanding of and respect for human rights, diversity, and tolerance in a multicultural society and to provide strategies to manage conflicts constructively.

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 6142.3 - Civic Education)

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

(cf. 6141.94 - History-Social Science Instruction)

The Superintendent or designee shall ensure that staff receive training on recognizing hate-motivated behavior and on strategies to help respond appropriately to such behavior.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Grievance Procedures

Any student who believes he/she is a victim of hate-motivated behavior shall immediately contact the principal. Upon receiving such a complaint, the principal shall immediately investigate the complaint in accordance with school-level complaint process/grievance procedures as described in AR 5145.7 - Sexual Harassment. A student who has been found to have demonstrated hate-motivated behavior shall be subject to discipline in accordance with law, Board policy, and administrative regulation.

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 5131- Conduct)

(cf. 5144 - Discipline)

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

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

(cf. 5145.7 - Sexual Harassment)

Staff who receive notice of hate-motivated behavior or personally observe such behavior shall notify the principal, Superintendent or designee, and/or law enforcement, as appropriate.

(cf. 3515.3 - District Police/Security Department)

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

As necessary, the district shall provide counseling, guidance, and support to students who are victims of hate-motivated behavior and to students who exhibit such behavior.

(cf. 6164.2 - Guidance/Counseling Services)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

32282 School safety plans

48900.3 Suspension for hate violence

48900.4 Suspension or expulsion for threats or harassment

PENAL CODE

422.55 Definition of hate crime

422.6 Crimes, harassment

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform Complaint Procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES

California Student Safety and Violence Prevention - Laws and Regulations, April 2004

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS & NATIONAL
ASSOCIATION OF ATTORNEYS GENERAL PUBLICATIONS

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

U.S. DEPARTMENT OF JUSTICE PUBLICATIONS

Preventing Youth Hate Crimes: A Guide for Schools and Communities, 1997

WEB SITES

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

California Association of Human Relations Organizations: <http://www.cahro.org>

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

National Youth Violence Prevention Resource Center: <http://www.safeyouth.org>

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

U.S. Department of Justice, Community Relations Service: <http://www.usdoj.gov/crs>

Policy WESTSIDE UNION SCHOOL DISTRICT

adopted: February 2, 2010 Quartz Hill, California

Westside Union ESD

Board Policy - Replace

Hate-Motivated Behavior

Students

BP 5145.9(a)

The Board of Trustees is committed to providing a safe learning environment that protects students from discrimination, harassment, intimidation, bullying, and other behavior motivated by a person's hostility towards another person's real or perceived ethnicity, national origin, immigrant status, sex, gender, sexual orientation, religious belief, age, disability, or any other physical or cultural characteristic. The Superintendent or designee shall design strategies to promote harmonious relationships among students, prevent incidents of hate-motivated behavior to the extent possible, and address such incidents if they occur.

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

(cf. 0450 - Comprehensive Safety Plan)

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

(cf. 5131- Conduct)

(cf. 5131.2 - Bullying)

(cf. 5131.5 - Vandalism and Graffiti)

(cf. 5136 - Gangs)

(cf. 5137 - Positive School Climate)

(cf. 5141.52 - Suicide Prevention)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

The Superintendent or designee shall collaborate with regional programs and community organizations to promote safe environments for youth. Such collaborative efforts shall focus on ensuring an efficient use of district and community resources, developing effective prevention strategies and response plans, providing assistance to students affected by hate-motivated behavior, and/or educating students who have perpetrated hate-motivated acts.

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

(cf. 1700 - Relations Between Private Industry and the Schools)

(cf. 5148.2 - Before/After School Programs)

The district shall provide students with age-appropriate instruction that includes the development of social-emotional learning, promotes their understanding of and respect for human rights, diversity, and acceptance in a multicultural society, and provides strategies to manage conflicts constructively.

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 6142.3 - Civic Education)

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

(cf. 6142.94 - History-Social Science Instruction)

As necessary, the district shall provide counseling, guidance, and support to students who are victims of hate-motivated behavior and to students who exhibit such behavior.

(cf. 6164.2 - Guidance/Counseling Services)

The Superintendent or designee shall ensure that the rules prohibiting hate-motivated behavior and procedures for reporting a hate-motivated incident are provided to students and parents/guardians.

The Superintendent or designee shall provide staff with training on recognizing and preventing hate-motivated behavior and on effectively enforcing rules for appropriate student conduct.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Complaint Process

A student or parent/guardian who believes the student is a victim of hate-motivated behavior is strongly encouraged to report the incident to a teacher, the principal, or other staff member.

Any staff member who is notified that hate-motivated behavior has occurred, observes such behavior, or otherwise becomes aware of an incident shall immediately contact the principal or the compliance officer responsible for coordinating the district's response to complaints and complying with state and federal civil rights laws. As appropriate, he/she shall also contact law enforcement.

(cf. 3515.3 - District Police/Security Department)

(cf. 5145.11 - Questioning and Apprehension by Law Enforcement)

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

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 5144 - Discipline)

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

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

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

32282 School safety plans

48900.3 Suspension for hate violence

48900.4 Suspension or expulsion for threats or harassment

PENAL CODE

422.55 Definition of hate crime

422.6 Crimes, harassment

CODE OF REGULATIONS, TITLE 5

4600-4670 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34

100.3 Prohibition of discrimination on basis of race, color or national origin

104.7 Designation of responsible employee for Section 504

106.8 Designation of responsible employee for Title IX

110.25 Prohibition of discrimination based on age

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

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: Harassment and Bullying, October 2010

Dear Colleague Letter: Prohibited Disability Harassment, July 2000

WEB SITES

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

California Association of Human Relations Organizations: <http://www.cahro.org>

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

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

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

U.S. Department of Justice: <http://www.justice.gov>

(6/99 7/09) 5/18

Westside Union SD

Board Policy - Delete

Toxic Art Supplies

Instruction

BP 6161.3(a)

The Board of Trustees recognizes its responsibility to protect the health and safety of students in the selection of materials used for instruction in arts and crafts activities.

The Superintendent or designee shall develop procedures for the purchase, use and proper disposal of arts and crafts materials which ensure that the health and safety of students is protected from harmful exposure to toxic substances in accordance with Education Code 32064 and established health standards.

The Superintendent or designee shall ensure that arts and crafts material purchased for use by students in grades K-6 will not contain toxic substances or cause chronic illness as determined by the State Department of Health Services.

Students in grades 7-8 are considered able to read and understand product labels and to take adequate precautions to use products which are prohibited for use in grades K-6. The Superintendent or designee shall ensure that arts and crafts materials purchased for use in grades 7-8 meet the requirements of Education Code 32065. The products must be properly labeled to identify toxic ingredients, warn of potential adverse health effects and describe procedures for safe use and storage.

(cf. 3514 - Environmental Safety)

(cf. 3514.1 - Hazardous Substances)

(cf. 5142 - Safety)

Legal Reference:

EDUCATION CODE

32060 Legislative findings and declarations

32061 Art or craft material; definition

32062 Human carcinogen; definition

32063 Toxic substance causing chronic illness; definition

32064 Restrictions on purchases of arts and crafts materials

32065 Warning labels

32066 List of toxic art supplies; preparation and distribution

HEALTH AND SAFETY CODE

108500-108515 Labeling of arts and crafts materials

PENAL CODE

594.1 Aerosol containers of paint

Management Resources

CDE PROGRAM ADVISORIES:

0712.94 Toxic Art Supplies List of Approved Products CIL :94/95-01

Policy WESTSIDE UNION SCHOOL DISTRICT

adopted: August 17, 1998 Lancaster, California

BOARD AGENDA

December 11, 2018

TO: BOARD OF TRUSTEES

PREPARED BY: Lisa Jehlicka, Director of Business Services

SUBJECT: Developer Fee Annual Report

BACKGROUND:

The District is required to provide a Developer Fee Annual Report for fees received and expended during the fiscal year. Included in the report are the commercial/industrial, Level I and Level II fees charged during the reporting period.

PROGRAM/EDUCATIONAL IMPLICATION:

The majority of District schools have enrollment which exceeds the capacity of the original facility. Developer Fees aid in providing facilities.

COST ANALYSIS/FUNDING:

There are no costs related to this report.

SUPERINTENDENT'S RECOMMENDATION:

Approval

Fund 25.0 - Developer Fees Received
Fiscal Year 2017-18

Month & Year	AH	DS	EZ	HV	JW	LV	QH	SD	VV	Totals
Jul. 2017	\$ -	\$ 41,805.26	\$ -	\$ -	\$ 18,289.60	\$ -	\$ -	\$ 45,659.60	\$ 11,121.88	\$ 116,876.34
Aug. 2017	\$ 4,636.80	\$ 5,714.71	\$ 1,077.09	\$ 1,077.09	\$ 7,370.58	\$ -	\$ -	\$ -	\$ 7,370.58	\$ 27,246.85
Sept. 2017	\$ -	\$ 14,998.76	\$ -	\$ -	\$ 4,266.50	\$ -	\$ -	\$ 7,756.98	\$ -	\$ 27,022.24
Oct. 2017	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Nov. 2017	\$ -	\$ 6,980.96	\$ 5,873.28	\$ 5,873.28	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 18,727.52
Dec. 2017	\$ -	\$ 25,969.30	\$ 1,002.09	\$ 1,002.09	\$ 5,161.32	\$ -	\$ -	\$ 25,969.30	\$ 5,161.32	\$ 64,265.40
Jan. 2018	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 14,982.66	\$ -	\$ -	\$ -	\$ 14,982.66
Feb. 2018	\$ -	\$ 3,876.88	\$ -	\$ -	\$ -	\$ -	\$ 23,222.64	\$ -	\$ -	\$ 27,099.52
Mar. 2018	\$ -	\$ 13,534.04	\$ -	\$ -	\$ 2,179.94	\$ -	\$ 2,179.94	\$ -	\$ 21,367.92	\$ 39,261.84
Apr. 2018	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
May 2018	\$ -	\$ 20,352.12	\$ 19,763.66	\$ -	\$ -	\$ -	\$ -	\$ 20,352.12	\$ 1,848.15	\$ 62,316.04
June 2018	\$ -	\$ 7,431.69	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 7,431.69

Totals by Site	\$ 4,636.80	\$ 140,663.72	\$ 27,716.12	\$ 7,952.46	\$ 37,267.94	\$ 14,982.66	\$ 25,402.58	\$ 99,738.00	\$ 46,869.85	\$ 405,230.10
Interest Earned										\$ 24,469.43
Community Redevelopment Fees Received										\$ 248,080.90
Sub Total										\$ 677,780.43

Developer Fees Refunded									DS	\$ (5,538.40)
									SD	\$ (5,868.75)

Total Revenue										\$ 666,373.28
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Level 2 Developer Fee Rate for Residential Construction:

\$3.22 per sq. ft. July 1, 2017 through May 4, 2018

\$3.01 per sq. ft. May 5, 2018 through June 30, 2018

Level 1 Developer Fee Rate for Commercial/Industrial Construction:

\$0.56 per sq. ft. (\$0.414 to WUSD) July 1, 2017 through June 30, 2018

Fund 25.0 - Developer Fee Expenditures
Fiscal Year 2017-18

Object	AH	CW	DS	EZ	JW	QH	RV	SD	VV	DO	Totals
2000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 8,221.66	\$ 8,221.66
3000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,093.34	\$ 3,093.34
4000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 150.00	\$ 150.00
5000	\$19,270.62	\$ -	\$ 32,628.40	\$ 3,422.50	\$69,913.00	\$ -	\$ 34,502.50	\$30,470.88	\$51,529.60	\$ 17,044.57	\$ 258,782.07
6000	\$64,576.98	\$ -	\$ 93,390.72	\$ 100,794.80	\$ -	\$ -	\$ 74,811.72	\$ 421.25	\$ -	\$ -	\$ 333,995.47
7000										\$ -	\$ -
Total	\$ 61,826.98	\$ -	\$ 95,128.22	\$ 104,217.30	\$ -	\$ -	\$ 93,914.22	\$ 421.25	\$ -	\$ 248,734.57	\$ 604,242.54

Beginning Balance = \$1,606,621.00

Ending Balance = \$1,668,751.00 (per audit report)

Detailed expenditures can be found in the District's ledgers.

BOARD AGENDA

December 11, 2018

TO: BOARD OF TRUSTEES

PREPARED BY: Shawn Cabey, Assistant Superintendent Administrative Services

SUBJECT: Resolution 19-06, Temporary Extraordinary Approval Authorization

BACKGROUND:

There being no scheduled Board meetings for approximately 5 weeks during the winter break of 2018/2019, Westside Union School District Administrative staff are requesting the Board grant temporary signing authority pursuant to restrictions outlined in Education Code Sections 17604 and 35161 in order to facilitate, if necessary, work required for the finalization of the Cottonwood School Modernization and/or other emergent issues. It is understood that any exercise of this authority will be as limited as possible, and that the Board will be advised of any and all such approvals at the first available meeting in January.

PROGRAM/EDUCATIONAL IMPLICATION

None

COST ANALYSIS/FUNDING SOURCE

None

ASSISTANT SUPERINTENDENT ADMINISTRATIVE SERVICES RECOMMENDATION

Approval

**BOARD OF TRUSTEES
WESTSIDE UNION SCHOOL DISTRICT
LOS ANGELES CALIFORNIA**

In the Matter of Delegation of Power to)
Contract to the Superintendent or)
Designee)

RESOLUTION 19-06

WHEREAS, Education Code section 35161 provides that the Board may execute any powers delegated by law to it or to the District, and may delegate to an officer or employee of the District any of those powers or duties; and

WHEREAS, Education Code Section 17604 provides that wherever the power to contract is invested in the Board, such power may, by a majority vote of the Board, be delegated to the District's Superintendent, or to such persons as the Superintendent may designate; and

WHEREAS, Education Code Section 17604 further provides that no contract made pursuant to such delegation and authorization shall be valid or constitute an enforceable obligation against the District unless and until the same shall have been approved or ratified by the Board, said approval or ratification to be evidenced by a motion of said board duly passed and adopted; and

WHEREAS, Pursuant to this statutory authority, Board Policy 3312 provides that the Superintendent or designee may enter into contracts on behalf of the district. All contracts must be approved or ratified by the Board. Further, the policy states that once approved or ratified by the Board, change orders do not require additional Board action if the dollar value of the change order would result in a change to the overall value of 10 percent or less of the original contract; and

WHEREAS, Board Regulation 3312 provides that the Board may, by a majority vote, delegate the power to enter into contracts on behalf of the district to the Superintendent or designee. However, to be valid or to constitute an enforceable obligation against the District, all contracts must be approved and/or ratified by the Board; and

WHEREAS, the District is presently finalizing construction of the Cottonwood Modernization project; and

WHEREAS, the Board desires to delegate authority to the Superintendent or her designee to contract and expend funds as necessary and appropriate to promote the timely completion of time-sensitive and critical activities during the Winter Break.

NOW, THEREFORE, BE IT RESOLVED AND DETERMINED:

1. Pursuant to Education Code Sections 17604 and 35161, the power to contract, including approval of change orders and other project expenditures, on behalf of the Board, as necessary for the constructing of the Cottonwood Modernization project is hereby delegated to the Superintendent and the Assistant Superintendent for Administrative Services.
2. No contract made pursuant to such delegation and authorization shall be valid or constitute an enforceable obligation against the District unless and until the contract shall have been approved or ratified by the Board.
3. This delegation of authority shall expire on January 14, 2019.

PASSED AND ADOPTED by the Board of Trustees of the WESTSIDE UNION SCHOOL DISTRICT, Los Angeles, California, at a public meeting thereof duly called and held this 11th day of December 2018, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

Clerk, Board of Trustees
Westside Union School District

BOARD AGENDA

December 11, 2018

TO: BOARD OF TRUSTEES

PREPARED BY: Shawn Cabey, Assistant Superintendent Administrative Services

SUBJECT: Administrative Regulation and Board Policy - First Reading

BACKGROUND:

Administrative Regulation 3350 – Travel/Conference Expenses

[AR Revised.]

Updated District Regulation to align with District practice. New Language. Language updated to clarify limits, clarify deadline requirements for those exceptional cases where advance funds are approved, and to provide an automatic indexing of the District's mileage reimbursement rate with the Federal IRS mileage reimbursement rate.

Board Policy 3514.1 – Hazardous Substances

[BP Revised. To align with applicable statutes (CSBA)]

Policy updated to reflect legal requirements regarding toxic art and craft supplies, formerly in BP 6161.3 - Toxic Art Supplies.

PROGRAM/EDUCATIONAL IMPLICATION:

None

COST ANALYSIS/FUNDING:

There are no costs associated to align with CSBA statutes.

ASSISTANT SUPERINTENDENT ADMINISTRATIVE SERVICES RECOMMENDATION:

Approval

Westside Union SD

Administrative Regulation - Revised

Travel/Conference Expenses

Business and Noninstructional Operations

AR 3350(a)

Necessary Approval

Necessary approval for attendance at conference, workshops and out-of-district meetings is required prior to the travel taking place. A conference request shall be submitted to the Superintendent or designee on time for inclusion on a regular Board of Trustees meeting agenda. All allowable expenses ~~including registration, mileage, and lodging~~ including but not limited to registration, mileage, and lodging shall be included as estimates on the conference request if the trip meets the criteria of this policy. Upon approval of the conference or workshop, a reimbursement claim form will be sent to the employee. Without this paperwork, the employee is not authorized to travel.

Mileage Reimbursement

Mileage reimbursement shall not be paid to employees unless the driver's license and insurance information of the employee is on file with the district.

Individuals who drive their personal vehicle on district business shall be aware that if they are involved in an accident, the coverage provided by the individual's own liability insurance policy applies first. The district liability coverage would be used only after individual limits have been exceeded. The district does not cover collision or comprehensive coverage for personal automobiles.

The mileage reimbursement paid by the district ~~is tied~~ will be equivalent to the federal IRS rate and is meant to cover all operating expenses on personal automobiles including, but not limited to, insurance, gas, oil and maintenance. ~~The Board will adopt an updated mileage rate that is consistent with the Internal Revenue Service (IRS) standard mileage reimbursement.~~

State law requires that automobile owners meet minimum financial responsibility standards. This requirement may be met by providing either automobile liability insurance or a bond.

If personal automobile liability insurance is not in place, the employee must immediately notify his/her supervisor and not use their personal automobile for district business until the minimum requirements have been met.

Advance of Funds

Funds to cover the costs associated with travel/conference may be advanced to any employee only under the following circumstances:

1. The employee would experience a financial hardship if required to pay for these items up front and be reimbursed at a later date, and
2. The travel/conference required of the employee is more than two days in duration.

A request to advance funds must be made in writing to the Business Office at a minimum of six (6) weeks ahead of the conference date. ~~least two weeks in advance of the Board meeting at which the travel is to be approved.~~ If the advance is approved, it will be processed through the county payment system. Receipt of a warrant for payment to the employee may take up to 10 working days after all necessary approvals have been secured.

Advances may be disallowed if a previous claim has not been timely or properly filed, or a prior advance is not resolved.

Claim for Reimbursement

Immediately upon return from a conference or workshop, employees are required to file reimbursement claims through their immediate supervisor. If funds were advanced, a claim must be filed, even if the advance exactly covered the expense. Employees will be reimbursed only for authorized expenses which are documented by itemized receipts attached to the claim.

Expense claims must normally be submitted within 30 days after the completion of each trip, however ~~e~~Expense claims for travel in June must be submitted no later than July 10th of each year. Claims for reimbursement not filed within 30 days or prior to July 10th (whichever is sooner) may not be honored.

Means of Travel

~~Travel shall be made by means most advantageous to the district.~~

Mileage Reimbursement

Employees will be entitled to reimbursement for approved mileage at the current ~~Board-adopted~~ Federal IRS reimbursement rate. Mileage reimbursement for travel on a normal workday is calculated from the employee's work site or from home, whichever is less. Requests for monthly mileage reimbursements must be submitted to the Business Office by the 10th day of the month following that in which the mileage was incurred.

Per Diem Meal Allowance

A per diem allowance of up to \$60.00 will be provided only when authorized persons are traveling on approved District business and where an overnight stay is required per the standard overnight stay criteria described in this regulation. ~~A per diem allowance of \$18.00 will be provided only when authorized persons are traveling on approved District business and will be gone from home one full day or more.~~

~~"One full day" shall be defined as 8 hours or more within a 24 hour period~~

Occasionally a meal is advertised to be provided in connection with attendance at an authorized function at no cost to the individual. In such cases, the per diem allowance will be discounted to reflect the anticipated meal expense savings, per the following schedule*:

(*The amounts below are inclusive of taxes and tips.)

- Breakfast: \$12.00
- Lunch: \$18.00
- Dinner: \$30.00

When all three meals (breakfast, lunch, dinner) are advertised to be provided at no additional cost to the individual, per diem allowance will not be paid.

No reimbursement shall be made for the cost of alcoholic beverages.

Incidentals

Employees may be reimbursed for approved incidental costs associated with the travel/conference. Such items include, but are not limited to parking fees, and bus or taxi fares. Receipts for incidental expenses are required.

The cost of automobile rental will not be reimbursed when shuttle service is available to and from the hotel, conference or meeting site. The cost of rental cars must be expressly preapproved by the Superintendent or designee prior to an employee incurring this cost. The most economical rental car model shall be used whenever car rentals are required. When renting a car for school business use, Loss and Damage Waiver and Additional Liability Insurance must be purchased from the rental agency regardless of a staff member's private insurance status.

Supplies Purchased While on Conference/Travel

Employees may be reimbursed for the cost of supplies or materials they purchase while attending conferences or workshops only under the following conditions:

1. The purchase was preapproved up to a set limit through the normal preapproval process established by the district; or
2. The employee receives verbal approval from the Superintendent or designee by telephone to make such purchases. Normally, the Superintendent or designee would need to consult with the administrator in charge of the budget to be charged for the expense prior to giving approval.

The claim for reimbursement of supplies or materials purchased while attending conferences or workshops is subject to the same timelines and itemized receipt requirements as any other travel cost.

Lodging

The following criteria will be used when authorizing lodging:

The conference or workshop is of multiple days' duration and the conference location exceeds 100 miles from the district office. Any exception to this standard shall require the approval of a member of the Superintendent's Cabinet.

No employee shall travel by car in excess of 350 miles in one day. Should a district-approved conference/workshop require an employee to travel by car more than 350 miles in one day, a hotel room shall be authorized.

Where lodging is required that is not provided for at a conference rate, employees are expected to use discretion regarding the cost of accommodations.

Failure to Attend

An employee who is unable to attend a prepaid conference may try to find an appropriate replacement (if this is acceptable with to the conference people organizers) or cancel the attendance and arrange for a full refund to the district. If unable to do so, the employee may be required to reimburse the district for the cost of the conference. all costs related to conference attendance.

Voluntary Resignation from Employment

Management employees who voluntarily resign from the District may be subject to reimbursement requirements related to career development course fee and/or tuition expenses or direct costs incurred by the District on the employee's behalf. These reimbursement obligations will be governed by the terms outlined in the executed Management Employee Educational Expenses Repayment Agreement.

Regulation WESTSIDE UNION SCHOOL DISTRICT

approved: December 16, 20018 Quartz Hill, California

revised: October 2, 2018

Westside Union SD

Board Policy - Revised

Hazardous Substances

Business and Noninstructional Operations

BP 3514.1(a)

The Board of Trustees desires to provide a safe school environment that protects students and employees from exposure to potentially hazardous substances that may be used in the district's educational program and in the maintenance and operation of district facilities and equipment.

(cf. 3514 - Environmental Safety)

(cf. 4119.42/4219.42/4219.42 - Exposure Control Plan for Bloodborne Pathogens)

(cf. 4157/4257/4357 - Employee Safety)

(cf. 5141.23 2- Infectious Diseases Prevention)

(cf. 5142 - Safety)

(cf. 6161.3 - Toxic Art Supplies)

Insofar as reasonably possible, the Superintendent or designee shall minimize the quantities of hazardous substances stored and used on school property. When hazardous substances must be used, the Superintendent or designee shall give preference to materials that cause the least risk to people and the environment.

(cf. 3510 - Green School Operations)

(cf. 3514.2 - Integrated Pest Management)

The Superintendent or designee shall ensure that all potentially hazardous substances on district properties are inventoried, used, stored and regularly disposed of in a safe and legal manner.

The Superintendent or designee shall develop, implement and maintain a written hazard communication program in accordance with 8 CCR 5194. As part of this program, he/she and shall ensure that employees, students, and others as necessary are fully informed about the properties and potential hazards of substances to which they may be exposed.

(cf. 1240 - Volunteer Assistance)

The Superintendent or designee shall develop specific measures to ensure the safety of students and staff in school laboratories where hazardous chemicals are used. Such measures shall include the development and implementation of a chemical hygiene plan in accordance with 8 CCR 5191 and instruction to students about proper handling of hazardous substances.

(cf. 6142.93 - Science Instruction)

The Superintendent or designee shall not order or purchase for use in grades K-6 any arts and crafts materials containing a substance determined by the California Office of Environmental Health Hazard Assessment to be toxic. The Superintendent or designee shall not purchase any

such toxic material for use in grades 7-12 unless it includes a warning label as specified in Education Code 32065 that identifies any toxic ingredients, warns of potential adverse health effects, and describes procedures for safe use and storage. (Education Code 32064)

Legal Reference:

EDUCATION CODE

32060-32066 Toxic art supplies in schools

49340-49341 Hazardous substances education

49401.5 Legislative intent; consultation services

49411 Chemical listing; compounds used in school programs; determination of shelf life; disposal

FOOD AND AGRICULTURAL CODE

12981 Regulations re pesticides and worker safety

HEALTH AND SAFETY CODE

25163 Transportation of hazardous wastes; registration; exemptions; inspection

25500-25520 Hazardous materials release response plans; inventory

108100-108515 California Hazardous Substances Act

LABOR CODE

6360-6363 Hazardous Substances Information and Training Act

6380-6386 List of hazardous substances

CODE OF REGULATIONS, TITLE 8

339 List of hazardous substances

3203 Illness and injury prevention program

3204 Records of employee exposure to toxic or harmful substances

5139-5230 Control of hazardous substances, especially

5154.1-5154.2 Ventilation

5161 Definitions

5162 Emergency eyewash and shower equipment

5163 Control of spills

5164 Storage of hazardous substances

5191 Occupational exposure to hazardous chemicals in laboratories; chemical hygiene plan

5194 Hazard communication

CODE OF REGULATIONS, TITLE 22

67450.40-67450.49 School hazardous waste collection, consolidation, and accumulation facilities

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Science Safety Handbook for California Public Schools, 2012

CALIFORNIA OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT PUBLICATIONS

Art and Craft Materials in Schools: Guidelines for Purchasing and Safe Use, September 17, 2016

WEB SITES

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

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

California Office of Environmental Health Hazard Assessment: <http://www.oehha.ca.gov>

Department of Industrial Relations, Cal/OSHA: <http://www.dir.ca.gov/dosh>

Policy WESTSIDE UNION SCHOOL DISTRICT

adopted: September 15, 1997 Quartz Hill, California

revised: August 5, 2014

BOARD AGENDA

December 11, 2018

TO: BOARD OF TRUSTEES

PREPARED BY: Lisa Jehlicka, Director of Business Services

SUBJECT: 2018-19 First Interim Report

BACKGROUND:

Annually the District is required to publish a First Interim Financial report on or before December 15th. This report is based upon the first four months of the year in terms of actual revenues and expenditures. These amounts are used, along with assumptions, to project how the District will end our fiscal year, both in terms of budget and in terms of cash flow. Additionally, the Multi-Year Projection section of this report projects the ending financial position for the two future fiscal years in addition to the current year. The County Office of Education is then required to review and report to the District by January 15, 2019, whether they concur with the District's certification. The District has three options to certify as to the current and two future years with this report. We can certify that the District **will be able to** meet its financial obligations (**positive certification**); that the District **may not be able to** meet its financial obligations (**qualified certification**); or that the District **will not be able to** meet its financial obligations (**negative certification**).

At this time, the Board is being asked to approve the District's **positive certification** for the First Interim Report.

PROGRAM/EDUCATIONAL IMPLICATION:

A positive certification of solvency places the District in a favorable position in terms of the Los Angeles County Office of Education. LACOE will not be required to work with the District to direct our financial decisions, thus leaving the District's governance to manage the District and establish priorities.

COST ANALYSIS:

There is no cost items associated with this report.

ASSISTANT SUPERINTENDENT ADMINISTRATIVE SERVICES RECOMMENDATION:

Approval

SEPARATE ATTACHMENT

2018-2019 1st Interim Budget