

LAGUNA BEACH UNIFIED SCHOOL DISTRICT
· **SPECIAL MEETING** ·
550 Blumont St.
Laguna Beach, CA 92651

August 15, 2018

Special Meeting 9:00 AM

AGENDA

- 1. CALL TO ORDER**
- 2. ROLL CALL TO ESTABLISH QUORUM**
- 3. PLEDGE OF ALLEGIANCE**
- 4. ADOPTION OF AGENDA**
- 5. PUBLIC COMMENT (Non- Agenda Items)**

Opportunities for public input occur at each agenda item and at Public Comment. Members of the public may address the Board of Education regarding items not on the agenda, yet within the Board's subject matter jurisdiction, during Public Comment. The public may speak about items that are on the agenda during consideration of that item. Speaking time is limited to three (3) minutes per speaker with a maximum of twenty (20) minutes per topic.

Persons wishing to address the Board are asked to complete and submit a public comment card, available on the information table. Matters not on the agenda cannot be acted upon or discussed by the Board. The Board may ask staff to research and respond accordingly.

- 6. REVIEW AND DISCUSSION OF BOARD POLICIES**
– Jason Vilorio, Ed.D., Superintendent

Policy Number	Description	Notes
0410	Nondiscrimination in District Programs and Activities	Policy reflects NEW LAW (AB 699)
0460	Local Control Accountability Plan	Revised to delete CCR 15497.5 (repealed)
0500	Accountability	Updated to reflect the new state accountability system
1312.3	Uniform Complaint Procedures	Policy reflects NEW LAW (AB 699)
3513.4	Drug and Alcohol Free Schools	New policy prohibits the possession, use, sale....NEW LAW (Prop. 64)

Policy Number	Description	Notes
3514	Environmental Safety	Reflects NEW LAW (AB 746)
3514.1	Hazardous Substances	Policy includes legal requirements regarding toxic art and craft supplies.
3516	Emergency and Disaster Preparedness Plan	Expands on staff and community training and involvement.
4033	Lactation Accommodation	New Policy
4111/4211/4311	Recruitment and Selection	Updated to expand discussion on recruitment incentives and NEW LAWS (AB 99 and AB 168)
4112.9/4212.9/4312.9	Employee Notifications	New for LBUSD
4119.11/4219.11/4319.11	Sexual Harassment	Updated
4158	Employee Security	Updated
5111	Admission	Reflects NEW LAW (AB 699)
5111.1	District Residency	Reflects NEW LAW (AB 699)
5113.1	Chronic Absence and Truancy	Updated to include chronic absence indicator
5113.12	District School Attendance Review Board	New Policy
5117	Interdistrict Attendance	Reflects NEW LAW (AB 99)
5125	Student Records	Policy reflects NEW LAW (AB 699)
5131.2	Bullying	Policy reflects NEW LAW (AB 699)
5131.6	Alcohol and Other Drugs	Policy updated to reflect the goals and purposes of the federal Student Support and Academic Enrichment Grants program
5141	Health Care and Emergencies	New for LBUSD
5144.1	Suspension and Expulsion/Due Process	Policy reflects NEW LAW (AB 667)
5145.13	Response to Immigration Enforcement	New policy reflects NEW LAW (AB 699)
5145.3	Non-Discrimination	Policy reflects NEW LAW (AB 699)
6142.1	Comprehensive Health Instruction	New Mandated Policy
6153	School Sponsored Trips	New Policy reflects NEW LAW AB 341). Replaces 6019 Field Trips and Excursions.

Policy Number	Description	Notes
6162.5	Student Assessment	New policy reflects NEW LAW (AB 1035)
6170.1	Transitional Kindergarten	New Policy reflects NEW LAW (AB 99)
6171	Title 1 Programs	Revised
6173	Education for Homeless Children	Updated to reflect the federal McKinney-Vento Homeless Assistance Act
6173.1	Education for Foster Youth	New Policy
6178	Career Technical Education	New Policy
Bylaw Number	Description	Notes
BB 9005	Governance Standards	Delete LBUSD 9005 - Public Statements
BB 9010	Public Statements	Delete Current LBUSD 9005 and Replace with New 9010
BB 9011	Disclosure of Confidential Information	Replaced old LBUSD 9010
BB 9012	Board Member Electronic Communications	New for LBUSD
BB 9150	Student Board Members	Revise in accordance to reflect NEW LAWS (AB 261 and SB 468)

7. ADJOURNMENT

– Jan Vickers, President, Board of Education

The next Regular Meeting of the Board of Education is **Tuesday, August 21, 2018, 6:00 PM**
at the Laguna Beach Unified School District Office Board Room
550 Blumont St., Laguna Beach, California

For information regarding Laguna Beach Unified School District, please visit our website:
www.lbusd.org

INSTRUCTIONS FOR PRESENTATIONS TO THE BOARD BY PARENTS AND CITIZENS PRESENT AT THIS MEETING

We are pleased you have joined us for this meeting. Community interest in our schools is welcome and valued.

The members of the LBUSD Board of Education are locally elected officials, serve four-year terms of office, and are responsible for the schools' educational programs, grades kindergarten through twelve. The Board is a policy-making body whose actions are guided by the District's vision, mission, and goals. Administration of the District is delegated to a professional administrative staff led by the Superintendent. Board members are required to conduct the programs of the schools in accordance with the Constitution of the State of California, the California Education Code, and other laws relating to schools enacted by the Legislature, in addition to policies and procedures adopted by the Board of Education.

Materials that are public records related to open session agenda items are occasionally distributed to Board members after the agenda has been posted. These materials will be available for public inspection in the Office of the Superintendent between the hours of 7:30 a.m. and 4:30 p.m.

WHAT TO DO IF YOU WISH TO ADDRESS THE BOARD OF TRUSTEES

ITEMS ON THE AGENDA: Members of the public may address the Board of Education on agenda items during consideration of that item. Speaking time is limited to three (3) minutes per speaker with a maximum of twenty (20) minutes per topic, unless the time limit is waived by a majority of the Board.

Persons wishing to address the Board are asked to complete and submit a public comment card, available on the information table.

PUBLIC COMMENT (Non-Agenda Items): Members of the public may address the Board of Education regarding items not on the agenda, yet within the Board's subject matter jurisdiction during public comment. Speaking time is limited to three (3) minutes per speaker with a maximum of twenty (20) minutes per topic, unless the time limit is waived by a majority of the Board. Legally, the Board cannot take action on topics raised by speakers and discussion may not be held by the Board. The Board may ask staff to research and respond accordingly.

REASONABLE ACCOMMODATION

In accordance with the Americans with Disability Act, members of the public who require disability accommodation to participate in the meeting should contact the Office of the Superintendent in writing by noon on the Friday before the scheduled meeting.

LAGUNA BEACH UNIFIED SCHOOL DISTRICT

NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES

BP 0410

Philosophy, Goals, Objectives and Comprehensive Plans

The Governing Board is committed to providing equal opportunity for all individuals in district programs and activities. District 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, parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender 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.

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.

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

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. They shall take prompt, reasonable actions to remove any identified barrier. The Superintendent or designee shall report their findings and recommendations to the Board after each review.

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.

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 the annual parental notification distributed pursuant to Education Code 48980 and, as applicable, in announcements, bulletins, catalogs, handbooks, application forms, or other materials distributed

by the district. The notification shall also be posted on the district's website and social media and in district schools and offices, including staff lounges, student government meeting rooms, and other prominent locations as appropriate.

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.

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.

The Superintendent or designee shall ensure that the district provides appropriate 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 a school-sponsored function, program, or meeting.

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 federal civil rights laws is hereby designated as the district's ADA coordinator. They 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, Human Resources and Public Communications
550 Blumont Street
Laguna Beach, CA 92651
949-497-7700 x 5219
lwinston@lbusd.org

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

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

4600-4670 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

2301-2414 Carl D. Perkins Career and Technical Education 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

Date Board Policy Adopted:

(2/14 10/16) 5/18

LAGUNA BEACH UNIFIED SCHOOL DISTRICT

LOCAL CONTROL AND ACCOUNTABILITY PLAN (LCAP)

BP 0460

Philosophy, Goals, Objectives and Comprehensive Plans

The Governing Board desires to ensure the most effective use of available funding to improve outcomes for all students. A community-based, comprehensive, data-driven planning process shall be used to identify annual goals and specific actions and to facilitate continuous improvement of district practices.

The Board shall adopt a districtwide local control and accountability plan (LCAP), following the template provided in 5 CCR 15497.5, based on the template adopted by the State Board of Education that addresses the state priorities in Education Code 52060 and any local priorities adopted by the Board. The LCAP shall be updated on or before July 1 of each year and, like the district budget, shall cover the next fiscal year and subsequent two fiscal years

The LCAP shall focus on improving outcomes for all students, particularly those who are "unduplicated students" and other underperforming students or are part of any numerically significant student subgroup that is at risk of or is underperforming.

Unduplicated students include students who are eligible for free or reduced-price meals, English learners, and foster youth and are counted only once for purposes of the local control funding formula.

Numerically significant student subgroups include ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students, when there are at least 30 students in the subgroup or at least 15 foster youth or homeless students, or as otherwise defined by the Superintendent of Public Instruction (SPI).

The Superintendent or designee shall review the Single Plan for Student Achievement (SPSA) submitted by each district school pursuant to Education Code 64001 to ensure that the specific actions included in the LCAP are consistent with strategies included in the SPSA.

The LCAP shall also be aligned with other district and school plans to the extent possible in order to minimize duplication of effort and provide clear direction for program implementation.

Any complaint that the District has not complied with legal requirements pertaining to the LCAP may be filed pursuant to AR 1312.3 - Uniform Complaint Procedures.

Plan Development

The Superintendent or designee shall gather data and information needed for effective and meaningful plan development and present it to the Board and community. Such data and information shall include, but not be limited to, data regarding the numbers of students in various student subgroups, disaggregated data on student achievement levels, and information about current programs and expenditures.

The District shall consult with teachers, principals, administrators, other school personnel, employee bargaining units, parents/guardians, and students in developing the LCAP. Consultation with students shall enable unduplicated students and other numerically significant student subgroups to review and comment on LCAP development and may include surveys of students, student forums, student advisory committees, and/or meetings with student government bodies or other groups representing students.

Public Review and Input

The District shall establish a parent advisory committee to review and comment on the LCAP. The committee shall be composed of a majority of parents/guardians and shall include at least one parent/guardian of an unduplicated student as defined above.

Whenever district enrollment includes at least 15 percent English learners, with at least 50 students who are English learners, the district shall establish an English learner parent advisory committee composed of a majority of parents/guardians of English learners.

The Superintendent or designee shall present the LCAP to the committee(s) before it is submitted to the Board for adoption, and shall respond in writing to comments received from the committee(s).

The Superintendent or designee shall notify members of the public of the opportunity to submit written comments regarding the specific actions and expenditures proposed to be included in the LCAP. The notification shall be provided using the most efficient method of notification possible, which may not necessarily include producing printed notices or sending notices by mail. All written notifications related to the LCAP shall be provided in the primary language of parents/guardians when required by Education Code 48985.

As part of the parent and community engagement process, the district shall solicit input on effective and appropriate instructional methods, including, but not limited to, establishing language acquisition programs to enable all students, including English learners and native English speakers, to have access to the core academic content standards and to become proficient in English.

The Board shall hold at least one public hearing to solicit the recommendations and comments of members of the public regarding the specific actions and expenditures proposed to be included in the LCAP. The public hearing shall be held at the same meeting as the budget hearing required pursuant to Education Code 42127 and AR 3100 - Budget.

Adoption of the Plan

The Board shall adopt the LCAP prior to adopting the district budget, but at the same public meeting. This meeting shall be held after the public hearing described above, but not on the same day as the hearing.

The Board may adopt revisions to the LCAP at any time during the period in which the plan is in effect, provided the Board follows the process to adopt the LCAP pursuant to Education Code 52062 and the revisions are adopted in a public meeting.

Submission of Plan to County Superintendent of Schools

Not later than five days after adoption of the LCAP, the Board shall file the LCAP with the County Superintendent of Schools.

If the County Superintendent sends, by August 15, a written request for clarification of the contents of the LCAP, the Board shall respond in writing within 15 days of the request. If the County Superintendent then submits recommendations for amendments to the LCAP within 15 days of receiving the Board's response, the Board shall consider those recommendations in a public meeting within 15 days of receiving the recommendations.

Monitoring Progress

The Superintendent or designee shall report to the Board, at least annually in accordance with the timeline and indicators established by them and the Board, regarding the district's progress toward attaining each goal identified in the LCAP. Evaluation shall include, but not be limited to, an assessment of district and school performance on the California School Dashboard. Evaluation data shall be used to recommend any necessary revisions to the LCAP.

Technical Assistance/Intervention

When it is in the best interest of the district, the Board may submit a request to the County Superintendent for technical assistance, including, but not limited to:

1. Assistance in the identification of district strengths and weaknesses in regard to state priorities and review of effective, evidence-based programs that apply to the district's goals
2. Assistance from an academic expert, team of academic experts, or another district in the county in identifying and implementing effective programs to improve the outcomes for student subgroups
3. Advice and assistance from the California Collaborative for Educational Excellence established pursuant to Education Code 52074

In the event that the County Superintendent requires the district to receive technical assistance pursuant to Education Code 52071, the Board shall review all recommendations received from the County Superintendent or other advisor and shall consider revisions to the LCAP as appropriate in accordance with the process specified in Education Code 52062.

If the Superintendent of Public Instruction (SPI) identifies the district as needing intervention pursuant to Education Code 52072, the district shall cooperate with any action taken by the SPI or any academic advisor appointed by the SPI, which may include one or more of the following:

1. Revision of the district's LCAP
2. Revision of the district's budget in accordance with changes in the LCAP

3. A determination to stay or rescind any district action that would prevent the district from improving outcomes for all student subgroups, provided that action is not required by a collective bargaining agreement

Legal Reference:

EDUCATION CODE

305-306 English language education

17002 State School Building Lease-Purchase Law, including definition of good repair

41020 Audits

42127 Public hearing on budget adoption

42238.01-42238.07 Local control funding formula

44258.9 County superintendent review of teacher assignment

48985 Parental notices in languages other than English

51210 Course of study for grades 1-6

51220 Course of study for grades 7-12

52052 Academic Performance Index; numerically significant student subgroups

52060-52077 Local control and accountability plan

52302 Regional occupational centers and programs

52372.5 Linked learning pilot program

54692 Partnership academies

60119 Sufficiency of textbooks and instructional materials; hearing and resolution

60605.8 California Assessment of Academic Achievement; Academic Content Standards

Commission

60811.3 Assessment of language development

64001 Single plan for student achievement

99300-99301 Early Assessment Program

CODE OF REGULATIONS, TITLE 5

15494-15497 Local control and accountability plan and spending requirements

UNITED STATES CODE, TITLE 20

6312 Local educational agency plan

6826 Title III funds, local plans

Dated Adopted by the Board: August 25, 2015

Date Revised:

LAGUNA BEACH UNIFIED SCHOOL DISTRICT

ACCOUNTABILITY

BP 0500

Philosophy, Goals, Objectives and Comprehensive Plans

The Governing Board recognizes its responsibility to ensure accountability to the public for the performance of the district and each district school. The Board shall regularly review the effectiveness of district programs, personnel, and fiscal operations, with a focus on the capacity to improve student achievement. The Board shall establish appropriate processes and measures to monitor results and to evaluate progress toward accomplishing the district's vision and goals set forth in the local control and accountability plan (LCAP).

District and school performance shall be annually evaluated based on multiple measures specified in the California Accountability and Continuous Improvement System as reported on the California School Dashboard.

The district's alternative schools serving high-risk student populations, including continuation high schools, opportunity schools, community day schools, and nonpublic, nonsectarian schools pursuant to Education Code 56366, shall be subject to an alternative accountability system established by the Superintendent of Public Instruction.

The district and each district school shall demonstrate comparable improvement in academic achievement for all numerically significant student subgroups. Numerically significant subgroups include ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students, when the subgroup consists of at least 30 students with a valid test score or 15 foster youth or homeless students.

The Superintendent shall provide regular reports to the Board and the public regarding district and school performance. Opportunities for feedback from students, parents/guardians, staff, and community members shall be made available as part of any review and evaluation of district programs and operations and as part of the development or annual update of the LCAP.

Evaluation results may be used as a basis for revising district or school goals, updating the LCAP or other comprehensive plans, identifying and developing strategies to address disparities in achievement among student subgroups, implementing programmatic changes, determining the need for additional support and assistance, awarding incentives or rewards, and establishing other performance-based consequences.

Legal Reference:

EDUCATION CODE

33127-33129 Standards and criteria for fiscal accountability
33400-33407 California Department of Education evaluation of district programs
44660-44665 Evaluation of certificated employees
51041 Evaluation of the educational program
52052-52052.1 Public school performance accountability program
52060-52077 Local control and accountability plan
56366 Nonpublic, nonsectarian schools
60640-60649 California Assessment of Student Performance and Progress

CODE OF REGULATIONS, TITLE 5

1068-1074 Alternative schools accountability model, assessments
15440-15464 Standards and criteria for fiscal accountability

UNITED STATES CODE, TITLE 20

6311 Accountability, state plan
6312 Local educational agency plan

CODE OF FEDERAL REGULATIONS, TITLE 34

200.12-200.24 State accountability system
200.30-200.48 State and LEA report cards and plans

Date Board Policy Adopted:

10/13 10/15) 10/17

LAGUNA BEACH UNIFIED SCHOOL DISTRICT

UNIFORM COMPLAINT PROCEDURES

BP 1312.3

Community Relations

The Governing Board recognizes that the District has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs. The Board encourages the early, informal resolution of complaints whenever possible and appropriate. To resolve complaints which cannot be resolved through such informal process, the Board adopts the uniform system of complaint processes specified in 5 CCR 4600-4670 and the accompanying administrative regulation.

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, migrant education, 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 ~~special~~ education programs, consolidated categorical aid programs, Economic Impact Aid, English learner programs, federal education programs in Title I-VII, Regional Occupational Centers and Programs, school safety plans, special education programs, Tobacco-Use Prevention Education programs, and any other district-implemented program which is listed in Education Code 64000(a) (5 CCR 4610).
2. Any complaint alleging the occurrence of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) against any student, employee, or other person participating 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, or based on his/her their association with a person or group with one or more of these actual or perceived characteristics
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
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. Any complaint alleging District noncompliance with legal requirements related to the implementation of the 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
7. Any complaint, by or on behalf of a homeless student as defined in 42 USC 11434a, alleging District noncompliance with any requirement applicable to the student regarding the award of credit for coursework satisfactorily completed in another school or district or the grant of an exemption from Board-imposed graduation requirements
8. Any complaint, by or on behalf of a former juvenile court school student, or a child of a military family as defined in Education Code 49701 who transfers into the district after his/her second year of high school, alleging district noncompliance with any requirement applicable to the student regarding the award of ~~partial credit~~ for coursework satisfactorily completed in another ~~the juvenile court~~ school or district or the grant of an exemption from Board-imposed graduation requirements
9. Any complaint alleging District noncompliance with the requirements of Education Code 51228.1 and 51228.2 that prohibit the assignment of a student in grades 9-12 to a course without educational content for more than one week in any semester or to a course the student has previously satisfactorily completed, without meeting specified conditions
10. Any complaint alleging District noncompliance with the physical education instructional minutes requirement for students in elementary school
11. 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
12. Any other complaint subject to this procedure 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 acceptable 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. As appropriate 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, as long as the integrity of the complaint process is maintained.

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.

The Superintendent or designee shall maintain records of all UCP complaints and the investigations of those complaints. All such records shall be destroyed in accordance with applicable state law and District policy.

Non-UCP Complaints

The following complaints shall not be subject to the District's UCP but shall be referred to the specified agency:

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.
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 employment discrimination shall be sent to the California Department of Fair Employment and Housing and the compliance officer shall notify the complainant by first class mail of the transfer.~~
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.

In addition, the District's Williams Uniform Complaint Procedures, AR 1312.4, shall be used to investigate and resolve 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.

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
32289 School safety plan, uniform complaint procedures
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~~, 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
52300-52462 ~~490~~ Career technical education
52500-52616.24 Adult schools
~~52800-52870 School-based program coordination~~
54000-54029 Economic Impact Aid
54400-54425 Compensatory education programs
54440-54445 Migrant education
54460-54529 Compensatory education programs
56000-56865 ~~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

Date Policy Adopted by the Board: May 28, 2013
(Replaced BP 6009)

Date Policy Revised:
August 25, 2015
May 10, 2016
November 14, 2017

LAGUNA BEACH UNIFIED SCHOOL DISTRICT

DRUG AND ALCOHOL FREE SCHOOLS

BP 3513.4

Business and Noninstructional Operations

The Governing Board recognizes the need to keep district schools free of drugs and alcohol in order to create a safe and healthy environment conducive to learning and promote student health and well-being. The Board prohibits the possession, use, or sale of drugs and alcohol at any time in district-owned or leased buildings, on district property, and in district vehicles, unless otherwise permitted by law.

The following substances are prohibited on all district property:

1. Any substance which may not lawfully be possessed, used, or sold in California
2. Cannabis or cannabis products
3. Alcoholic beverages, unless approved by the Superintendent or designee for limited purposes specified in Business and Professions Code 25608

Prescription medication, except for prescribed cannabis, may be administered at school in accordance with law, district policy and regulations, and written statements by the parent/guardian and the student's authorized health care provider as applicable.

Information about the district's drug- and alcohol-free schools policy and the consequences for violations shall be communicated clearly to employees, parents/guardians, students, and the community.

Enforcement/Discipline

The Superintendent or designee shall take appropriate action to eliminate the possession, use, or sale of alcohol and other drugs and related paraphernalia in district facilities, on district property, in district vehicles, or at school-sponsored activities. As appropriate, they may direct anyone violating this policy to leave school property and/or refer the matter to law enforcement.

Students and employees who violate the terms of this policy may be subject to discipline and/or referred to assistance programs in accordance with law and Board policy.

Legal Reference:

EDUCATION CODE

- 44940 Compulsory leave of absence for certificated persons
- 44940.5 Procedures when employees are placed on compulsory leave of absence
- 45123 Employment after conviction of controlled substance offense
- 45304 Compulsory leave of absence for classified persons
- 48900 Suspension or expulsion (grounds)
- 48900.5 Suspension, limitation on imposition; exception
- 48901 Smoking or use of tobacco prohibited
- 48901.5 Prohibition of electronic signaling devices
- 48902 Notification of law enforcement authorities; civil or criminal immunity
- 48909 Narcotics or other hallucinogenic drugs
- 48915 Expulsion; particular circumstances

BUSINESS AND PROFESSIONS CODE

- 25608 Alcohol on school property; use in connection with instruction

GOVERNMENT CODE

- 8350-8357 Drug-free workplace

HEALTH AND SAFETY CODE

- 11053-11058 Standards and schedules
- 11353.6 Juvenile Drug Trafficking and Schoolyard Act
- 11362.1 Possession and use of cannabis, persons age 21 and over
- 11362.3 Limitations on possession and use of cannabis
- 11362.79 Limitations on medical use of cannabis
- 104559 Tobacco use prohibition

PENAL CODE

- 13860-13864 Suppression of drug abuse in schools

VEHICLE CODE

- 13202.5 Drug and alcohol related offenses by person under age of 21, but aged 13 or over;

UNITED STATES CODE, TITLE 20

- 7101-7122 Student Support and Academic Enrichment Grants

UNITED STATES CODE, TITLE 21

- 812 Schedules of controlled substances
- 844 Penalties for possession of controlled substance

UNITED STATES CODE, TITLE 41

- 8101-8106 Drug-Free Workplace Act

COURT DECISIONS

- Ross v. RagingWire Telecommunications, Inc., 42 Cal. 4th 920 (2008)

Date Board Policy Adopted:

10/17

LAGUNA BEACH UNIFIED SCHOOL DISTRICT

ENVIRONMENTAL SAFETY

BP 3514

Business and Noninstructional Operations

The Governing Board recognizes its obligation to provide a safe and healthy environment at school facilities for students, staff, and community members. The Superintendent or designee shall regularly assess school facilities to identify environmental health risks and shall develop strategies to prevent and/or mitigate environmental hazards. ~~He/she~~ They shall consider the proven effectiveness of various options, anticipated short-term and long-term costs and/or savings to the district, and the potential impact on staff and students, including the impact on student achievement and attendance.

Such strategies shall focus on maximizing healthy indoor air quality; monitoring the quality of outdoor air and adjusting outdoor activities as necessary; reducing exposure to vehicle emissions; minimizing exposure to lead and mercury; reducing the risk of unsafe drinking water; inspecting and properly abating asbestos; appropriately storing, using, and disposing of potentially hazardous substances; using effective least toxic pest management practices; reducing the risk of foodborne illness; and addressing any other environmental hazards identified during facilities inspections.

In developing strategies to promote healthy school environments, the Superintendent or designee may consult and collaborate with local environmental protection agencies, health agencies, water boards, and other community organizations.

The Superintendent or designee shall provide the district's maintenance and facilities staff, food services staff, teachers, and other staff as appropriate with professional development regarding their responsibilities in implementing strategies to improve and maintain environmentally safe and healthy schools.

The Superintendent or designee shall notify the Board, staff, parents/guardians, students, and/or governmental agencies, as appropriate, if an environmental hazard is discovered at a school site. The notification shall provide information about the district's actions to remedy the hazard and may recommend health screening of staff and students.

Legal Reference:

EDUCATION CODE

17002 Definition of "good repair"
17070.75 Facilities inspection
17582 Deferred maintenance fund
17590 Asbestos abatement fund
17608-17614 Healthy Schools Act of 2000, least toxic pest management practices
32080-32081 Carbon monoxide devices
32240-32245 Lead-Safe Schools Protection Act
48980.3 Notification of pesticides
49410-49410.7 Asbestos materials containment or removal

FOOD AND AGRICULTURAL CODE

11401-12408 Pest control operations and agricultural chemicals
13180-13188 Healthy Schools Act of 2000, least toxic pest management practices

GOVERNMENT CODE

3543.2 Scope of representation; right to negotiate safety conditions

HEALTH AND SAFETY CODE

105400-105430 Indoor environmental quality
113700-114437 California Retail Food Code, sanitation and safety requirements
116277 Lead testing of potable water at schools and requirements to remedy

CODE OF REGULATIONS, TITLE 5

14010 Standards for school site selection

CODE OF REGULATIONS, TITLE 8

337-339 Hazardous substances list
340-340.2 Occupational safety and health, rights of employees
1528-1537 Construction safety orders; exposure to hazards
5139-5223 Control of hazardous substances

CODE OF REGULATIONS, TITLE 13

2025 Retrofitting of diesel school buses
2480 Vehicle idling

CODE OF REGULATIONS, TITLE 17

35001-36100 Lead abatement services

CODE OF REGULATIONS, TITLE 22

64670-64679 Lead and copper in drinking water

CODE OF REGULATIONS, TITLE 24

915.1-915.7 California Building Standards Code; carbon monoxide devices

UNITED STATES CODE, TITLE 7

136-136y Use of pesticides

UNITED STATES CODE, TITLE 15

2601-2629 Control of toxic substances

2641-2656 Asbestos Hazard Emergency Response Act

UNITED STATES CODE, TITLE 42

1758 Food safety and inspections

CODE OF FEDERAL REGULATIONS, TITLE 40

141.1-141.723 Drinking water standards
745.61-745.339 Lead-based paint standards
763.80-763.99 Asbestos-containing materials in schools
763.120-763.123 Asbestos worker protections

Date Board Policy Adopted:

(7/01 7/08) 5/18

LAGUNA BEACH UNIFIED SCHOOL DISTRICT

HAZARDOUS SUBSTANCES

BP 3514.1

Business and Noninstructional Operations

The Governing Board desires to provide a safe school environment that protects students and employees from exposure to any potentially hazardous substances used in the district's educational program and in the maintenance and operation of district facilities and equipment.

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.

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 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.

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.

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.

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

Date Board Policy Adopted:

(2/97 4/13) 5/18

LAGUNA BEACH UNIFIED SCHOOL DISTRICT

EMERGENCIES AND DISASTER PREPAREDNESS PLAN

BP 3516

Business and Noninstructional Operations

The Governing Board recognizes that all district staff and students must be prepared to respond quickly and responsibly to emergencies, disasters, and threats of disaster. The district shall take all reasonable steps to prevent and/or mitigate the impact of a disaster on district students, staff, and schools.

The Superintendent or designee shall develop and maintain a disaster preparedness plan which contains routine and emergency disaster procedures, including, but not limited to, earthquake emergency procedures, and adaptations for individuals with disabilities in accordance with the Americans with Disabilities Act. Such procedures shall be incorporated into the comprehensive school safety plan. (Education Code 32282)

In developing the disaster preparedness plan, the Superintendent or designee shall involve district staff at all levels, including administrators, ~~district police or security officers~~, school resource officers, facilities managers, transportation managers, food services personnel, school psychologists, counselors, school nurses, teachers, classified employees, and public information officers. As appropriate, they shall also collaborate with law enforcement, fire safety officials, emergency medical services, health and mental health professionals, parents/guardians, and students.

The plan shall comply with state-approved Standardized Emergency Management System (SEMS) guidelines established for multiple-jurisdiction or multiple-agency operations and with the National Incident Management System.

The Superintendent or designee shall provide training to employees regarding their responsibilities, including periodic drills and exercises to test and refine staff's responsiveness in the event of an emergency.

The Board shall grant the use of school buildings, grounds, and equipment to public agencies, including the American Red Cross, for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare. The Board shall cooperate with such agencies in furnishing and maintaining whatever services the district may deem necessary to meet the community's needs. (Education Code 32282)

District employees are considered disaster service workers and are subject to disaster service activities assigned to them. (Government Code 3100)

Legal Reference:

EDUCATION CODE

32001 Fire alarms and drills

32040 Duty to equip school with first aid kit

32280-32289 School safety plans

32290 Safety devices

39834 Operating overloaded bus

46390-46392 Emergency average daily attendance in case of disaster

49505 Natural disaster; meals for homeless students; reimbursement

CIVIL CODE

1714.5 Release from liability for disaster service workers and shelters

GOVERNMENT CODE

3100-3109 Public employees as disaster service workers; oath or affirmation

8607 Standardized emergency management system

CALIFORNIA CONSTITUTION

Article 20, Section 3 Oath or affirmation

CODE OF REGULATIONS, TITLE 5

550 Fire drills

560 Civil defense and disaster preparedness plans

CODE OF REGULATIONS, TITLE 19

2400-2450 Standardized emergency management system

UNITED STATES CODE, TITLE 42

12101-12213 Americans with Disabilities Act

Date Board Policy Adopted:

(11/04 7/06) 5/18

LAGUNA BEACH UNIFIED SCHOOL DISTRICT

LACTATION ACCOMMODATION

BP 4033

Personnel

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

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

To the extent possible, such break time shall run concurrently with the break time already provided to the employee. Any additional break time used by a non-exempt employee for this purpose shall be unpaid.

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

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

Lactation accommodations may be denied only in limited circumstances in accordance with law.

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

Legal Reference:

EDUCATION CODE

-262.4 Prohibition of discrimination on the basis of sex

CIVIL CODE

Right of mothers to breastfeed in any public or private location

GOVERNMENT CODE

Discriminatory employment practices

Discrimination based on pregnancy, childbirth, or related medical conditions

LABOR CODE

-1033 Lactation accommodation

CODE OF REGULATIONS, TITLE 2

-11049 Sex discrimination; pregnancy and related medical conditions

UNITED STATES CODE, TITLE 29

Fair Labor Standards Act; lactation accommodation

FAIR EMPLOYMENT AND HOUSING COMMISSION DECISIONS

Department of Fair Employment and Housing v. Acosta Tacos (Chavez), FEHC

Precedential Decision 09-03P, 2009

Date Board Policy Adopted:

LAGUNA BEACH UNIFIED SCHOOL DISTRICT

RECRUITMENT AND SELECTION

BP 4111/4211/4311

Personnel

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

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

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

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

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

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

Incentives

With Board approval and in accordance with district needs, the district may provide incentives to recruit teachers, administrators or other employees, such as signing bonuses, assistance with beginning teacher induction and/or credential costs, mentoring, additional compensation, and/or subsidized housing.

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

~~41530-41533 Professional Development Block Grant~~

35035 Responsibilities of superintendent

44066 Limitations on certification requirement

44259 Teaching credential; exception; designated subjects; minimum requirements

~~44735 Teaching as a Priority block grant~~

~~44740-44741 Personnel management assistance teams~~

44750 Teacher recruitment resource center

44830-44831 Employment of certificated persons

44858 Age or marital status in certificated positions

44859 Prohibition against certain rules and regulations re: residency

45103-45139 Employment (classified employees)

49406 Examination for tuberculosis

GOVERNMENT CODE

815.2 Liability of public entities and public employees

6250-6276.48 Public Records Act

12900-12996 Fair Employment and Housing Act, including:

12940-129576 Discrimination prohibited; unlawful practices

****This policy covers certificated (4111)/classified (4211)/management (4311) employees**

Date adopted by the Board of Education: May 12, 2015

Revised:

LAGUNA BEACH UNIFIED SCHOOL DISTRICT

EMPLOYEE NOTIFICATIONS

BP 4112.9 4212.9, 4312.9

Personnel

The Governing Board believes that providing clear communications to staff is essential to establishing a professional, positive work environment and enhancing their job performance. The Superintendent or designee shall provide district employees all notifications required by law and any other notifications they believe will promote staff knowledge of the district's policies, programs, activities, and operations.

When required by law, Board policy, or administrative regulation, district employees shall be asked to sign an acknowledgment indicating receipt of the notification. Such acknowledgments shall be retained in each employee's personnel file.

Legal Reference:

EDUCATION CODE

- 231.5 Sexual harassment policy
- 17612 Notification of pesticide use
- 22455.5 STRS information to potential members
- 22461 Postretirement compensation limitation
- 35031 Nonreelection of superintendent, assistant superintendent, or manager of classified services
- 35171 Notice of regulations pertaining to certificated employee evaluations
- 37616 Notice of public hearing on year-round schedule
- 44031 Personnel file contents, inspection
- 44663-44664 Evaluation of certificated employees
- 44842 Reemployment notices, certificated employees
- 44896 Transfer of administrator or supervisor to teaching position
- 44916 Written statement of employment status
- 44929.21 Reelection or nonreelection of probationary employee after second year
- 44934 Notice of disciplinary action for cause
- 44938 Notice of unprofessional conduct and opportunity to correct
- 44940.5-44941 Notification of suspension and intent to dismiss
- 44948.3-44948.5 Dismissal of probationary employees
- 44949 Cause, notice and right to hearing
- 44951 Continuation in position unless notified, administrative or supervisory personnel
- 44954 Nonreelection of temporary employees
- 44955 Reduction in number of employees
- 45113 Notification of charges, classified employees
- 45117 Notice of layoff, classified employees
- 45169 Employee salary data, classified employees

45192 Industrial and accident leave
 45195 Additional leave
 46162 Notice of public hearing on block schedule
 49013 Complaints regarding student fees
 49079 Notification to teacher; student who has engaged in acts re: grounds suspension or expulsion
 49414 Epinephrine auto-injectors
 49414.3 Administration of opioid antagonist
 CIVIL CODE
 1798.29 District records, breach of security
 GOVERNMENT CODE
 1126 Incompatible activities of employees
 21029 Retirement credit for period of military service
 3100-3109 Oath or affirmation of allegiance
 8355 Certification of drug-free workplace, including notification
 12950 Sexual harassment
 54957 Complaints against employees; right to open session
 54963 Unauthorized disclosure of confidential information
 HEALTH AND SAFETY CODE
 1797.196 Automated external defibrillators; notification of use and locations
 104420 Tobacco-free schools
 120875 Information on AIDS, AIDS-related conditions, and hepatitis B
 120880 Notification to employees re AIDS, AIDS-related conditions, and hepatitis B
 LABOR CODE
 2800.2 Notification of availability of continuation health coverage
 3550-3553 Notifications re: workers' compensation benefits
 5401 Workers' compensation; claim form and notice of potential eligibility
 PENAL CODE
 11165.7 Child Abuse and Neglect Reporting Act; notification requirement
 11166.5 Employment; statement of knowledge of duty to report child abuse or neglect
 UNEMPLOYMENT INSURANCE CODE
 2613 Disability insurance; notice of rights and benefits
 CODE OF REGULATIONS, TITLE 2
 11023 Nondiscrimination in employment
 11024 Sexual harassment
 11049 Notice of right to request pregnancy disability leave or transfer
 11091 California Family Rights Act, designation notice
 11096 Notice of right to request family care leave
 CODE OF REGULATIONS, TITLE 5
 4622 Uniform complaint procedures
 80303 Reports of change in employment status, alleged misconduct
 CODE OF REGULATIONS, TITLE 8
 3204 Employees exposed to bloodborne pathogens, access to exposure and medical records
 5191 Chemical hygiene plan

5193 California bloodborne pathogens standard
5194 Hazard communication program
CODE OF REGULATIONS, TITLE 13
1234 Reports regarding school buses and bus drivers
2480 Vehicle idling, limitations
UNITED STATES CODE, TITLE 38
4334 Uniformed Services Employment and Reemployment Rights Act, notice
requirement
UNITED STATES CODE, TITLE 41
8101-8106 Drug-Free Workplace Act
CODE OF FEDERAL REGULATIONS, TITLE 29
825.300 Family and Medical Leave Act; notice requirement
CODE OF FEDERAL REGULATIONS, TITLE 34
84.205-84.210 Drug-free workplace statement
104.8 Nondiscrimination
106.9 Dissemination of policy, nondiscrimination on basis of sex
CODE OF FEDERAL REGULATIONS, TITLE 40
763.84 Asbestos inspections, response actions and post-response actions
763.93 Asbestos management plans
CODE OF FEDERAL REGULATIONS, TITLE 49
382.601 Controlled substance and alcohol use and testing notifications

Date Board Policy Adopted:

LAGUNA BEACH UNIFIED SCHOOL DISTRICT

SEXUAL HARASSMENT

BP 4119.11/4219.11/4319.11

Personnel

The Governing Board is committed to providing a safe work environment that is free of harassment and intimidation. The Board ~~prohibits sexual harassment of district employees and job applicants. The Board also prohibits retaliatory behavior or action against district employees~~ and retaliatory behavior or action against any person who ~~or other persons who complains, testifies, or otherwise participates in the complaint process established~~ for the purpose of ~~pursuant to this policy and administrative regulation.~~

Sexual harassment includes, but is not limited to, harassment that is based on the gender, gender identity, gender expression, or sexual orientation of the victim.

This policy shall apply to all district employees and, when applicable, to other persons on district property or with some employment relationship with the district, such as interns, volunteers, contractors, and job applicants.

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

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

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

Any district employee who feels that they have been sexually harassed in the performance of their district responsibilities or who has knowledge of any incident of sexual harassment by or against another employee shall immediately report the incident to their direct supervisor, another supervisor, the district's coordinator for nondiscrimination, the Superintendent, or if available, a complaint hotline or an ombudsman. A supervisor or administrator who receives a harassment complaint shall promptly notify the coordinator.

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

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

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

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

~~¶~~

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

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

GOVERNMENT CODE

12900-12996 Fair Employment and Housing Act, especially:

12940 Prohibited discrimination

12950 Sexual harassment; distribution of information

12950.1 Sexual harassment training

Date Policy Adopted by the Board: November 14, 2017

Revised:

LAGUNA BEACH UNIFIED SCHOOL DISTRICT

EMPLOYEE SECURITY

BP 4158/4258/4358

Personnel

The Governing Board desires to provide a safe and orderly work environment for all employees. As part of the district's comprehensive safety plan, the Superintendent or designee shall develop strategies for protecting employees from potentially dangerous persons and situations and for providing necessary assistance and support when emergency situations occur.

Any employee against whom violence or any threat of violence has been directed in the workplace shall notify the Superintendent or designee immediately. As appropriate, the Superintendent or designee shall initiate legal and security measures to protect the employee and others in the workplace.

The Superintendent or designee may pursue legal action on behalf of an employee against a student or his/her parent/guardian to recover damages to the employee or his/her property caused by the student's willful misconduct that occurred on district property, at a school or district activity, or in retaliation for lawful acts of the employee in the performance of their duties.

The Superintendent or designee shall ensure that employees receive training in crisis prevention and intervention techniques in order to protect themselves and students. Staff development may include training in classroom management, effective communication techniques, procedures for responding to an active shooter situation, and crisis resolution.

The Superintendent or designee also shall inform teachers, in accordance with law, of crimes and offenses committed by students who may pose a danger in the classroom.

The Superintendent or designee may make available at appropriate locations, including, but not limited to, district and school offices, gyms, and classrooms, communication devices that would enable two-way communication with law enforcement and others when emergencies occur.

Use of Pepper Spray

Employees shall not carry or possess pepper spray on school property or at school activities, except when authorized by the Superintendent or designee for self-defense purposes. When allowed, an employee may only possess pepper spray in accordance with administrative regulations and Penal Code 22810. Any employee who is negligent or careless in the possession or handling of pepper spray shall be subject to appropriate disciplinary measures.

Reporting of Injurious Objects

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

1. Confiscate the object and deliver it to the principal immediately
2. Immediately notify the principal, who shall take appropriate action
3. Immediately call 911 and the principal

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

Legal Reference:

EDUCATION CODE

32210-32212 Willful disturbance, public schools or meetings

32225-32226 Communication devices

35208 Liability insurance

35213 Reimbursement for loss, destruction or damage of school property

44014 Report of assault by pupil against school employee

44807 Duty concerning conduct of students

48201 Transfer of student records

48900-48926 Suspension or expulsion

49079 Notification to teacher; student who has engaged in acts re: grounds suspension or expulsion

49330-49335 Injurious objects

CIVIL CODE

51.7 Freedom from violence or intimidation

CODE OF CIVIL PROCEDURE

527.8 Workplace violence safety

GOVERNMENT CODE

995-996.4 Defense of public employees

3543.2 Scope of representation

PENAL CODE

71 Threatening public officers and employees and school officials

240-246.3 Assault and battery, especially:

241.3 Assault against school bus drivers

241.6 Assault on school employee including board member

243.3 Battery against school bus drivers

243.6 Battery against school employee including board member

245.5 Assault with deadly weapon against school employee including board member

290 Registration of sex offenders

601 Trespass by person making credible threat

626-626.11 School crimes

646.9 Stalking

22810 Purchase, possession, and use of tear gas

WELFARE AND INSTITUTIONS CODE

827 Juvenile court proceedings; reports; confidentiality

828.1 District police or security department, disclosure of juvenile records

COURT DECISIONS

City of San Jose v. William Garbett, (2010) 190 Cal. App. 4th 526

Dated Board Policy Adopted by the Board:

LAGUNA BEACH UNIFIED SCHOOL DISTRICT

ADMISSION

BP 5111 Students

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

~~Each student between the ages of 6 and 18 shall be subject to compulsory full-time education. However, the Superintendent or designee may grant exemptions from compulsory attendance to a student as allowed by law and in the best interest of the student. Exemptions shall not be used to remove a student from the school for disciplinary purposes. As needed, the Superintendent or designee may require a student or his/her parent/guardian to submit written documentation that the student fulfills one of the conditions specified in law and administrative regulation for which exemption is authorized.~~

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.

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.

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.

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.

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 ~~ensure that the enrollment of~~ immediately enroll a homeless student, foster youth, student who has had contact with the juvenile justice system, or a child of a military family ~~is not delayed because~~ 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 their inability to produce previous academic, medical, or other records normally required for enrollment.

~~In addition, no child shall be denied enrollment in a district school solely on the basis of his/her arrest, adjudication by a juvenile court, formal or informal supervision by a probation officer, detention in a juvenile facility, enrollment in a juvenile court school, or other contact with the juvenile justice system. (Education Code 48645.5)~~

~~Children whose parents do not reside within the district or who are not otherwise eligible for enrollment in the district may apply for interdistrict attendance in accordance with the timelines and regulations specified in Board Policy 5117.~~

~~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)~~

Residency Investigation Policy

~~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. (Education Code 48204.1)~~

~~The circumstances upon which the school district may initiate an investigation, which shall, at a minimum, require the school district employee to be able to identify specific, articulable facts supporting the belief that the parent or legal guardian of the pupil has provided false or unreliable evidence of residency, may include, but are not limited to mail returned as undeliverable or~~

~~expired forwarding order, school personnel or police visit to address of record, excessive truancy or tardiness to first period class, staff observation of student coming to school from outside of the district, repetitive information that residence is outside the district from more than one source, student living with someone other than parent without a court order or caregiver affidavit, address outside the district without an approved inter-district transfer, home telephone number with other than Laguna prefix, or use of P.O. Box number without residence verification.~~

~~The Superintendent or designee will provide written notification to the pupil's parent or legal guardian when a pupil is identified as being subject to investigation under this section. The notification shall include the process for re-verifying residency including the required documentation for verifying residency. The notification of a pupil's parent or legal guardian shall occur at least five business days before the start of the investigation, and shall describe the investigatory methods that may be used by the school district in the conduct of the investigation and whether the school district will be employing a private investigator. The notice shall include school district contact information, which a pupil's parent or legal guardian may use to request information from or provide information to the school district regarding the investigation.~~

~~The school district may utilize employees and/or outside contractors when conducting residency investigations. Before hiring a private investigator, the Superintendent or designee shall make reasonable efforts to determine whether the pupil resides in the school district. All persons/agencies conducting residency investigations shall abide by all legal requirements pursuant to CA Education Code Section 48204.2.~~

~~Employees and contractors of the school district engaged in the investigation must identify themselves truthfully as such to individuals contacted or interviewed during the course of the investigation.~~

~~The surreptitious photographing or video recording of pupils who are being investigated is prohibited. Surreptitious photographing or video recording is defined as the covert collection of photographic or videographic images of person or places subject to an investigation. The collection of images is not covert if the technology is used in open and public view.~~

~~If the Superintendent or designee, upon investigation, determines that a student's enrollment or attempted enrollment is based on false or unreliable evidence of residency, he/she shall deny or revoke the student's enrollment. Before any such denial or revocation is final, the parent/guardian shall be sent written notice of the facts leading to the decision. This notice also shall inform the parent/guardian that he/she may appeal the decision to deny or revoke the student's enrollment and/or provide new material evidence of residency, in writing, to the Superintendent or designee within 10 school days. The Superintendent or designee shall review any new evidence and make a final decision within 10 school days. If an appeal is made, the burden shall be on the appealing party to show why the decision of the school district should be overruled.~~

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 homeless and 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

49700-49703 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-Vento Homeless Assistance Act

COURT DECISIONS

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

Date Board Policy Adopted: October 27, 2015

(Replaced BP 5005)

Date Board Policy Revised:

(4/15 3/17) 5/18

LAGUNA BEACH UNIFIED SCHOOL DISTRICT

DISTRICT RESIDENCY

BP 5111.1

Students

The Governing Board 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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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 to the Superintendent of a determination that district residency requirements were not met, the Superintendent shall review any evidence provided by the parent/guardian or obtained during the district's investigation and shall make a decision within 10 school days of receipt of the parent/guardian's request for the appeal. The Superintendent's decision shall be final.

Enrollment Not Requiring District Residency

When approved by the Board and the appropriate agency, the district may enroll students from other countries who are participating in an international exchange program under the sponsorship of a government-approved agency. See BP 6144.6 for additional information about International Exchange students.

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

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

Date Board Policy Adopted:

(12/15 3/17) 5/18

LAGUNA BEACH UNIFIED SCHOOL DISTRICT

CHRONIC ABSENCE AND TRUANCY

BP 5113.1

Students

The Governing Board believes that ~~excessive~~ absenteeism, whatever the cause, ~~whether caused by excused or unexcused absences~~, may be an early warning sign of poor academic achievement and may put students at risk of dropping out of school. The Board desires to ensure that all students attend school in accordance with the state's compulsory education law and take full advantage of educational opportunities provided by the district.

The Superintendent or designee shall establish a system to accurately track student attendance in order to identify individual students who are chronic absentees and truants, as defined in law and administrative regulation, and to identify patterns of absence throughout the district. He/she shall provide the Board with data on school attendance, chronic absence, and truancy rates districtwide, for all district students, for each school, and disaggregated for each numerically significant student subgroup as defined in Education Code 52052. Such data shall be used in the ~~disaggregated and used in~~ the development of annual goals and specific actions for student attendance and engagement to be included in the district's local control and accountability plan and other applicable school and district plans.

The Superintendent or designee shall develop strategies that focus on prevention of attendance problems, which may include, but are not limited to, efforts to provide a safe and positive school environment, relevant and engaging learning experiences, school activities that help develop students' feelings of connectedness with the school, school-based health services, and incentives and rewards to recognize students who achieve excellent attendance or demonstrate significant improvement in attendance. The Superintendent or designee also shall develop strategies that enable early outreach to students as soon as they show signs of poor attendance.

The Superintendent or designee shall ~~work with~~ consult with students, parents/guardians, school staff, and community agencies, as appropriate, to identify factors contributing to chronic absence and truancy.

Interventions for students with serious attendance problems shall be designed to meet the specific needs of the student and may include, but are not limited to, health care referrals, transportation assistance, counseling for mental or emotional difficulties, academic supports, efforts to address school or community safety concerns, discussions with the student and parent/guardian about their attitudes regarding schooling, or other strategies to remove identified barriers to school attendance. **The Superintendent or designee may collaborate with child welfare services, law enforcement, courts, public health care agencies, other government agencies, and/or medical, mental health, and oral health care providers to make alternative educational programs and support services available for students and families.** ~~and to intervene as necessary when students have serious attendance problems.~~

Students who are identified as truant shall be subject to the interventions specified in law and administrative regulation.

A student's truancy, tardiness, or other absence from school shall not be the basis for their suspension or expulsion. Alternative strategies and positive reinforcement for attendance shall be used whenever possible.

The Superintendent or designee shall periodically report to the Board regarding the district's progress in improving student attendance rates for all students and for each numerically significant student population. Such information shall be used to evaluate the effectiveness of strategies implemented to reduce chronic absence and truancy and to make changes as needed. As appropriate, the Superintendent or designee shall engage school staff in program evaluation and improvement and in the determination of how to best allocate available community resources.

~~School Attendance Review Board~~

~~In accordance with law and administrative regulation, habitual truants may be referred to a school attendance review board (SARB).~~

~~The district shall implement a District Attendance Review Team (DART), which may include, but is not limited to, a parent/guardian as well as representatives of the district; county probation department; county welfare department; county office of education; law enforcement agencies; community-based youth service centers; school guidance personnel; child welfare and attendance personnel; school or county health care personnel; school, county, or community mental health personnel; the county district attorney's office; and the county public defender's office. (Education Code 48321)~~

~~The District Attendance Review Team (DART) shall operate in accordance with Education Code 48320-48325 and procedures established by the Superintendent or designee.~~

Legal Reference:

EDUCATION CODE

1740-1742 Employment of personnel to supervise attendance (county superintendent)

37223 Weekend classes

~~41601 Reports of average daily attendance~~

46000 Records (attendance)

46010-46014 Absences

46110-46119 Attendance in kindergarten and elementary schools

46140-46147 Attendance in junior high and high schools

48200-48208 Children ages 6-18 (compulsory full-time attendance)

48225.5 Work permits, entertainment and allied industries

48240-48246 Supervisors of attendance

48260-48273 Truants

48290-48297 Failure to comply; complaints against parents

48320-48325 School attendance review boards

48340-48341 Improvement of student attendance

48400-48403 Compulsory continuation education

48900 Suspension and expulsion

49067 Unexcused absences as cause of failing grade

52052 Academic Performance Index; numerically significant student subgroups

60901 Chronic absence

GOVERNMENT CODE

54950-54963 The Ralph M. Brown Act

PENAL CODE

270.1 Chronic truancy; parent/guardian misdemeanor

272 Parent/guardian duty to supervise and control minor child; criminal liability for truancy

830.1 Peace officers

VEHICLE CODE

13202.7 Driving privileges; minors; suspension or delay for habitual truancy

WELFARE AND INSTITUTIONS CODE

256-258 Juvenile hearing officer

601-601.4 Habitually truant minors

11253.5 Compulsory school attendance

CODE OF REGULATIONS, TITLE 5

306 Explanation of absence

420-421 Record of verification of absence due to illness and other causes

COURT DECISIONS

L.A. v. Superior Court of San Diego County, (2012) 209 Cal.App.4th 976

Date Policy Adopted by the Board: October 27, 2015

(Replaced BP 5007 and 5010)

Date Policy Revised and Approved:

(11/12 4/15) 10/17

LAGUNA BEACH UNIFIED SCHOOL DISTRICT

DISTRICT SCHOOL ATTENDANCE REVIEW BOARD

BP 5113.12

Students

The Governing Board recognizes that poor school attendance and behavior problems negatively impact student achievement and put students at greater risk of dropping out of school. The Superintendent or designee shall establish a comprehensive and integrated system for the early identification of attendance problems and shall implement strategies to encourage students' attendance. After other interventions have been exhausted, students with a pattern of unexcused absences may be referred to a school attendance review board (SARB), in accordance with applicable law, in order to receive intensive guidance and assistance.

The SARB shall maintain a continuing inventory of community resources, including alternative educational programs.

The Superintendent or designee shall collaborate with the SARB and appropriate community agencies, including, but not limited to, law enforcement agencies, child welfare agencies, and health services, to provide school-based and/or community-based interventions tailored to the specific needs of the student.

The Board shall appoint members to the district's SARB, who may include a parent/guardian as well as representatives of various agencies including, but not limited to, school districts; the county probation department; the county welfare department; the County Superintendent of Schools; law enforcement agencies; community-based youth service centers; school guidance personnel; child welfare and attendance personnel; school or county health care personnel; school, county, or community mental health personnel; the county district attorney's office; and the county public defender's office.

The district's SARB shall provide support to improve student attendance and behavior through proactive efforts focused on building positive school environments and improved school connectedness, early identification and immediate intervention to re-engage students with poor attendance or behavior, and intensive intervention with students and families to address severe or persistent attendance or behavior issues.

The district's SARB shall operate in accordance with Education Code 48320-48325, the Brown Act (Government Code 54950-54963), and the bylaws of the SARB.

The SARB shall collect data and annually report outcomes on SARB referrals to the Governing Board, Superintendent or designee, and County Superintendent of Schools.

Legal Reference:

EDUCATION CODE

1740 Employment of personnel to supervise attendance (county superintendent)

1980-1986 County community school

46010-46014 Absences

48200-48208 Children ages 6-18 (compulsory full-time attendance)

48240-48246 Supervisors of attendance

48260-48273 Truants

48290-48297 Failure to comply; complaints against parents

48320-48325 School attendance review boards

48340-48341 Improvement of student attendance

48400-48403 Compulsory continuation education

48660-48666 Community day school

49067 Unexcused absences as cause of failing grade

CODE OF CIVIL PROCEDURE

1985-1997 Production of evidence; means of production

GOVERNMENT CODE

54950-54963 The Ralph M. Brown Act

PENAL CODE

270.1 Chronic truancy; parent/guardian misdemeanor

272 Parent/guardian duty to supervise and control minor child; criminal liability for truancy

830.1 Peace officers

VEHICLE CODE

13202.7 Driving privileges; minors; suspension or delay for habitual truancy

WELFARE AND INSTITUTIONS CODE

256-258 Juvenile hearing officer

601-601.4 Habitually truant minors

11253.5 Compulsory school attendance

CODE OF REGULATIONS, TITLE 5

306 Explanation of absence

420-421 Record of verification of absence due to illness and other causes

COURT DECISIONS

L.A. v. Superior Court of San Diego County, (2012) 209 Cal.App.4th 976

Dated Board Policy Adopted:

(10/17) 8/18

LAGUNA BEACH UNIFIED SCHOOL DISTRICT

INTERDISTRICT ATTENDANCE

BP 5117 Students

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

~~The Board may enter into an agreement with any other school district for the interdistrict attendance of students who are residents of the districts~~

Interdistrict Attendance Permits

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

The Board may enter into an agreement with any other school district, for a term not to exceed one school year, for the interdistrict attendance of students who are residents of the districts. The Superintendent or designee shall ensure that the interdistrict attendance agreements specify the terms and conditions agreed by both districts for granting, denial, or revocation of the agreement as well as the standards for reapplication.

The agreement shall specify the terms and conditions under which interdistrict attendance shall be permitted or denied. It also may contain standards agreed to by both districts for reapplication and/or revocation of the student's permit. ~~subject to the terms and conditions of the interdistrict attendance agreement as delineated in Administrative Regulation 5117.~~

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

Transportation

~~The district shall not provide transportation for students who are granted an interdistrict transfer.~~ The district shall not provide transportation beyond any school attendance area. Upon request of a student's parent/guardian, the Superintendent or designee may authorize transportation for an interdistrict transfer student to and from designated bus stops within the attendance area of the school that the student attends if space is available.

Legal Reference:

EDUCATION CODE

41020 Annual district audits

46600-46611 Interdistrict attendance agreements

48204 Residency requirements for school attendance

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

48350-48361 Open Enrollment Act

48900 Grounds for suspension or expulsion; definition of bullying

48915 Expulsion; particular circumstances

48915.1 Expelled individuals: enrollment in another district

48918 Rules governing expulsion procedures

48980 Notice at beginning of term

52317 Regional occupational center/program, enrollment of students, interdistrict attendance

CALIFORNIA CONSTITUTION

Article 1, Section 31 Nondiscrimination on the basis of race, sex, color, ethnicity, or national origin

ATTORNEY GENERAL OPINIONS

87 Ops.Cal.Atty.Gen. 132 (2004)

84 Ops.Cal.Atty.Gen. 198 (2001)

COURT DECISIONS

Walnut Valley Unified School District v. the Superior Court of Los Angeles County, (2011) 192

Cal.App.4th 234

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

Date Board Policy Adopted: April 21, 2015

Date Board Policy Revised:

(7/12 12/15) 10/17

LAGUNA BEACH UNIFIED SCHOOL DISTRICT

STUDENT RECORDS

BP 5125

Students

The Governing Board recognizes the importance of keeping accurate, comprehensive student records as required by 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 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 employee shall be designated 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.

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

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.

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.

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.

Student Records from Social Media

The Superintendent or designee may gather and maintain information from the social media of any district student, provided that the district first notifies students and parents/guardians about the proposed program, offers an opportunity for public comment at a regularly scheduled Board meeting, and gathers only information that directly pertains to school safety or student safety.

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.

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
CODE OF FEDERAL REGULATIONS, TITLE 34
99.1-99.67 Family Educational Rights and Privacy
300.501 Opportunity to examine records for parents of student with disability

**Dated Board Policy Adopted by the Board: August 25, 2015
(Replaced BP 5012)**

Date Board Policy Revised:

(3/09 12/14) 5/18

LAGUNA BEACH UNIFIED SCHOOL DISTRICT

BULLYING

BP 5131.2

Students

The Governing Board recognizes the harmful effects of bullying on student learning and school attendance and desires to provide a safe school environment that protects students from physical and emotional harm. District employees shall establish student safety as a high priority and shall not tolerate bullying of any student.

No individual or group shall, through physical, written, verbal, or other means, harass, sexually harass, threaten, intimidate, retaliate, cyberbully, cause bodily injury to, or commit hate violence against any student or school personnel.

~~“Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act (cyberbullying), and including one or more acts committed by a pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:~~

- ~~A. Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupils' person or property.~~
- ~~B. Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.~~
- ~~C. Causing a reasonable pupil to experience substantial interference with his or her academic performance.~~
- ~~D. Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.~~

~~“Electronic act” means the transmission, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:~~

- ~~A. A message, text, sound, or image.~~
- ~~B. A post on a social network Internet Web site including, but not limited to:~~
 - ~~i. Posting to or creating a burn page. “Burn page” means an Internet Web site created for the purpose of having one or more of the effects listed above.~~
 - ~~ii. Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed above. “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.~~
 - ~~iii. Creating a false profile for the purpose of having one or more of the effects listed above. “False profile” means a profile of a fictitious pupil or a profile using the likeness~~

~~or attributes of an actual pupil other than the pupil who created the false profile.~~

~~An electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.~~

~~“Reasonable pupil” means a pupil, including, but not limited to, an exceptional needs pupil, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.~~

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

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.

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

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.

Bullying Prevention

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

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

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

The Superintendent or designee shall provide training to teachers and other school staff to raise

their awareness about the legal obligation of the district and its employees to prevent discrimination, harassment, intimidation, and bullying of district students. Such training shall be designed to provide staff with the skills to:

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

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

Intervention

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

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

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.

Reporting and Filing of Complaints

Any student, parent/guardian, or other individual who believes that a student has been subjected to bullying or who has witnessed bullying may report the incident to a teacher, the principal, a compliance officer, or any other available school employee. Within one business day of receiving such a report, a staff member shall notify the principal of the report, whether or not a uniform

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

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

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

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.

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

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

Date Board Policy Adopted by the Board: August 27, 2013

(Replaced BP 5044)

Date Policy Revised and Approved: January 26, 2016

Date Policy Revised and Approved:

(10/14 7/15) 5/18

LAGUNA BEACH UNIFIED SCHOOL DISTRICT

ALCOHOL AND OTHER DRUGS

BP 5131.6

Students

The Governing Board believes that the use of alcohol or other drugs adversely affects a student's ability to achieve academic success, is physically and emotionally harmful, and has serious social and legal consequences. The Board desires to keep district schools free of alcohol and other drugs in order to help prevent violence, promote school safety and create a well-disciplined environment conducive to learning.

The Superintendent or designee shall develop, implement and evaluate a comprehensive prevention and intervention program that is coordinated with other school and community-based services and programs. The district's program shall be scientifically based and designed to prevent or reduce alcohol or other drug use and the possession and distribution of illegal drugs. It shall include primary prevention activities such as decision-making skills and conflict management, instruction, referral to a rehabilitation program, enforcement/discipline, activities that promote the involvement of parents/guardians and coordination with appropriate community agencies and organizations.

The Board and Superintendent shall agree upon performance measures that will be used to monitor and determine the effectiveness of the district's program in reducing drug and alcohol use. The Superintendent or designee shall develop and implement an evaluation process that includes ongoing assessment and analysis of objective data regarding the incidence of drug and alcohol use among district students, including discipline problems, and the prevalence of risk factors.

The Superintendent or designee shall consult with principals, teachers, other school personnel, students and parents/guardians when developing the district's program.

The Superintendent or designee shall clearly communicate to all students, staff and parents/guardians the district's policies, regulations and school rules related to the use of alcohol and other drugs on school campuses or at school activities. Information about program needs and goals shall be widely distributed in the community.

Staff should encourage students to participate as responsible partners in efforts to maintain a safe, constructive school climate.

The Board encourages the establishment of district-level advisory groups to assist in promoting alcohol- and drug-free schools.

The district's drug education program shall augment county drug education services, if any. District staff shall take every opportunity to cooperate with county and county office of education staff in planning and implementing collaborative alcohol and drug prevention programs.

Instruction

The district shall provide science-based preventative instruction which has been proven effective in helping students avoid the use of alcohol and other drugs.

All instruction and related materials shall consistently state that unlawful use of alcohol or other drugs is wrong and harmful. Instruction shall not include the concept of responsible use of drugs or alcohol when such use is illegal.

The district shall offer staff development activities for staff who implement the comprehensive drug and alcohol prevention and intervention program.

Intervention, Referral and Student Assistance Programs

School staff, students and parents/guardians shall be informed about early warning signs which may indicate alcohol and other drug use and about appropriate agencies offering intervention programs, counseling, referral and other student assistance programs.

The Board strongly encourages any student who is using alcohol or drugs to discuss the matter with his/her parent/guardian or with any staff member. Students who disclose their use of alcohol or other drugs when seeking help from an intervention or recovery program shall not be disciplined for such use.

Enforcement/Discipline

The Superintendent or designee shall take appropriate action to eliminate possession, use or sale of alcohol and other drugs and related paraphernalia on school grounds or at school-sponsored activities.

Students possessing, using or selling alcohol or other drugs or related paraphernalia shall be subject to disciplinary procedures including suspension or expulsion and/or referral to law enforcement in accordance with law, Board policy and administrative regulation. In addition, such students may be referred to an appropriate counseling program, transferred to an alternative placement, and/or be restricted from extracurricular activities, including athletics.

Legal Reference:

EDUCATION CODE

44049 Known or suspected alcohol or drug abuse by student
44645 In-service training anabolic steroids
48900 Suspension or expulsion (grounds)
48900.5 Suspension, limitation on imposition; exception
48901 Smoking or use of tobacco prohibited
48901.5 Prohibition of electronic signaling devices
48902 Notification of law enforcement authorities; civil or criminal immunity
48909 Narcotics or other hallucinogenic drugs
48915 Expulsion; particular circumstances
49602 Confidentiality of pupil information
51202 Instruction in personal and public health and safety
51203 Instruction on alcohol, narcotics and restricted dangerous drugs
51210 Areas of study
~~51220 Areas of study, grades 7 to 12~~

51260-51269 Drug education

60041 Instructional materials

60110-60115 Instructional materials on alcohol and drug education

BUSINESS AND PROFESSIONS CODE

25608 Alcohol on school property; use in connection with instruction

HEALTH AND SAFETY CODE

11032 Narcotics, restricted dangerous drugs and marijuana

11053-11058 Standards and schedules

11353.6 Juvenile Drug Trafficking and Schoolyard Act

11357 Unauthorized possession of marijuana; possession in school or on school grounds

11361.5 Destruction of arrest or conviction records

11372.7 Drug program fund; uses

11802 Joint school-community alcohol abuse primary education and prevention program

11999-11999.3 Alcohol and drug program funding; no unlawful use

124175-124200 Adolescent family life program

PENAL CODE

13860-13864 Suppression of drug abuse in schools

VEHICLE CODE

13202.5 Drug and alcohol related offenses by person under age of 21, but aged 13 or over;

WELFARE AND INSTITUTIONS CODE

828 Disclosure of information re minors

828.1 Disclosure of criminal records; protection of vulnerable staff & students

UNITED STATES CODE, TITLE 20

5812 National education goals

7101-7122 Student Support and Academic Enrichment Grants

Date Board Policy Adopted:

(Replaced BP 5037)

Delete

LAGUNA BEACH UNIFIED SCHOOL DISTRICT

Board Policy No. 5037: PROHIBITIONS AGAINST ALCOHOL AND DRUGS

A. GENERAL.

District policies regarding prohibitions against alcohol and drug abuse are intended to convey a no-use philosophy; address the risk factors to students of such abuse identified through research and promote a student-school-community partnership and nonpunitive alternative for self-referral, staff training, parent education, the proper involvement of law enforcement personnel, student assistance programs, and a healthy exchange of information between students, parents, school personnel and other supporting agencies while protecting confidentiality at all times.

The District Governing Board believes that prevention and early intervention efforts are critical factors in the District's efforts to help students to avoid disruptive effects of suspension and expulsion for drug and alcohol related offenses and drug/alcohol abuse. The District also recognizes its obligations to students with alcohol or drug related disabilities. The District is committed to making reasonable efforts at early intervention in cases in which a student has violated this policy or the same provisions contained in Board Policy 5014 (Student Discipline: Suspension and Expulsion). However, in cases in which expulsion is required by law for certain drug/alcohol offenses, or in cases in which there has been a second drug/alcohol offense, early intervention efforts are not feasible.

B. POLICY PROHIBITIONS AND DISCIPLINARY ACTION.

1. While it is the District's policy not to discriminate against a student who has an alcohol or drug related disability, and who seeks to participate in treatment, or who actually participates in such treatment, the District strictly prohibits and will take disciplinary action against any student for the following offenses:
 - a. Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, any controlled substance (listed in Health And Safety Code sections 11053 et seq.), an alcoholic beverage, or an intoxicant of any kind.
 - b. Unlawfully offered, arranged, or negotiated to sell any controlled substance (listed in Health And Safety Code section 11053 et seq.), an alcoholic beverage, or an intoxicant of any kind, and then either sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.
 - c. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.
 - d. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug SOMA.
2. Students who violate the prohibitions in this policy may be referred to law enforcement based upon the fact that some infractions violate local or state law. Any action taken by law enforcement will be in addition to the actions taken by the District.
3. A student may be suspended or expelled for any act identified in sub paragraph B.1 (a) – (d) of this policy document related to school activity or attendance which occurs at any time, including, but not limited to, any of the following:

- a. While on school grounds.
 - b. While going to or coming from school.
 - c. During the lunch period whether on or off the campus.
 - d. During, or while going or coming from, a school sponsored activity.
4. In accordance with Education Code section 48915(c), the Principal, Superintendent or their designees shall immediately suspend and shall recommend expulsion of any student who unlawfully sold any controlled substance (listed in Health And Safety Code section 11053 *et seq.*) at school or at a school activity off school grounds as defined in sub paragraph B.1 (a)- (d).
5. In accordance with Education Code section 48915(a), the Principal or the Superintendent shall recommend the expulsion of any student who unlawfully possesses any controlled substance (listed in Health And Safety Code section 11053 *et seq.*) at school or at a school activity off school grounds as defined in sub paragraph B.3. (a)-(d) immediately above, unless the Principal or Superintendent finds that expulsion is inappropriate due to the particular circumstance. The Principal or Superintendent shall recommend expulsion in such cases if: (1) other means of correction are not feasible or have repeatedly failed to bring about proper conduct; and/or (2) due to the nature of the act, the presence of the student causes a continuing danger to the physical safety of the student or others.

C. FIRST OFFENSE FOR VIOLATION OF THIS POLICY BY STUDENTS ENROLLED IN GRADES SIX THROUGH TWELVE WHEN EXPULSION IS NOT RECOMMENDED AND IS NOT REQUIRED BY LAW.

1. For a first offense in violation of subparagraph B.1 (a) – (d), a student may be suspended for a period of five (5) school days either out-of-school or in-house as determined by the site administrator or designee. Additionally, student suspended for a first offense violation shall be assigned 20 hours of community service over and above hours required for graduation.
2. The student and his/her parents or guardians will be invited to a meeting with the site Principal or designee to discuss this policy and Board Policy 5014, and the consequences of the student's actions. The student and his/ her parents/guardians will be referred to community services and encouraged to seek counseling services that address student and family needs. The Principal or designee also shall explain the function of the Readmission Committee and its procedures as set forth in sub paragraph D of this policy document.

Prior to suspension, a conference between the student and whenever practicable, the school employee who referred the student, shall be conducted by the Principal or principal's designee unless there is a clear and present danger to the lives, safety or health of students or school personnel.

3. During the period of suspension, all teachers will be expected to provide makeup coursework upon the student's return to school. As practicable, independent study and/or reading assignments may be provided during the period of suspension.
4. During the period of suspension from school, the student shall not participate in any extra curricular or co-curricular activity. Further, students shall be ineligible to participate in extra curricular or co-curricular activities for 20 school days upon returning to school from school suspension for violation of this policy.
5. Students participating in extra curricular activities where academic credit is given shall be provided an alternative graded activity to earn such credit if suspended from the activity for a violation of this policy under number 4 above.

D. READMISSION COMMITTEE

In order to increase the potential that early intervention efforts will be successful, the Superintendent shall establish a Readmission Committee (Committee). The Committee shall be composed of District certificated administrators who will meet with the parent/guardian and student to discuss a transition plan back into the school program as well as conditions placed upon the student for readmission privileges. For students suspended for a first offense which does not carry with it an expulsion recommendation, under this policy, the Committee has the authority to reduce a suspension of four (4) or five (5) days to three (3) days based on the all of the circumstances if the student and parent/guardian are willing to enter into a written agreement. In such agreement, the student shall acknowledge the commission of the misconduct and the seriousness of the misconduct, promise not to engage in prohibited drug/alcohol misconduct or any other misconduct in the future, to participate in specified activities designed to help prevent a second offense, and other reasonable terms and conditions recommended by the Committee. In no case does the Committee have the authority to extend the suspension beyond five (5) days, or to recommend expulsion or hear appeals. Meeting with the Committee is voluntary, and a parent/guardian may choose not to meet with the Committee.

E. SECOND OFFENSE FOR VIOLATION OF THIS POLICY BY STUDENTS ENROLLED IN GRADES SIX THROUGH TWELVE WHEN EXPULSION IS RECOMMENDED OR REQUIRED BY LAW.

Where expulsion is recommended or required by law, a student shall be suspended from school for up to five (5) days in accordance with law. (See also Board Policy 5014 – Student Discipline: Suspension and Expulsion.)

F. ADDITIONAL CONSEQUENCES FOR A VIOLATION DURING ANY FIELD TRIP OR PARTICIPATION IN ANY EXTRA OR CO-CURRICULAR ACTIVITY.

While participating in any field trip or extra or co-curricular activity, a student who violates any prohibition in this policy will be sent home as soon as possible at the expense of the parents or legal guardians.

G. NOTIFICATION OF POLICY.

Students, parents and legal guardians at least annually shall be notified of this policy. The Superintendent shall establish additional means to assure that students and parents/guardians also are notified of the long term serious adverse effects on a student's future of violating this policy.

Legal Reference:

Education Code sections 48900, 48915

in Board Policy 5014 (Student Discipline: Suspension and Expulsion)

Date Policy Adopted by the Board: September 28, 1999

Dates Policy Revised by the Board: October 23, 2001; June 9, 2009

LAGUNA BEACH UNIFIED SCHOOL DISTRICT

HEALTH CARE AND EMERGENCIES

BP 5141

Students

The Governing Board recognizes the importance of taking appropriate action whenever an emergency threatens the safety, health, or welfare of a student at school or during school-sponsored activities.

The Superintendent or designee shall develop procedures to ensure that first aid and/or medical attention is provided as quickly as possible when accidents and injuries to students occur and that parents/guardians are notified as appropriate.

The Superintendent or designee shall ask parents/guardians to provide emergency contact information in order to facilitate communication in the event of an accident or illness.

District staff shall appropriately report and document student accidents.

"Do Not Resuscitate" Orders

The Board believes that staff members should not be placed in the position of determining whether or not to follow any parental or medical "do not resuscitate" orders. Staff shall not accept or follow any such orders except under the specific written direction of the Superintendent or designee. The Superintendent or designee may only direct a staff member to follow a "do not resuscitate" order if he/she has received a written parent/guardian authorization, with an authorized health care provider statement, and an order of an appropriate court.

The Superintendent or designee shall ensure that parents/guardians who have submitted a "do not resuscitate" order are informed of this policy.

Automated External Defibrillators

The Board authorizes the Superintendent or designee to place automated external defibrillators (AEDs) at designated school sites for use by school employees in an emergency.

The Superintendent or designee shall develop guidelines for employees regarding these devices and shall ensure that employees receive information that describes sudden cardiac arrest, the school's emergency response plan, and the proper use of an AED. The guidelines shall also specify the placement, security, and maintenance of the AED.

The authorization of AEDs in district schools shall not be deemed to create a guarantee that an AED will be present or will be used in the case of an emergency, or that a trained employee will be present and/or able to use an AED in an emergency, or that the AED will operate properly.

Legal Reference:

EDUCATION CODE

32040-32044 First aid equipment

49300-49307 School safety patrols

49407 Liability for treatment

49408 Emergency information

49409 Athletic events; physicians and surgeons; emergency medical care; immunity

49417 Automated external defibrillators

49470 Medical and hospital services for athletic program

49471 Medical and hospital services not provided or available

49472 Medical and hospital services for pupils

49474 Ambulance services

51202 Instruction in personal and public health and safety

CIVIL CODE

1714.21 Defibrillators; CPR; immunity from civil liability

FAMILY CODE

6550-6552 Caregivers

HEALTH AND SAFETY CODE

1797.196 Automated external defibrillators, immunity from civil liability

1797.200 Emergency medical services agency

1799.102 Personal liability immunity

CODE OF REGULATIONS, TITLE 8

5193 California Bloodborne Pathogens Standard

CODE OF REGULATIONS, TITLE 22

100031-100042 Automated external defibrillators

Date Board Policy Adopted by the Board:

(3/05 11/05) 12/15

LAGUNA BEACH UNIFIED SCHOOL DISTRICT

SUSPENSION AND EXPULSION/DUE PROCESS

BP 5144.1

Students

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

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

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

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

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

Appropriate Use of Suspension Authority

Except when a student's act violates Education Code 48900(a)-(e), as listed in items #1-5 under "Grounds for Suspension and Expulsion: Grades K-12" of the accompanying administrative regulation, or when his/her presence causes a danger to others, suspension shall be used only when other means of correction have failed to bring about proper conduct.

A student's parents/guardians shall be notified as soon as possible when there is an escalating pattern of misbehavior that could lead to on-campus or off-campus suspension.

No student ~~in grades K-3~~ may be suspended for disruption or willful defiance, except by a teacher pursuant to Education Code 48910.

~~A student in grades 4-12 shall only be suspended for disruption or willful defiance when other means of correction have failed to bring about proper conduct. (Education Code 48900)~~

~~Students shall not be suspended or expelled for truancy, tardiness, or absenteeism from assigned school activities.~~

On-Campus Suspension

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

Except where a supervised suspension is permitted by law for a student's first offense, supervised suspension shall be imposed only when other means of correction have failed to bring about proper conduct.

Authority to Expel

A student may be expelled only by the Board.

As required by law, the Superintendent or principal shall recommend expulsion and the Board shall expel any student found to have committed any of the following "mandatory recommendation and mandatory expulsion" acts at school or at a school activity off school grounds:

1. Possessing a firearm which is not an imitation firearm, as verified by a certificated employee, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence
2. Selling or otherwise furnishing a firearm
3. Brandishing a knife at another person
4. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
5. Committing or attempting to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committing a sexual battery as defined in Penal Code 243.4
6. Possessing an explosive as defined in 18 USC 921

For all other violations listed in the accompanying administrative regulation under "Grounds for Suspension and Expulsion: Grades K-12" and "Additional Grounds for Suspension and Expulsion: Grades 4-12," the Superintendent or principal shall have the discretion to recommend

expulsion of a student. If expulsion is recommended, the Board shall order the student expelled only if it makes a finding of either or both of the following:

1. That other means of correction are not feasible or have repeatedly failed to bring about proper conduct
2. That due to the nature of the violation, the presence of the student causes a continuing danger to the physical safety of the student or others

A vote to expel a student shall be taken in an open session ~~public session~~ of a Board meeting.

The Board may vote to suspend the enforcement of the expulsion order pursuant to the requirements of law and the accompanying administrative regulation.

No student shall be expelled for disruption or willful defiance.

Due Process

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

Maintenance and Monitoring of Outcome Data

The Superintendent or designee shall annually present to the Board a report of the outcome data which the district is required to collect pursuant to Education Code 48900.8 and 48916.1, including the number of students recommended for expulsion, the grounds for each recommended expulsion, the actions taken by the Board, the types of referral made after each expulsion, and the disposition of the students after the expulsion period.

~~The report shall be disaggregated by school and by numerically significant subgroups~~ In presenting the report to the Board, the Superintendent or designee shall disaggregate data on suspensions and expulsions by school and by **numerically significant student subgroups, including, but not limited to, ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students.** Based on the data, the Board shall address any identified disparities in the imposition of student discipline and shall determine whether and how the district is meeting its goals for improving school climate as specified in its local control and accountability plan. ~~The report also shall include information about whether and how the district is meeting its goals for improving school climate as specified in its local control and accountability plan.~~

Required Parental Attendance

~~The Governing Board is committed to providing a safe school environment and setting~~

expectations for appropriate student conduct. The Superintendent or designee may involve parents/guardians in student discipline as necessary to improve a student's behavior and encourage personal responsibility.

~~When removing a student from class pursuant to Education Code 48910 for committing an act of obscenity, habitual profanity or vulgarity, disruption of school activities, or willful defiance, the teacher of the class may require any parent/guardian who lives with the student to accompany the student for a portion of a school day in the class from which the student has been removed. (Education Code 48900.1)~~

~~Any teacher requiring parental attendance pursuant to this policy shall apply the policy uniformly to all students within the classroom. (Education Code 48900.1)~~

~~District and school-site rules for student discipline shall include procedures for implementing parental attendance requirements. (Education Code 48900.1)~~

Legal Reference:

EDUCATION CODE

212.5 Sexual harassment

233 Hate violence

1981-1981.5 Enrollment of students in community school

17292.5 Program for expelled students

32261 Interagency School Safety Demonstration Act of 1985

35145 Open board meetings

35146 Closed sessions (regarding suspensions)

35291 Rules (for government and discipline of schools)

35291.5 Rules and procedures on school discipline

48645.5 Readmission; contact with juvenile justice system

48660-48666 Community day schools

48853.5 Foster youth

48900-48927 Suspension and expulsion

48950 Speech and other communication

48980 Parental notifications

49073-49079 Privacy of student records

52052 Numerically significant student subgroups

52060-52077 Local control and accountability plan

CIVIL CODE

47 Privileged communication

48.8 Defamation liability

CODE OF CIVIL PROCEDURE

1985-1997 Subpoenas; means of production

GOVERNMENT CODE

11455.20 Contempt

54950-54963 Ralph M. Brown Act
 HEALTH AND SAFETY CODE
 11014.5 Drug paraphernalia
 11053-11058 Standards and schedules
 LABOR CODE
 230.7 Discharge or discrimination against employee for taking time off to appear in school on behalf of a child
 PENAL CODE
 31 Principal of a crime, defined
 240 Assault defined
 241.2 Assault fines
 242 Battery defined
 243.2 Battery on school property
 243.4 Sexual battery
 245 Assault with deadly weapon
 245.6 Hazing
 261 Rape defined
 266c Unlawful sexual intercourse
 286 Sodomy defined
 288 Lewd or lascivious acts with child under age 14
 288a Oral copulation
 289 Penetration of genital or anal openings
 417.27 Laser pointers
 422.55 Hate crime defined
 422.6 Interference with exercise of civil rights
 422.7 Aggravating factors for punishment
 422.75 Enhanced penalties for hate crimes
 626.2 Entry upon campus after written notice of suspension or dismissal without permission
 626.9 Gun-Free School Zone Act of 1995
 626.10 Dirks, daggers, knives, razors, or stun guns
 868.5 Supporting person; attendance during testimony of witness
 WELFARE AND INSTITUTIONS CODE
 729.6 Counseling
 UNITED STATES CODE, TITLE 18
 921 Definitions, firearm
 UNITED STATES CODE, TITLE 20
 1415(K) Placement in alternative educational setting
 7961 Gun-free schools
 UNITED STATES CODE, TITLE 42
 11432-11435 Education of homeless children and youths
 COURT DECISIONS
 T.H. v. San Diego Unified School District (2004) 122 Cal. App. 4th 1267
 Woodbury v. Dempsey (2003) 108 Cal. App. 4th 421
 Board of Education of Sacramento City Unified School District v. Sacramento County Board of Education and Kenneth H. (2001) 85 Cal.App.4th 1321

Fremont Union High School District v. Santa Clara County Board (1991) 235 Cal. App. 3d 118

Garcia v. Los Angeles Board of Education (1991) 123 Cal. App. 3d 807

John A. v. San Bernardino School District (1982) 33 Cal. 3d 301

ATTORNEY GENERAL OPINIONS

84 Ops.Cal.Atty.Gen. 146 (2001)

80 Ops.Cal.Atty.Gen. 348 (1997)

80 Ops.Cal.Atty.Gen. 91 (1997)

80 Ops.Cal.Atty.Gen. 85 (1997)

Date Policy Adopted by the Board: October 27, 2015

(Replaced BP 5014)

Date Policy Revised and Approved:

(4/14 12/14) 12/17

LAGUNA BEACH UNIFIED SCHOOL DISTRICT

RESPONSE TO IMMIGRATION ENFORCEMENT

BP 5145.13

Students

The Governing Board 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.

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.

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.

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.

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.

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.

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)

Date Board Policy Adopted by the Board:

5/18

LAGUNA BEACH UNIFIED SCHOOL DISTRICT

NONDISCRIMINATION/HARASSMENT

BP 5145.3

Students

The Governing Board 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 or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or association with a person or group with one or more of these actual or perceived characteristics.

This policy shall apply to all acts related to school activity or to school attendance occurring within a district school, 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.

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 student-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.

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

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.

~~Grievance Procedures~~

~~The following position is the designated Coordinator for Nondiscrimination to handle complaints regarding discrimination, harassment, intimidation, or bullying, and to answer inquiries regarding the district's nondiscrimination policies:~~

~~Assistant Superintendent, Human Resources and Public Communications
550 Blumont Street, Laguna Beach, CA 92651
949-497-7700 ext. 5219~~

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

~~Any school employee who observes an incident of discrimination, harassment, intimidation, or bullying or to whom such an incident is reported shall report the incident to the Coordinator or~~

~~principal, whether or not the victim files a complaint.~~

~~In addition, the employee shall immediately intervene when safe to do so.~~

~~Upon receiving a complaint of discrimination, harassment, intimidation, or bullying, the Coordinator shall immediately investigate the complaint in accordance with the district's uniform complaint procedures specified in AR 1312.3--Uniform Complaint Procedures.~~

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

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

Legal Reference:

EDUCATION CODE

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

CIVIL CODE

1714.1 Liability of parents/guardians for willful misconduct of minor

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

4600-4670 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

Date Board Policy Adopted by the Board: March 28, 2017
 Date Board Policy Revised:

(10/14 9/16) 5/18

LAGUNA BEACH UNIFIED SCHOOL DISTRICT

COMPREHENSIVE HEALTH INSTRUCTION

BP 6142.1

Instruction

The Governing Board desires to provide a well-planned, integrated sequence of medically accurate and inclusive instruction on comprehensive sexual health and human immunodeficiency virus (HIV) prevention. The district's educational program shall provide students with the knowledge and skills necessary to protect them from sexually transmitted infections and unintended pregnancy and to have healthy, positive, and safe relationships and behaviors. The district's educational program shall also promote understanding of sexuality as a normal part of human development and the development of healthy attitudes and behaviors concerning adolescent growth and development, body image, gender, sexual orientation, relationships, marriage, and family.

Comprehensive sexual health education and HIV prevention education shall be offered to all students in grades 7-12, including at least once in junior high or middle school and at least once in high school.

The Health Education Content Standards for California Public Schools have eight overarching standards in the following areas:

1. Essential Health Concepts: All students will comprehend essential concepts related to enhancing health.
2. Analyzing Health Influences: All students will demonstrate the ability to analyze internal and external influences that affect health.
3. Accessing Valid Health Information: All students will demonstrate the ability to access and analyze health information, products, and services.
4. Interpersonal Communication: All students will demonstrate the ability to use interpersonal communication skills to enhance health.
5. Decision Making: All students will demonstrate the ability to use decision-making skills to enhance health.
6. Goal Setting: All students will demonstrate the ability to use goal-setting skills to enhance health.
7. Practicing Health-Enhancing Behaviors: All students will demonstrate the ability to practice behaviors that reduce risk and promote health.
8. Health Promotion: All students will demonstrate the ability to promote and support personal, family, and community health.

The district's curriculum shall support the purposes of the California Healthy Youth Act as specified in Education Code 51930-51939, be unbiased and inclusive of all students in the classroom, and be aligned with the state's content standards. The district shall respect the rights of parents/guardians to supervise their children's education on these subjects and to impart values regarding human sexuality to their children.

~~The Superintendent or designee may appoint a coordinator and/or an advisory committee regarding the district's comprehensive sexual health and HIV prevention curriculum. The advisory committee shall represent a divergence of viewpoints and may participate in planning, implementing, and evaluating the district's program.~~

Parent/Guardian Consent

Annually, parents/guardians shall be notified, in the manner specified in the accompanying administrative regulation, that they may request in writing that their child be excused from participating in comprehensive sexual health and HIV prevention education. Students so excused by their parents/guardians shall be given an alternative educational activity.

A student shall not be subject to disciplinary action, academic penalty, or other sanction if the student's parent/guardian declines to permit the student to receive the instruction.

Legal Reference:

EDUCATION CODE

220 Prohibition of discrimination

33544 Inclusion of sexual harassment and violence in health curriculum framework

48980 Notice at beginning of term

51202 Instruction in personal and public health and safety

51210.8 Health education curriculum

51225.35 Instruction in sexual harassment and violence; districts that require health education for graduation

51240 Excuse from instruction due to religious beliefs

51513 Materials containing questions about beliefs or practices

51930-51939 California Healthy Youth Act

67386 Student safety; affirmative consent standard

HEALTH AND SAFETY CODE

1255.7 Parents surrendering physical custody of a baby

PENAL CODE

243.4 Sexual battery

261.5 Unlawful sexual intercourse

271.5 Parents voluntarily surrendering custody of a baby

UNITED STATES CODE, TITLE 20

1232h Protection of student rights

7906 Sex education

Date Board Policy Adopted:

LAGUNA BEACH UNIFIED SCHOOL DISTRICT

SCHOOL-SPONSORED TRIPS

BP 6153

Instruction

The Governing Board recognizes that field trips supplement and enrich the classroom learning experience, lead to increased student achievement, and foster student engagement. The Board encourages field trips to reinforce and increase learning opportunities and to enhance district programs.

Field trips shall be conducted in connection with the district's course of study or school-related social, educational, cultural, athletic, school band, or other extracurricular or cocurricular activities. A field trip to a foreign country may be permitted to familiarize students with the language, history, geography, natural science, and other studies relative to the district's course of study.

Requests for field trips involving out-of-state, out-of-country, or overnight travel shall be submitted to the Superintendent or designee. The Superintendent or designee shall review the request and make a recommendation to the Board as to whether the request should be approved by the Board. All other field trips shall be approved in advance by the principal.

The principal shall establish a process for approving a staff member's request to conduct a field trip. When planning trips, staff shall consider student safety, objectives of instruction, the most effective use of instructional time, the distance from school, district and student expense, and transportation and supervision requirements. Principals may exclude from the trip any student whose presence on the trip would pose a safety or disciplinary risk.

No field trip shall be authorized if any student would be excluded from participation because of a lack of sufficient funds. The Superintendent or designee shall coordinate with community groups to supply funds for students in need.

~~The Board may approve the use of district funds for student expenses for in-state, out-of-state, or out-of-country field trips or excursions when permitted by law. In addition, expenses of instructors, chaperones, and other personnel participating in such trips, as well as incidental expenses for the use of district equipment during the trip, may be paid from district funds.~~

No expenses of pupils participating in a field trip or excursion to any other state, the District of Columbia or a foreign country authorized by this policy shall be paid with District funds except incidental expenses for the use of District equipment or transportation.

Legal Reference:

EDUCATION CODE

8760 Authorization of outdoor science and conservation programs

32040-32044 First aid equipment: field trips

35330 Excursions and field trips

35331 Provision for medical or hospital service for pupils (on field trips)

35332 Transportation by chartered airline

35350 Transportation of students

44808 Liability when pupils not on school property

48908 Duties of pupils; authority of teachers

BUSINESS AND PROFESSIONS CODE

17550-17550.9 Sellers of travel

17552-17556.5 Educational travel organizations

(3/91 7/06) 10/17

Delete

LAGUNA BEACH UNIFIED SCHOOL DISTRICT

Board Policy No. 6019: **FIELD TRIPS AND EXCURSIONS**

- A. Any District approved educational activity involving the transport of pupils to a non- school sponsored activity is a District field trip or excursion (hereinafter together referred to as a field trip). To the extent that requests for field trips are consistent with applicable laws and regulations and District field trip policies, they will be considered for District approval. This Policy shall be interpreted consistent with Education Code section 44808.
- B. Any other excursion, trip, tour, cruise, or other venture involving school age pupils that is not District approved and is not supervised by District personnel is not a District field trip, and the School District assumes no responsibility or liability for any such activities. Additionally, no excursion, trip, tour, cruise, or other venture not specifically approved in advance in writing by the Superintendent or Principal (hereinafter referred to as “non-District excursions”) shall be promulgated, advertised, promoted, or represented as a District activity or District field trip. The District does not approve or endorse such excursions. If a District employee coordinates or participates in a non-District excursion, such excursion shall be on non-work time. In addition, the employee shall inform the excursions’ participants and their parents or guardians that the District has not approved or endorsed such excursion and that the District retains no responsibility, liability, or insurance for such excursion. No District forms, including the District’s attached parent consent and waiver form, shall be used for non-District excursions. Violation of this policy may result in discipline up to and including termination of employment.
- C. A field trip may be fully funded by the District; partially funded by the District; or totally financed by a fund raising event(s), gift(s), or donation(s).
- D. No expenses of pupils participating in a field trip or excursion to any other state, the District of Columbia or a foreign country authorized by this policy shall be paid with District funds except incidental expenses for the use of District equipment or transportation.
- E. No pupil shall be prevented from making the field trip because of lack of sufficient funds. No group shall be authorized to take a field trip authorized by this policy if any pupil who is a member of such identifiable group will be excluded from participation in the field trip because of lack of sufficient funds.
- F. All field trips must meet the following criteria and procedural safeguards:
 - 1. The trip is consistent with District educational goals;
 - 2. The trip will appeal to the age group of the pupils involved;
 - 3. The trip is safe for the age group of the pupils;

4. The trip will provide the pupils with unique experiences that are not available in a classroom setting;
5. The learning opportunities for pupils justify the time and expense in planning and conducting the trip;
6. The trip does not unduly distract from the pupils' regular classroom responsibilities;
7. The trip is planned and coordinated by District staff, and must be approved by the Superintendent or Principal in writing;
8. The Superintendent or designee will be provided assurance that no pupil who otherwise meets the prerequisites established for the field trip will be excluded for lack of personal finances;
9. The trip will not expose the District to an unreasonably high degree of liability and proper and adequate supervision of pupils shall be undertaken. The number of staff or volunteers necessary to assure the proper supervision of students will depend upon the number of students attending the field trip, and the location and nature of the activities in which students will engage.
10. If the field trip is to be partially or totally financed by non-District funding sources, the supervisors/organizers will adhere to all District fund raising policy and administrative procedure provisions. All District personnel are required to fully enforce Board Policy 5011- PARTICIPATION IN EXTRACURRICULAR AND CO-CURRICULAR ACTIVITIES.
11. The teacher or employee in charge of the field trip shall have a first aid kit in his or her possession or immediately available, while conducting the field trip.
12. No field trip into any area which is commonly known to be infested by poisonous snakes may be taken unless pupils are accompanied by a teacher, employee, or agent of the school who has completed a course in first aid, certified by the American Red Cross, which emphasizes the treatment of snake bites. In addition, the first aid kit shall contain snake bite response instructions.
13. All persons making the field trip shall be deemed to have waived all claims against the District or the State of California for injury, accident, illness or death occurring during or by reason of the field trip. All adults or parents or guardians of pupils taking field trips shall sign the attached parent consent and waiver form waiving such claims.

14. District staff accompanying or transporting students on District approved field trips or excursions shall not consume any alcoholic beverage at any time from the commencement of the field trip or excursion until its conclusion. Violation of this policy by District employees may lead to disciplinary action up to and including termination of employment. Parents, guardians and other individuals accompanying students on District approved field trips or excursions are strongly advised to comply with this provision in order to be eligible to attend future field trips and excursions.

Legal Reference:

Education Code sections 32040, 32041, 32043, 35330, 35331, 35332, 38120, 44808
CCR Title 5 Section 5531

Date Policy Adopted By The Board: October 8, 2002

Date Policy Amended By The Board: December 11, 2007

Date Policy Revised By The Board: June 12, 2012

**PARENT CONSENT AND WAIVER FORM FOR FIELD TRIPS & EXCURSIONS
AUTHORIZED BY THE LAGUNA BEACH UNIFIED SCHOOL DISTRICT**

6

I, _____ am the parent or guardian of _____, a student in the Laguna Beach Unified School District. I hereby give my permission for my child to attend the District authorized field trip or excursion described below. An emergency telephone number to contact me during the field trip is _____. I would be available to help supervise during the field trip: Yes _____ No _____ Not needed _____.

Date(s) and time of the District authorized field trip or excursion: _____

Certificated Employee in Charge of the Field Trip: _____

Telephone Number: _____

Description of place of the field trip and activities in which students will engage: _____

Dress or other items which student should bring: _____

[If there is a cost involved, no student will be excluded for lack of sufficient funds.]

I understand that pursuant to Education Code section 35330, all persons participating in the field trip, including students, shall be deemed to have waived all claims against the District or the State of California for injury, accident, illness or death occurring during or by reason of the field trip. All adults or parents or guardians of pupils participating in a field trip and any pupil eighteen years old or older shall sign below waiving such claims.

Date: _____

Signature of Parent or Guardian

Printed Name of Parent or Guardian

Date: _____

Signature of Pupil if 18 years old or older

Printed Name of Pupil if 18 years old or older

LAGUNA BEACH UNIFIED SCHOOL DISTRICT

STUDENT ASSESSMENT

BP 6162.5

Instruction

The Governing Board recognizes that student assessments are an important instructional and accountability tool. To obtain the most accurate evaluation of student performance, the district shall use a variety of measures, including district, state, and/or national assessments.

Assessment data shall be used to help determine individual students' progress, mastery of academic standards, appropriate placement in district programs, and/or eligibility for graduation. In addition, summary data on student assessment results shall be used by the district to identify and review student achievement goals in the district's local control and accountability plan, and evaluate district educational programs in order to identify needed improvements.

In selecting or developing any district assessment, the Superintendent or designee shall examine evidence of its reliability, its validity for the intended purpose and for various student populations, and the extent to which it aligns with the material that is being taught.

The Superintendent or designee shall ensure that assessments are administered in accordance with law and test publisher's directions, and that test administration procedures are fair and equitable for all students.

As appropriate, assessment results shall be disaggregated by student subgroup, classroom, grade level, and/or school site to allow for critical analysis of student needs.

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

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

Interim and Formative Assessments

State interim and formative assessments may be used in combination with other sources of information to gain timely feedback about student progress in an effort to continually adjust instruction to improve learning. Results from interim and formative assessments shall not be used for any high-stakes purpose, including, but not limited to, teacher or other school staff evaluation, accountability, student grade promotion or retention, graduation, course or class placement, identification for gifted or talented education, reclassification of English learners, or identification as an individual with exceptional needs.

The Superintendent or designee shall ensure that teachers who administer interim and formative

assessments have access to all functions and information designed for teacher use related to such assessments and student performance on the assessments.

Legal Reference:

EDUCATION CODE

313 Assessment of English language development

10600-10610 California Education Information System

44660-44665 Evaluation and assessment of performance of certificated employees (Stull Act)

49558 Free and reduced-price meals; use of individual applications and records

51041 Evaluation of educational program

51450-51455 Golden State Seal Merit Diploma

52052 Accountability; numerically significant student subgroups

52060-52077 Local control and accountability plan

60600-60649 Assessment of academic achievement, especially:

60640-60649 California Assessment of Student Performance and Progress

60800 Physical fitness testing

60810-60812 Assessment of English language development

60900 California Longitudinal Pupil Achievement Data System

CODE OF REGULATIONS, TITLE 5

850-864 California Assessment of Student Performance and Progress

UNITED STATES CODE, TITLE 20

9622 National Assessment of Educational Progress

(7/10 4/14) 3/18

LAGUNA BEACH UNIFIED SCHOOL DISTRICT

TRANSITIONAL KINDERGARTEN

BP 6170.1

Instruction

The Governing Board desires to offer a high-quality transitional kindergarten (TK) program for eligible children who do not yet meet the minimum age criterion for kindergarten. The TK program shall assist students in developing the academic, social, and emotional skills they need to succeed in kindergarten and beyond.

The district's TK program shall be the first year of a two-year kindergarten program.

The Board encourages ongoing collaboration among district preschool staff and providers, elementary teachers, administrators, and parents/guardians in the development, implementation, and evaluation of the district's TK program.

Eligibility

The district's TK program shall admit children whose fifth birthday is from September 2 through December 2.

Parents/guardians of eligible children shall be notified of the availability of the TK program and the age, residency, immunization, and any other enrollment requirements. Enrollment in the TK program shall be voluntary.

Upon request of a child's parents/guardians, the district may, on a case-by-case basis after the Superintendent or designee determines that it is in the child's best interest, admit into the district's TK program a child whose fifth birthday is on or before September 1 and who is therefore eligible for kindergarten.

At any time during the school year, the district may admit into the TK program a child whose fifth birthday is after December 2 of that same school year, provided that the Superintendent or designee recommends that enrollment in a TK program is in the child's best interest ~~and the child's parents/guardians approve~~. Prior to such enrollment, the child's parents/guardians shall be provided information regarding the advantages and disadvantages and any other explanatory information about the effect of early admittance.

Curriculum and Instruction

The district's TK program shall be based on a modified kindergarten curriculum that is age and developmentally appropriate.

The program shall be aligned with the preschool learning foundations and preschool curriculum

frameworks developed by the California Department of Education. It shall be designed to facilitate students' development in essential skills related to language and literacy, mathematics, physical development, health, visual and performing arts, science, history-social science, English language development, and social-emotional development.

The Board shall establish the length(s) of the school day in the district's TK program. TK programs may be maintained for different lengths of time either at the same or different school sites, as long as the school day is at least three hours but no more than four hours. The Superintendent or designee shall annually report to the California Department of Education as to whether the district's TK programs are offered full day, part day, or both.

~~The Board shall fix the length of the school day in the District's TK program, which shall be at least three hours but no more than four hours~~

TK students may be placed in the same classrooms as kindergarten students when necessary, provided that the instructional program is differentiated to meet student needs.

Staffing

~~TK assignments are subject to assignment monitoring and reporting by the County Superintendent of Schools in accordance with Education Code 44258.9. ***~~

The Superintendent or designee shall ensure that teachers assigned to teach in TK classes possess a teaching credential or permit from the Commission on Teacher Credentialing (CTC) that authorizes such instruction.

A credentialed teacher who is first assigned to a TK class after July 1, 2015, shall, by August 1, 2020, have at least 24 units in early childhood education and/or child development, comparable experience in a preschool setting, and/or a child development teacher permit issued by the CTC.

The Superintendent or designee may provide professional development as needed to ensure that TK teachers are knowledgeable about the standards and effective instructional methods for teaching young children.

Continuation to Kindergarten

Students who complete the TK program shall be eligible to continue in kindergarten the following school year. Parents/guardians of such students shall not be required to submit a signed Kindergarten Continuance Form for kindergarten attendance.

However, whenever children who would otherwise be age-eligible for kindergarten are enrolled in TK, the Superintendent or designee shall obtain a Kindergarten Continuance Form signed by the parent/guardian near the end of the TK year consenting to the child's enrollment in kindergarten the following year.

A student shall not attend more than two years in a combination of TK and kindergarten.

Assessment

The Superintendent or designee may develop or identify appropriate formal and/or informal assessments of TK students' development and progress. They shall monitor and regularly report to the Board regarding program implementation and the progress of students in meeting related academic standards.

Legal Reference:

EDUCATION CODE

8973 Extended-day kindergarten

37202 School calendar; equivalency of instructional minutes

44258.9 Assignment monitoring by county superintendent of schools

46111 Kindergarten, hours of attendance

46114-46119 Minimum school day, kindergarten

46300 Computation of ADA, inclusion of kindergarten and transitional kindergarten

48000 Age of admission, kindergarten and transitional kindergarten

48002 Evidence of minimum age required to enter kindergarten or first grade

48003 Kindergarten annual report

48200 Compulsory education, starting at age six

Date Board Policy Adopted: January 26, 2016

(4/15 10/15) 10/17

LAGUNA BEACH UNIFIED SCHOOL DISTRICT

TITLE I PROGRAMS

BP 6171

Instruction

The Governing Board desires to provide a high-quality education that enables all students to meet challenging state academic standards. In schools with a large number or percentage of economically disadvantaged families, the district shall use Title I funds to provide services that strengthen the academic program and provide support to students at risk of failing to achieve academic standards.

~~In order to improve the academic achievement of students from economically disadvantaged families, the district shall use federal Title I funds to provide supplementary services that reinforce the core curriculum and assist students in attaining proficiency on state academic standards and assessments.~~

~~The Superintendent or designee shall provide technical assistance and support to any school participating in the Title I program, including consultation in the development and implementation of school plans and activities.~~

~~The district and each school receiving Title I funds shall develop a written parent involvement policy in accordance with 20 USC 6318.~~

Title I funds shall be used to supplement, not supplant, funds available from state and local sources for the education of students participating in Title I programs. **In order to improve the academic achievement of students from economically disadvantaged families, the district shall use federal Title I funds to provide supplementary services that reinforce the core curriculum and assist students in attaining proficiency on state academic standards and assessments.**

Descriptions of how the district will address the required components of the Title I local educational agency plan, as specified in 20 USC 6312, shall be included within the district's control and accountability plan (LCAP), the LCAP Federal Addendum, or another document. School-level strategies shall be aligned with the district's plan and be tailored to the specific needs of the students at the school.

In addition, the district and each school receiving Title I funds shall develop a written parent/guardian and family engagement policy in accordance with 20 USC 6318.

The Superintendent or designee shall provide technical assistance and support to any school participating in the Title I program, including consultation in the development and implementation of school plans and activities.

~~Local Educational Agency Plan~~

~~The Superintendent or designee shall consult with teachers, principals, administrators, other appropriate school personnel, and parents/guardians of participating students in the development, periodic review, and, as necessary, the revision of a local educational agency (LEA) plan. The plan and any revisions shall be submitted to the Governing Board for approval.~~

~~The plan shall address the components specified in 20 USC 6312, which describe the assessments, strategies, and services the district will use to help low-achieving students meet challenging academic standards.~~

~~The initial plan shall be submitted to the California Department of Education (CDE) and approved by the State Board of Education. Subsequent revisions of the plan shall be kept on file in the district.~~

Comparability of Services

~~State and local funds used in school~~ In schools receiving Title I funds, state and local funds shall be used to provide services that, taken as a whole, are at least comparable to services in schools that are not receiving Title I funds or, if all district schools are receiving Title I funds, that are substantially comparable in each school. Comparability may be determined on a school-by-school basis or by grade span.

To demonstrate comparability of services among district schools, the district shall:

1. Adopt and implement a districtwide salary schedule
2. Ensure equivalence in teachers, administrators, and other staff, as measured by either or both of the following:
 - a. The ratio of students to instructional staff at each Title I school within a grade span, which shall not exceed 110 percent of the average ratio for all non-Title I district schools within that grade span
 - b. Salary expenditures for instructional staff at each Title I school, which shall be no less than 90 percent of the average salary expenditure across non-Title I district schools.
3. Ensure equivalence in the provision of curriculum materials and instructional supplies, by determining whether the per-student expenditure of state and local funds for curriculum materials and instructional supplies in Title I schools is between 90 and 110 percent of the districtwide average
4. Determine whether the amount of state and local funds allocated per student for each grade span is between 90 and 110 percent of the per student average for each grade span in non-Title I schools

~~5. The Superintendent or designee shall maintain records of the quantity and quality of instructional materials and equipment at each school.~~

In determining comparability, the district shall not include staff salary differentials for years of employment. The district also may exclude unpredictable changes in student enrollment or personnel assignments that occur after the beginning of the school year, state and local funds expended for language instruction educational programs, state and local funds expended for the excess costs of providing services to students with disabilities, and supplemental state or local funds expended in any school attendance area or school for programs that specifically meet the intent and purposes of Title I.

The Superintendent or designee shall annually assess comparability in accordance with the above criteria and maintain records documenting the district's compliance. If any instances of noncomparability are identified, the Superintendent or designee shall promptly implement adjustments as needed to ensure comparability.

Participation of Private School Students

~~The district shall provide or contract to provide special educational services, instructional services (including evaluations to determine the progress being made in meeting students' academic needs), counseling, mentoring, one-on-one tutoring, or other Title I benefits to eligible private school students residing in a participating school attendance area. Such services and benefits shall be provided on an equitable basis in comparison to services and other benefits for public school students.~~

Program Evaluation

The Board shall regularly monitor the progress of economically disadvantaged and low-achieving students in Title I schools. During the annual evaluation of the district's progress toward achieving each goal identified in the LCAP or other planning document addressing 20 USC 6312, the Board shall review disaggregated data on academic achievement, school attendance, and other outcomes for such students and shall ensure that strategies are revised as necessary to support continuous improvement.

~~The Board shall use state assessment results and other available measures or indicators to annually determine whether each participating school is making adequate yearly progress toward ensuring that all students meet the state's proficient level of achievement on state assessments.~~

Legal Reference:

EDUCATION CODE

11503 Parent involvement programs in Title I schools

52060-52077 Local control and accountability plan

54420-54425 State Compensatory Education

64001 Single plan for student achievement, consolidated application programs

UNITED STATES CODE, TITLE 20

6301 Program purpose

6311-6322 Improving basic programs for disadvantaged students, including:

6312 Local educational agency plan

6313 Eligibility of schools and school attendance areas; funding allocation

6314 Title I schoolwide programs

6315 Targeted assistance schools

6318 Parent and family engagement

6320 Participation of private school students

6321 Comparability of services

6333-6335 Grants to local educational agencies

6391-6399 Education for migrant students

7881 Participation of private school students

CODE OF FEDERAL REGULATIONS, TITLE 34

200.1-200.73 Improving basic programs for disadvantaged students

Date Board Policy Adopted: December 13, 2016

(11/02 8/06) 3/18

LAGUNA BEACH UNIFIED SCHOOL DISTRICT

EDUCATION FOR HOMELESS CHILDREN

BP 6173

Instruction

The Governing Board desires to ensure that homeless students have access to the same free and appropriate public education provided to other students within the district. The district shall provide homeless students with access to education and other services necessary for them to meet the same challenging academic standards as other students.

~~Homeless students shall not be segregated into a separate school or program based on their status as homeless and shall not be stigmatized in any way.~~

~~The Superintendent or designee shall ensure that placement decisions for homeless students are based on the student's best interest as defined in law.~~

The Superintendent or designee shall identify and remove any barriers to the identification and enrollment of homeless students and to the retention of homeless students due to absences or outstanding fees or fines.

When there are at least 15 homeless students in the district or a district school, the district's local control and accountability plan (LCAP) shall include goals and specific actions to improve student achievement and other outcomes of homeless students.

The Superintendent or designee shall designate an appropriate staff person to serve as a liaison for homeless children and youths. The district liaison shall fulfill the duties specified in 42 USC 11432 to assist in identifying and supporting homeless students to succeed in school.

In order to identify district students who are homeless, the Superintendent or designee may give a housing questionnaire to all parents/guardians during school registration, make referral forms readily available, include the district liaison's contact information on the district and school websites, provide materials in a language easily understood by families and students, provide school staff with professional development on the definition and signs of homelessness, and contact appropriate local agencies to coordinate referrals for homeless children and youth and unaccompanied youth.

Information about a homeless students living situation shall be considered part of a student's educational record, subject to the Family Educational Rights and Privacy Act and shall not be deemed to be directory information as defined in 20 USC 1232g.

The Superintendent or designee shall ensure that placement decisions for homeless students are based on the student's best interest as defined in law and administrative regulation.

Each homeless student shall be provided services that are comparable to services offered to other students in the school, including, but not limited to, transportation, educational programs for which the student meets the eligibility criteria (such as federal Title I services or similar state or local programs, programs for students with disabilities, and educational programs for English learners), career and technical education programs, programs for gifted and talented students, and school nutrition programs.

Homeless students shall not be segregated into a separate school or program based on their status as homeless and shall not be stigmatized in any way. However, the Superintendent or designee may separate homeless students on school grounds as necessary for short periods of time for health and safety emergencies or to provide temporary, special, and supplementary services to meet the unique needs of homeless students.

The Superintendent or designee shall coordinate with other agencies and entities to ensure that homeless children and youth are promptly identified, ensure that homeless students have access to and are in reasonable proximity to available education and related support services, and raise the awareness of school personnel and service providers of the effects of short-term stays in a shelter and other challenges associated with homelessness. Toward these ends, the Superintendent or designee shall collaborate with local social services agencies, other agencies or entities providing services to homeless children and youth, and, if applicable, transitional housing facilities. In addition, the Superintendent or designee shall coordinate transportation, transfer of school records, and other interdistrict activities with other local educational agencies. As necessary, the Superintendent or designee shall coordinate, within the district and with other involved local educational agencies, services for homeless students and services for students with disabilities.

District liaisons and other appropriate staff shall participate in professional development and other technical assistance activities to assist them in identifying and meeting the needs of homeless students and to provide training on the definitions of terms related to homelessness.

At least annually, the Superintendent or designee shall report to the Board on outcomes for homeless students, which may include, but are not limited to, school attendance, student achievement test results, promotion and retention rates by grade level, graduation rates, suspension/expulsion rates, and other outcomes related to any goals and specific actions identified in the LCAP. Based on the evaluation data, the district shall revise its strategies as needed to better support the education of homeless students.

Transportation

~~The district shall provide transportation for a homeless student to and from his/her school of origin when the student is residing within the district and the parent/guardian requests that such transportation be provided. If the student moves outside of district boundaries, but continues to attend his/her school of origin within this district, the Superintendent or designee shall consult with the superintendent of the district in which the student is now residing to agree upon a~~

~~method to apportion the responsibility and costs of the transportation.~~

Legal Reference:

EDUCATION CODE

39807.5 Payment of transportation costs by parents

48850 Educational rights of homeless and foster youth

48852.5 Notice of educational rights of homeless students

48852.7 Enrollment of homeless students

48915.5 Recommended expulsion, homeless student with disabilities

48918.1 Notice of recommended expulsion

51225.1-51225.3 Graduation requirements

52060-52077 Local control and accountability plan

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures

UNITED STATES CODE, TITLE 20

1087vv Free Application for Federal Student Aid; definitions

1232g Family Educational Rights and Privacy Act

6311 Title I state plan; state and local educational agency report cards

UNITED STATES CODE, TITLE 42

11431-11435 McKinney-Vento Homeless Assistance Act

12705 Cranston-Gonzalez National Affordable Housing Act; state and local strategies

Date Policy Adopted by the Board: June 23, 2015

Revised:

LAGUNA BEACH UNIFIED SCHOOL DISTRICT

EDUCATION FOR FOSTER YOUTH

BP 6173.1

Instruction

The Governing Board recognizes that foster youth may face significant barriers to achieving academic success due to their family circumstances, disruption to their educational program, and their emotional, social, and other health needs. To enable such students to achieve state and district academic standards, the Superintendent or designee shall provide them with full access to the district's educational program and implement strategies identified as necessary for the improvement of the academic achievement of foster youth in the district's local control and accountability plan (LCAP).

The Superintendent or designee shall ensure that placement decisions for foster youth are based on the students' best interests as defined in law and administrative regulation. To that end, he/she shall designate a staff person as the district liaison for foster youth to help facilitate the enrollment, placement, and transfer of foster youth.

The Superintendent or designee and district liaison shall ensure that all appropriate staff, including, but not limited to, each principal, school registrar, and attendance clerk, receive training on the enrollment, placement, and transfer of foster youth and other related rights.

The Board desires to provide foster youth with a safe, positive learning environment that is free from discrimination and harassment and that promotes students' self-esteem and academic achievement. The Superintendent or designee shall develop strategies to build a foster youth's feeling of connectedness with his/her school, including, but not limited to, strategies that promote positive discipline and conflict resolution, the development of resiliency and interpersonal skills, and the involvement of foster parents, group home administrators, and/or other caretakers in school programs and activities.

To address the needs of foster youth and help ensure the maximum utilization of available funds, the Superintendent or designee shall collaborate with local agencies and officials including, but not limited to, the county placing agency, social services, probation officers, and juvenile court officers. The Superintendent or designee shall explore the feasibility of entering into agreements with these groups to coordinate services and protect the rights of foster youth.

At least annually and in accordance with the established timelines, the Superintendent or designee shall report to the Board on the outcomes for foster youth regarding the goals and specific actions identified in the LCAP, including, but not limited to, school attendance, student achievement test results, promotion and retention rates by grade level, graduation rates, and suspension/expulsion rates. As necessary, evaluation data shall be used to determine and recommend revisions to the LCAP for improving or increasing services for foster youth.

Legal Reference:

EDUCATION CODE

32228-32228.5 Student safety and violence prevention
42238.01-42238.07 Local control funding formula
42920-42925 Foster children educational services
48645-48646 Juvenile court schools
48850-48859 Educational placement of students residing in licensed children's institutions
48915.5 Suspension and expulsion; students with disabilities, including foster youth
48918.1 Notice of expulsion hearing for foster youth
49061 Student records
49069.5 Foster care students, transfer of records
49076 Access to student records
51225.1 Exemption from district graduation requirements
51225.2 Pupil in foster care defined; acceptance of coursework, credits, retaking of course
51225.3 High school graduation
52060-52077 Local control and accountability plan
56055 Rights of foster parents in special education

HEALTH AND SAFETY CODE

1522.41 Training and certification of group home administrators
1529.2 Training of licensed foster parents
120341 Foster youth: school placement: immunization records

WELFARE AND INSTITUTIONS CODE

300 Children subject to jurisdiction
309 Investigation and release of child
317 Appointment of legal counsel
361 Limitations on parental or guardian control
366.27 Educational decision by relative providing living arrangements
602 Minors violating law; ward of court
726 Limitations on parental or guardian control
727 Order of care, ward of court
16000-16014 Foster care placement

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures

UNITED STATES CODE, TITLE 20

1415 Procedural safeguards; placement in alternative educational setting
6311 State plan

UNITED STATES CODE, TITLE 29

794 Rehabilitation Act of 1973, Section 504

UNITED STATES CODE, TITLE 42

670-679b Federal assistance for foster care programs
11431-11435 McKinney-Vento Homeless Assistance Act

(3/08 11/09) 12/13

LAGUNA BEACH UNIFIED SCHOOL DISTRICT

CAREER TECHNICAL EDUCATION

BP 6178

Instruction

The Governing Board desires to provide a comprehensive career technical education (CTE) program in the secondary grades which integrates core academic instruction with technical and occupational instruction in order to increase student achievement, graduation rates, and readiness for postsecondary education and employment. The district's CTE program shall be designed to help students develop the academic, career, and technical skills needed to succeed in a knowledge- and skills-based economy. The program shall include a rigorous academic component and provide students with a strong experience and understanding of all aspects of an industry.

The district's CTE program shall focus on preparing students to enter current or emerging high-skill, high-wage, and/or high-demand occupations. CTE opportunities may be offered through linked learning programs, partnership academies, apprenticeship programs or orientation to apprenticeships, regional occupational centers or programs, tech prep programs, small learning communities, or other programs that expose students to career options while preparing them for future careers in a given industry or interest area.

The Board shall review and approve all district plans and applications for the use of state and/or federal funds supporting CTE.

The district shall adopt standards for CTE which meet or exceed the state's model content standards and describe the essential knowledge and skills that students enrolled in these courses are expected to master. The course curriculum shall be aligned with district-adopted standards and the state's curriculum framework.

At least every three years, the Superintendent or designee shall compare the district's curriculum, course content, and course sequence of CTE with the model state curriculum standards.

The Superintendent or designee shall systematically review the district's CTE classes to determine the degree to which each class may offer an alternative means for completing and receiving credit for specific portions of the course of study prescribed by the district for high school graduation. The Board shall ensure that these classes are equivalent in content and rigor to the courses prescribed for graduation.

The Superintendent or designee shall develop partnerships with local businesses and industries to ensure that course sequences, career technical and integrated curriculum, classroom instruction and projects, and assessments have real-world relevance and reflect

labor market needs and priorities. He/she also shall work to develop connections with businesses, postsecondary institutions, community organizations, and/or other employers to provide students with actual or simulated work-based learning opportunities.

The Superintendent or designee shall collaborate with postsecondary institutions to ensure that the district's program is articulated with postsecondary programs in order to provide a sequential course of study. Articulation opportunities may include dual or concurrent enrollment in community college courses.

The Superintendent or designee shall inform all secondary students and their parents/guardians about the CTE experiences available in the district, CTE courses that satisfy college admission criteria, CTE courses that satisfy high school graduation requirements. In addition, secondary students may receive individualized career guidance and academic counseling which provides information about academic and CTE opportunities related to the student's career goals.

The Superintendent or designee shall ensure that teachers of CTE courses possess the qualifications and credentials necessary to teach their assigned courses. He/she also shall provide teachers and administrators with professional development designed to enhance their knowledge of standards-aligned CTE and shall provide opportunities for CTE teachers to collaborate with teachers of academic courses in the development and implementation of integrated curriculum models.

The Superintendent or designee shall provide counselors and other guidance personnel with professional development that includes, but is not limited to, information about current workforce needs and trends, requirements of the district's CTE program, work-based learning opportunities, and postsecondary education and employment options following high school.

Upon written request from a nonprofit private school within the geographical area served by the district, the Superintendent or designee shall consult with private school representatives in a timely and meaningful manner and may provide for the participation of private school secondary students in the district's programs and activities funded under the federal Carl D. Perkins Career and Technical Education Act. To the extent practicable, the Superintendent or designee also shall, upon request, permit participation of CTE teachers, administrators, and other personnel from private schools in the district's inservice and preservice professional development programs funded through the Perkins Act.

The Superintendent or designee shall regularly assess district needs for facilities, technologies, and equipment to increase students' access to the district's CTE program.

Nondiscrimination

The district's program shall provide equal access to and shall not unlawfully discriminate against students who are members of special populations. Special populations include, but are not limited to, students with disabilities; students from economically disadvantaged families, including foster youth; single parents and single pregnant females; displaced homemakers; students with limited English proficiency; and students preparing for nontraditional fields. Nontraditional fields include occupations or fields of work, including careers in computer science, technology, and other emerging high-skill occupations, for which individuals from one gender constitute less than 25 percent of the individuals employed in each such occupation or field of work.

Prior to the beginning of each school year, the Superintendent or designee shall advise students, parents/guardians, employees, and the general public that all CTE opportunities are offered without regard to any actual or perceived characteristic protected from discrimination by law.

The above notification shall be disseminated in languages other than English as needed and shall state that the district will take steps to ensure that the lack of English language skills will not be a barrier to admission and participation in the district's CTE program.

School and Community Involvement

The Superintendent or designee shall appoint a CTE advisory committee to develop recommendations on the district's CTE program and to serve as a liaison between the district and potential employers. The committee shall consist of at least one student, teacher, business representative, industry representative, school administrator, member of the general public knowledgeable about the disadvantaged, and representative of the field office of the California Employment Development Department.

The district also shall involve parents/guardians; students; academic and CTE teachers; administrators; career guidance and academic counselors; representatives of tech prep consortia if applicable, business and industry, labor organizations, and special populations; and other interested individuals in the development, implementation, and evaluation of CTE programs.

Program Evaluation

The Board shall monitor the achievement of students participating in the district's CTE program in order to determine the need for program improvements. The Superintendent or designee shall annually report to the Board and the California Department of Education on program enrollment and completion rates, including enrollment and completion of programs in nontraditional fields as defined in 20 USC 2302; student academic assessment results; attainment of career and technical skill proficiencies;

attainment of a high school diploma or equivalent; graduation rates; and subsequent placement in postsecondary education or advanced training, military service, or employment. Data shall be disaggregated, in accordance with 20 USC 2323, by race, ethnicity, gender, disability status, migrant status, English proficiency, and economic disadvantage status and for each special population as defined in 20 USC 2302 and listed in the section "Nondiscrimination" above.

Legal Reference:

EDUCATION CODE

1205 Classification of counties

8006-8155 Career technical education

17078.70-17078.72 Career technical education facilities

33430-33432 Health science and medical technology grants

35168 Inventory of equipment

41540-41544 Targeted instructional improvement block grant

44257.3 CTC recognition of study in linked learning teaching methods

44260-44260.1 Designated subjects career technical education credential

44260.9 Designated subjects career technical education credential

48430 Legislative intent; continuation education schools and classes

48980 Parental notifications

51220-51229 Courses of study, grades 7-12

51760-51769.5 Work experience education

52300-52499.66 Career technical education

52519-52520 Adult education, occupational training

53080-53084 School-to-career initiatives

53086 California Career Resource Network

54690-54699.1 California Partnership Academies

54750-54760 California Partnership Academies, green technology and goods movement occupations

56363 Related services for students with disabilities; specially designed career technical education

66205.5-66205.9 Approval of career technical education courses for admission to California colleges

88500-88551 Community college economic and workforce development program

GOVERNMENT CODE

54950-54963 Brown Act

LABOR CODE

3070-3099.5 Apprenticeships

CODE OF REGULATIONS, TITLE 5

1635 Credit for work experience education

3051.14 Specially designed career technical education for students with disabilities

10070-10075 Work experience education

10080-10092 Community classrooms

10100-10111 Cooperative vocational education

11500-11508 Regional occupational centers and programs
11535-11538 Career technical education contracts with private postsecondary schools
11610-11611 Regional adult and vocational education councils
CODE OF REGULATIONS, TITLE 8
200-240 Apprenticeships
UNITED STATES CODE, TITLE 20
2301-2414 Carl D. Perkins Career and Technical Education Act of 2006
6301-6578 Improving the Academic Achievement of the Disadvantaged
CODE OF FEDERAL REGULATIONS, TITLE 34
100.B Appendix B Guidelines for eliminating discrimination in career technical
education programs
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

Date Board Policy Adopted:

(3/00 3/08) 7/12

LAGUNA BEACH UNIFIED SCHOOL DISTRICT

GOVERNANCE STANDARDS

BB 9005

Board Bylaws

The Governing Board believes that its primary responsibility is to act in the best interests of every student in the district. The Board also has major commitments to parents/guardians, all members of the community, employees, the state of California, laws pertaining to public education, and established policies of the district. To maximize Board effectiveness and public confidence in district governance, Board members are expected to govern responsibly and hold themselves to the highest standards of ethical conduct.

The Board expects its members to work with each other and the Superintendent to ensure that a high-quality education is provided to each student. Each individual Board member shall:

1. Keep learning and achievement for all students as the primary focus
2. Value, support and advocate for public education
3. Recognize and respect differences of perspective and style on the Board and among staff, students, parents and the community
4. Act with dignity, and understand the implications of demeanor and behavior
5. Keep confidential matters confidential
6. Participate in professional development and commit the time and energy necessary to be an informed and effective leader
7. Understand the distinctions between Board and staff roles, and refrain from performing management functions that are the responsibility of the Superintendent and staff
8. Understand that authority rests with the Board as a whole and not with individuals

Board members also shall assume collective responsibility for building unity and creating a positive organizational culture. To operate effectively, the Board shall have a unity of purpose and:

1. Keep the district focused on learning and achievement for all students
2. Communicate a common vision
3. Operate openly, with trust and integrity
4. Govern in a dignified and professional manner, treating everyone with civility and respect
5. Govern within Board-adopted policies and procedures
6. Take collective responsibility for the Board's performance
7. Periodically evaluate its own effectiveness
8. Ensure opportunities for the diverse range of views in the community to inform Board deliberations

NEW BYLAW

Legal Reference:

EDUCATION CODE

35010 Power of governing board to adopt rules for its own governance

35160 Board authority to act in any manner not conflicting with law

35164 Actions by majority vote

GOVERNMENT CODE

1090 Financial interest in contract

1098 Disclosure of confidential information

1125-1129 Incompatible activities

54950-54963 The Ralph M. Brown Act

87300-87313 Conflict of interest code

Date Board Bylaw Adopted by the Board:

Delete

LAGUNA BEACH UNIFIED SCHOOL DISTRICT

Board Bylaw No. 9005: **PUBLIC STATEMENTS**

The Governing Board recognizes the rights of Board members to freely express their views and encourages open discussion of issues during the Board meeting. The Board believes that effective Board members have a responsibility to express themselves, whether in agreement or disagreement with the Board majority, in ways that promote the Board's ability to govern the district.

When speaking to community groups, the media, or other members of the public, individual Board members should recognize that their statements may be perceived as reflecting the views and positions of the Board. Board members have a responsibility to identify personal viewpoints as such and not as the viewpoint of the Board.

All public statements authorized to be made on behalf of the Board shall be made by the Board president or, if appropriate, by the Superintendent or other designated representative.

Legal Reference:

EDUCATION CODE

35010 Control of district; prescription and enforcement of rules

GOVERNMENT CODE

54960 Actions to stop or prevent violation of meeting provisions

Date Bylaw Adopted by the Board: October 26, 1999

Date Bylaw Revised by the Board: April 24, 2012

LAGUNA BEACH UNIFIED SCHOOL DISTRICT

PUBLIC STATEMENTS

**BB 9010
Board Bylaws**

The Governing Board recognizes the rights responsibility of Board members in their role as community leaders to participate in public discourse on matters of civic or community interest, including those involving the district, **and their right to freely express their personal views. and encourages open discussion of issues during the Board meeting. The Board believes that effective Board members have a responsibility to express themselves, whether in agreement or disagreement with the Board majority, in ways that promote the Board's ability to govern the district.** However, to ensure communication of a consistent, unified message regarding district issues, Board members are expected to respect the authority of the Board to choose its representatives to communicate its positions and to abide by established protocols. **All public statements authorized to be made on behalf of the Board shall be made by the Board president or, if appropriate, by the Superintendent or other designated representative.**

When speaking for the district, the Board encourages its spokespersons to exercise restraint and tact and to communicate the message in a manner that promotes public confidence in the Board's leadership.

Board spokespersons shall not disclose confidential information or information received in closed session except when authorized by a majority of the Board. (Government Code 54963)

When speaking to community groups, members of the public, or the media, individual Board members should recognize that their statements may be perceived as reflecting the views and positions of the Board. Board members have a responsibility to identify personal viewpoints as such and not as the viewpoint of the Board.

In addition, the Board encourages members who participate on social networking sites, blogs, or other discussion or informational sites to conduct themselves in a respectful, courteous, and professional manner and to model good behavior for district students and the community. Such electronic communications are subject to the same standards and protocols established for other forms of communication, and the disclosure requirements of the California Public Records Act may likewise apply to them.

**Replaces BB 9005
Public Statements**

Legal Reference:

EDUCATION CODE

35010 Control of district; prescription and enforcement of rules

GOVERNMENT CODE

6250-6270 California Public Records Act

54960 Actions to stop or prevent violation of meeting provisions

54963 Confidential information in closed session

Date Board Bylaw Adopted by the Board: October 26, 1999

Revised: April 24, 2012

Revised -

(Updated and changed from 9005 to BB 9010)

LAGUNA BEACH UNIFIED SCHOOL DISTRICT

Delete

Board Bylaw No. 9010: DISCLOSURE OF CONFIDENTIAL/PRIVILEGED INFORMATION

The Governing Board recognizes the importance of maintaining the confidentiality of information acquired as part of a Board member's official duties. Confidential/privileged information shall be released only to the extent authorized by law.

Disclosure of Closed Session Information

A Board member shall not disclose confidential information acquired during a closed session to a person not entitled to receive such information, unless a majority of the Board has authorized its disclosure.

Confidential information means a communication made in a closed session that is specifically related to the basis for the Board to meet lawfully in closed session.

The Board shall not take any action against any person for disclosing confidential information, nor shall the disclosure be considered a violation of the law or Board policy, when the person is:

1. Making a confidential inquiry or complaint to a district attorney or grand jury concerning a perceived violation of law, including disclosing facts necessary to establish the illegality or potential illegality of a Board action that has been the subject of deliberation during a closed session
2. Expressing an opinion concerning the propriety or legality of Board action in closed session, including disclosure of the nature and extent of the illegal or potentially illegal action
3. Disclosing information that is not confidential

Other Disclosures

A Board member shall not disclose, for pecuniary gain, confidential information acquired in the course of his/her official duties. Confidential information includes information that is not a public record subject to disclosure under the Public Records Act, information that by law may not be disclosed, or information that may have a material financial effect on the Board member.

Legal Reference:

EDUCATION CODE

35010 Power of governing board to adopt rules for its own governance

35146 Closed session

GOVERNMENT CODE

1098 Public officials and employees re confidential information

3549.1 Meeting and negotiating in public educational employment

6250-6270 Inspection of public records

54950-54963 Brown Act, especially:

54956.8 Open meeting laws

54956.9 Closed meeting for pending litigation

54957 Closed session; "employee" defined; exclusion of witnesses

54957.1 Subsequent public report and rollcall vote; employee matters in closed session

54957.5 Public records

54957.6 Closed session; representatives with employee organization

54957.7 Reasons for closed session

54963 Confidential information in closed session

Date Bylaw Adopted by the Board: October 26, 1999

Date Bylaw was Revised by the Board: April 24, 2012

LAGUNA BEACH UNIFIED SCHOOL DISTRICT

DISCLOSURE OF CONFIDENTIAL/PRIVILEGED INFORMATION

BB 9011

Board Bylaws

The Governing Board recognizes the importance of maintaining the confidentiality of information acquired as part of a Board member's official duties. Confidential/privileged information shall be released only to the extent authorized by law.

Disclosure of Closed Session Information

A Board member shall not disclose confidential information acquired during a closed session to a person not entitled to receive such information, unless a majority of the Board has authorized its disclosure.

Confidential information means a communication made in a closed session that is specifically related to the basis for the Board to meet lawfully in closed session.

The Board shall not take any action against any person for disclosing confidential information, nor shall the disclosure be considered a violation of the law or Board policy, when the person is:

1. Making a confidential inquiry or complaint to a district attorney or grand jury concerning a perceived violation of law, including disclosing facts necessary to establish the illegality or potential illegality of a Board action that has been the subject of deliberation during a closed session
2. Expressing an opinion concerning the propriety or legality of Board action in closed session, including disclosure of the nature and extent of the illegal or potentially illegal action
3. Disclosing information that is not confidential

Other Disclosures

A Board member shall not disclose, for pecuniary gain, confidential information acquired in the course of his/her official duties. Confidential information includes information that is not a public record subject to disclosure under the Public Records Act, information that by law may not be disclosed, or information that may have a material financial effect on the Board member.

Disclosures excepted from this prohibition are those made to law enforcement officials or to the joint legislative audit committee when reporting on improper governmental activities.

**Replaces BB 9010
Disclosure of Confidential/Privileged Information**

Legal Reference:

EDUCATION CODE

35010 Power of governing board to adopt rules for its own governance

35146 Closed session

EVIDENCE CODE

1040 Privilege for official information

GOVERNMENT CODE

1098 Public officials and employees re confidential information

3549.1 Meeting and negotiating in public educational employment

6250-6270 Inspection of public records

54950-54963 Brown Act, especially:

54956.8 Open meeting laws

54956.9 Closed meeting for pending litigation

54957 Closed session; "employee" defined; exclusion of witnesses

54957.1 Subsequent public report and rollcall vote; employee matters in closed session

54957.5 Public records

54957.6 Closed session; representatives with employee organization

54957.7 Reasons for closed session

54963 Confidential information in closed session

ATTORNEY GENERAL OPINIONS

80 Ops.Cal.Atty.Gen. 231 (1997)

Date Board Bylaw Adopted by the Board: October 26, 1999

Revised: April 24, 2012

Revised:

(Updated and changed from 9010 to 9011)

LAGUNA BEACH UNIFIED SCHOOL DISTRICT

BOARD MEMBER ELECTRONIC COMMUNICATIONS

BB 9012

Board Bylaws

The Governing Board recognizes that electronic communication is an efficient and convenient way for Board members to communicate and expedite the exchange of information within the district and with members of the public. Board members shall exercise caution so as to ensure that electronic communications are not used as a means for the Board to deliberate outside of an agendaized Board meeting nor to circumvent the public's right to access records regarding district business.

A majority of the Board shall not, outside of an authorized meeting, use a series of electronic communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the Board.

Examples of permissible electronic communications concerning district business include, but are not limited to, dissemination of Board meeting agendas and agenda packets, reports of activities from the Superintendent, and reminders regarding meeting times, dates, and places.

In addition, Board members may use electronic communications to discuss matters that do not pertain to district business, regardless of the number of Board members participating in the discussion.

Board members shall make every effort to ensure that their electronic communications conform to the same standards and protocols established for other forms of communication. A Board member may respond, as appropriate, to an electronic communication received from a member of the community and should make clear that his/her response does not necessarily reflect the views of the Board as a whole. Any complaint or request for information should be forwarded to the Superintendent in accordance with Board bylaws and protocols so that the issue may receive proper consideration and be handled through the appropriate district process. As appropriate, communication received from the media shall be forwarded to the designated district spokesperson.

To the extent possible, electronic communications regarding any district-related business shall be transmitted through a district-provided device or account. When any such communication is transmitted through a Board member's personal device or account, he/she shall copy the communication to a district electronic storage device for easy retrieval.

Legal Reference:

EDUCATION CODE

35140 Time and place of meetings

35145 Public meetings

35145.5 Agenda; public participation; regulations

35147 Open meeting law exceptions and applications

GOVERNMENT CODE

6250-6270 California Public Records Act

11135 State programs and activities, discrimination

54950-54963 The Ralph M. Brown Act, especially:

54952.2 Meeting, defined

54953 Meetings to be open and public; attendance

54954.2 Agenda posting requirements, board actions

COURT DECISIONS

City of San Jose v. Superior Court (2017) 2 Cal.5th 608

Date Board Bylaw Adopted:

LAGUNA BEACH UNIFIED SCHOOL DISTRICT

STUDENT BOARD MEMBERS

BB 9150

Board Bylaws

In order to enhance communication and collaboration between the Governing Board and the student body and to teach students the importance of civic involvement, the Board supports the participation of high school students in district governance.

The Governing Board believes that engaging the student body and seeking its input and feedback regarding the district's educational programs and activities are vital to achieving the district's mission of educating district students. To enhance communication between the Board and the student body and to encourage student involvement in district affairs, the Board shall include at least one student Board member selected by the district's high school students in accordance with procedures approved by the Board.

The term of a student Board member shall be one year, commencing on July 1 of each year. A student Board member shall have the right to attend all Board meetings except closed (executive) sessions.

Role and Responsibilities of Student Board Members

Student Board member(s) shall have the right to attend all Board meetings except closed (executive) sessions.

A student Board member shall be seated with other members of the Board. In addition, a student Board member shall be recognized at Board meetings as a full member, shall receive all materials presented to other Board members except those related to closed sessions, and may participate in questioning witnesses and discussing issues.

A student Board member may cast preferential votes on all matters except those subject to closed session discussion. Preferential votes shall be cast prior to the official Board vote and shall not affect the final numerical outcome of a vote. Preferential votes shall be recorded in the Board minutes.

A student Board member shall not be liable for any acts of the Board.

Student Board Member Development

As necessary, the Superintendent or designee shall, at district expense, provide learning opportunities to student Board members, through trainings, workshops, and conferences, to enhance their knowledge, understanding, and performance of their Board responsibilities.

The Superintendent or designee may periodically provide an orientation for student Board member candidates to give them an understanding of the responsibilities and expectations of Board service.

Elimination of Position

Once established, the student Board member position shall continue to exist until the Board, by majority vote of all voting Board members, approves a motion to eliminate the position. Such a motion shall be listed as a public agenda item for a Board meeting prior to the motion being voted upon.

Legal Reference:

EDUCATION CODE

33000.5 Appointment of student members to State Board of Education

35012 Board members; number, election and terms; pupil members

35160 Authority of governing boards

GOVERNMENT CODE

3540-3549.3 Educational Employment Relations Act

Date Bylaw Adopted by the Board: May 28, 2013

Date Revised: