

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

COMMUNITY RELATIONS INDEX

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OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 1000

COMMUNITY RELATIONS

CONCEPTS AND ROLES

The Board of Trustees desires to represent the community and provide leadership in addressing community issues related to education. In order to identify community concerns and enlist support for the schools, the Board shall establish effective two-way communication systems between schools and the community.

Schools, parents/guardians, community members, and local organizations must continually collaborate as partners. The Board of Trustees and the Superintendent or designee shall work together with city and county agencies and organizations to promote and facilitate coordinated services for children, and shall seek to develop partnerships with local businesses.

The Board of Trustees recognizes that schools are an important community resource and encourages community members to make appropriate use of school facilities. Community members are also encouraged to attend Board meetings, participate in school activities, and take an active interest in issues that affect the schools. The Board and Superintendent or designee shall keep community members well informed about District needs and accomplishments and shall ensure that they have opportunities to share in developing educational policies, programs, and evaluation processes.

The Board of Trustees recognizes that its ability to fulfill the community's expectations for a high-quality educational program depends on the level of support provided by the state and federal government as well as the community. The Board, therefore, shall study legislative processes and issues, establish ongoing relationships with state and local leaders and the media, adopt positions on key issues, set priorities for advocacy, and collaborate with other organizations and coalitions in legislative and legal advocacy efforts.

Legal Reference:

EDUCATION CODE

35160 Authority of governing boards

35172 Promotional activities

Policy Adopted: 02/06/78
Revision Adopted: 03/01/94
Revision Adopted: 02/04/97
Policy Revised: 03/02/10
Policy Reviewed: 04/08/14

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 1020

COMMUNITY RELATIONS

YOUTH SERVICES

The Board of Trustees realizes that the schools alone cannot meet our children's complex individual needs. Parents/guardians, schools, local government, business, foundations, and community-based organizations all must work together to assess needs, improve conditions for our community's youth, and ensure that the multiple services needed by children and families are coordinated so as to avoid gaps, duplication, or delay.

The Board of Trustees shall initiate or participate in collaborative relationships with city and county leaders to develop local policies and provide effective multi-agency programs that respond to the needs of children and families.

The Superintendent and staff shall contact and cooperate with public and private agencies to ensure the availability and effective implementation of child care, after-school, nutrition, health, and other services for children. District staff shall have opportunities to learn collaborative skills that will enhance their participation in these efforts.

The Board of Trustees shall regularly evaluate the progress of collaborative efforts and shall monitor District budget, facilities, and personnel priorities for opportunities to promote community collaboration and youth services.

The Board of Trustees shall advocate for local, state, and national policies, legislation and programs designed to provide or better coordinate services for children and families.

The District shall provide support services for children and families to the extent possible.

Legal Reference:

EDUCATION CODE

35160 Authority of governing boards

35160.1 Broad authority of school districts

58700-58702 Tutoring and homework assistance program

WELFARE AND INSTITUTIONS CODE

18961.5 Computerized data base; families at risk for child abuse; sharing of information; multidisciplinary teams

18982-18986.30 Interagency Children's Services Act, especially:

18986.11-18986.15 County interagency collaboration

18986.40-18986.46 Integrated children's services programs

Management Resources:

CSBA PUBLICATIONS

Collaboration for Kids, March 1995

YOUTH LAW CENTER PUBLICATIONS

Model Form for consent to Exchange Confidential Information among the Members of an Interagency Collaborative, Youth Law Center, San Francisco, 1995

Policy Adopted: 02/04/97

Policy Revised: 03/02/10

Police Reviewed: 04/08/14

BOARD POLICY

BP 1100

COMMUNITY RELATIONS

COMMUNICATIONS WITH THE PUBLIC

The Board of Trustees recognizes the District's responsibility to keep the public informed regarding the goals, programs, achievements, and needs of the schools and District and to be responsive to the concerns and interests of the community. The Superintendent shall establish strategies for effective two-way communications between the District and the public and shall consult with the Board regarding the role of Board members as advocates for the District's students, programs, and policies.

The Superintendent shall provide the Board of Trustees and staff with communications protocols and procedures to assist the District in presenting a consistent, unified message on District issues. Such protocols and procedures may include, but are not limited to, strategies for coordinating communications efforts and activities, and legal requirements pertaining to confidentiality as well as the public's right to access records.

The Superintendent shall utilize a variety of communications methods in order to provide the public with access to information. Such methods may include, but are not limited to, District and school newsletters, web sites, social networking pages or other online communications technologies, direct email communications, mailings, notices sent home with students, recorded telephone messages for parent/guardian information, community forums and public events, news releases, meetings with education reporters and editorial boards, presentations at parent organization meetings, and meetings with representatives of local governments, community organizations, and businesses.

In developing communications strategies, the Superintendent shall take into account the needs of all members of the public, including individuals with disabilities and those whose primary language is not English.

The Superintendent shall ensure that staff members are responsive to requests by parents/guardians or members of the public for information or assistance and may provide staff with professional development in their "customer service" role as needed.

The Superintendent shall provide multiple opportunities for members of the public to give input on District and school issues and operations. Community members are encouraged to become involved in school activities, participate on District and school committees, provide input at Board meetings, submit suggestions to District staff, and use the District's complaint procedures as appropriate.

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 1100

COMMUNITY RELATIONS

COMMUNICATIONS WITH THE PUBLIC

Legal Reference:

EDUCATION CODE

7054 Use of district property or funds re: ballot measures and candidates

35145.5 Board meetings, public participation

35172 Promotional activities

38130-38138 Civic Center Act

48980-48985 Parental notifications

GOVERNMENT CODE

54957.5 Meeting agendas and materials

82041.5 Mass mailing

89001 Newsletter or mass mailing

CODE OF REGULATIONS, TITLE 2

18901 Mass mailings sent at public expense

18901.1 Campaign-related mailings sent at public expense

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 Americans with Disabilities Act

Management Resources:

WEB SITES

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

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

Fair Political Practices Commission: <http://www.fppc.ca.gov>

Policy Adopted: 02/06/78
Policy Revised: 03/01/94
Policy Revised: 02/04/97
Policy Revised: 03/02/10
Policy Revised: 04/08/14
Policy Revised: 04/28/15

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

ADMINISTRATIVE REGULATION

AR 1100

COMMUNITY RELATIONS

COMMUNICATION WITH THE PUBLIC

In order to improve communications with the public on District goals, programs, and achievements, the District will target the appropriate audience and deliver documents when appropriate. The target public shall include, but not be limited to the following:

In District Communication

- Parents
- Community
- Board of Trustees
- Staff
- Students
- Advisory Committees
- Instructional Committees
- Local Parent Interest Groups, i.e.
PTA/PTO/PTSA/PTSO, etc.
- School Site Councils

Non District Communication

- Community elected officials
- Community dignitaries
- Library
- Local press
- Surrounding districts
- Chamber of Commerce
- City Council
- Law enforcement
- Public community agencies
- Ed Foundation
 - Sponsoring individuals
 - Corporate sponsors
 - Ed Foundation board
- Service Organizations
 - Kiwanis
 - Rotary
 - Other service groups

The Board of Trustees recognizes the importance of communicating with the public on District goals, programs, and achievements.

Prohibition Against Mass Mailings at Public Expense

No newsletter or other mass mailing, as defined in Government Code 82041.5 and 2 CCR 18901, shall be sent by the District at public expense if such material aggrandizes one or more Board members. The name, signature, or photograph of a Board member may be included in such materials only as permitted by 2 CCR 18901. (Government Code 82041.5, 89001; 2 CCR 18901)

Any newsletter or mass mailing regarding ballot measures, candidates, legislative activities, or any other campaign activities shall be sent and distributed in accordance with law and Board policy.

ADMINISTRATIVE REGULATION

AR 1100

COMMUNITY RELATIONS

COMMUNICATION WITH THE PUBLIC (continued)

Comprehensive Communications Plan

The Superintendent shall develop a written communications plan which establishes priorities for proactive community outreach to build support for District programs and issues.

The plan shall identify specific communications goals aligned with the district's vision and goals for student learning. For each communications goal, the plan shall identify key messages, individuals or groups that can help the district achieve its goal, strategies tailored to each target audience, timelines, persons responsible for each activity, and budget implications.

As appropriate for each issue, target audiences may include parents/guardians, the media, local governmental agencies, businesses, community organizations and civic groups, postsecondary institutions, health care professionals, child care providers, community leaders, state or federal legislators or agencies, and/or other segments of the public.

The plan shall incorporate strategies for effective communications during a crisis or other emergency situation that may arise. The Superintendent shall periodically evaluate the implementation and effectiveness of the District's communications plan and recommend to the Board of Trustees whether the goals and key issues identified in the plan need to be revised to meet changing circumstances or priorities.

Regulation Adopted: 03/01/94
Regulation Revised: 02/04/97
Regulation Revised: 03/02/10
Regulation Revised: 04/08/14
Regulation Revised: 04/28/15

BOARD POLICY

BP 1112

COMMUNITY RELATIONS

MEDIA RELATIONS

The Board of Trustees respects the public's right to information and recognizes that the media significantly influences the public's understanding of school issues and can greatly assist the District in informing the community about schools programs and issues. Media representatives are welcome at all Board meetings and shall receive meeting announcements and agenda upon request.

The Superintendent shall develop a plan for proactive communications with the media. The Superintendent and principal of each school may provide the media with information related to District programs and needs, student awards, school accomplishments, and events of special interest. All media inquiries shall be routed to the Superintendent. Spokespersons designated to speak to the media on behalf of the District include the President, Superintendent, and public officer. Staff may be asked by the Superintendent to speak to the media on a case-by-case basis, depending on their expertise on an issue and their communication skills. The District shall not release information which is private or confidential as identified by law and Board policy or administrative regulation.

During a disturbance or crisis situation, the first priority of school staff is to address the situation at hand. At such times, media inquiries shall be routed to the Superintendent, who shall:

1. Prepare an official statement responding to the particular situation.
2. Update the official statement as events unfold.
3. Keep staff and students well informed.

Like all visitors, media representatives are required to identify themselves when they enter school grounds so as to avoid causing disruption or confusion. The principal of each school shall provide the media with information relating to his/her school, including information about student awards, school accomplishments, and events of special interest.

The Board of Trustees and District employees are encouraged to cooperate with members of the press, radio, and television. Employees should always make it clear that they are expressing their own personal viewpoints when so doing. They should not express viewpoints on behalf of the District unless they have been designated to do so.

Media representatives who wish to interview or photograph students at school are required to make prior arrangements with the principal so as to facilitate smooth operations, prevent delay, and preclude the possibility of disturbances on campus. This also allows the principal to arrange for interview times that will not interfere with the student's class attendance.

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 1112

COMMUNITY RELATIONS

MEDIA RELATIONS

The District shall not impose restraints on students' right to speak freely with media representatives at times which do not disrupt the educational program. Parents/guardians may instruct the school that their children are not to communicate with media representatives.

The District shall not release information which is private or confidential, as identified by law and Board policy or administrative regulation.

School News Releases

The Superintendent will be the press liaison person for coordinating the release of information concerning the school system and actions of the Board of Trustees. The principal of each school will be responsible for maintaining liaison with the Superintendent for the dissemination of information relating to his/her school.

The use of all information media for keeping the public continuously informed concerning schools, cost, curriculum, changes, expansion, special events, and other items of public interest is encouraged. Good relationships with publishers, editors, and reporters are vital not only to the best school interests, but in the best interest of the public, who need to be accurately informed.

Legal Reference:

EDUCATION CODE

32210 Willful disturbance of public school or meeting
32211 Threatened disruption or interference with classes
35144 Special meetings
35145 Public meetings
35145.5 Agenda: public participation
35146 Closed sessions
35160 Authority of governing boards
35172 Promotional Activities

PENAL CODE

627-627.10 Access to school premises
95 Ops. Cal. Atty. Gen. 509 (1996)

Policy Adopted: 02/06/78
Policy Revised: 03/01/94
Policy Revised: 02/04/97
Policy Revised: 03/02/10
Policy Reviewed: 04/08/14
Policy Revised: 04/28/15

BOARD POLICY

BP 1113

COMMUNITY RELATIONS

DISTRICT AND SCHOOL WEB SITES

To enhance communication with students, parents/guardians, staff, and community members, the Board of Trustees encourages the Superintendent or designee to develop and maintain District and school web sites. The use of District and school web sites shall support the District's vision and goals and shall be coordinated with other District communications strategies.

Design Standards

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

The District's design standards shall address the accessibility of District-sponsored web sites to individuals with disabilities, including compatibility with commonly used assistive technologies.

Guidelines for Content

The Superintendent or designee shall develop content guidelines for District and school web sites and shall assign staff to review and approve content prior to posting.

Privacy Rights

The Superintendent or designee shall ensure that the privacy rights of students, parents/guardians, staff, Board members, and other individuals are protected on District and school web sites.

Telephone numbers and home and email addresses of students and/or their parents/guardians shall not be published on District or school web sites.

Because of the wide accessibility of the Internet and potential risk to students, photographs of individual students shall not be published with their names or other personally identifiable information without the prior written consent of the student's parent/guardian.

Photographs of groups of students, such as at a school event, may be published provided that students' names are not included.

Staff members' home addresses or telephone numbers shall not be posted on District or school web sites.

The home address or telephone number of any elected or appointed official including, but not limited to, a Board member or public safety official, shall not be posted on District or school web sites without the prior written permission of that individual.

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 1113

COMMUNITY RELATIONS

DISTRICT AND SCHOOL WEB SITES

Legal Reference:

EDUCATION CODE

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

GOVERNMENT CODE

3307.5 Publishing identity of public safety officers
6254.21 Publishing addresses and phone numbers of officials
6254.24 Definition of public safety official
11135 Nondiscrimination; accessibility to state web sites

PENAL CODE

14029.5 Prohibition against publishing personal information of person in witness protection program

UNITED STATES CODE, TITLE 17

101-1101 Federal copyright law

UNITED STATES CODE, TITLE 20

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

UNITED STATES CODE, TITLE 29

794 Section 503 of the Rehabilitation Act of 1973; accessibility to federal web sites

UNITED STATES CODE, TITLE 42

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 16

312.1-312.12 Children's Online Privacy

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy

COURT DECISIONS

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

Management Resources:

U.S. DEPARTMENT OF JUSTICE PUBLICATIONS

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

WORLD WIDE WEB CONSORTIUM PUBLICATIONS

Web Content Accessibility Guidelines, December 2008

WEB SITES

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

California Department of Education, Web Accessibility Standards:

<http://www.cde.ca.gov/re/di/ws/webaccessstds.asp>

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

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

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

Policy Adopted: 03/02/10

Policy Revised: 04/08/14

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

ADMINISTRATIVE REGULATION

AR 1113

COMMUNITY RELATIONS

DISTRICT AND SCHOOL WEB SITES

Guidelines for Content

District and school web sites shall provide current information regarding District/school programs, activities and operations. Such information shall be appropriate for both internal and external audiences and may include District mission and goals, District or school news, agendas and minutes of Board of Trustees' meetings, School Accountability Report Cards, school calendars, and links to educational resources.

With approval of the principal, individual teachers may create web pages linked to the District or school web sites to provide information pertaining to class assignments, expectations, and activities.

Student work may be published on District or school web sites provided that both the student and his/her parent/guardian provide written permission or the work is part of an existing publication such as a school newspaper.

The Superintendent or designee shall ensure that copyright laws are not violated in the use of materials on District and school web sites. If any copyrighted material is posted, a notice shall be included crediting the original producer of the material and noting how and when permission to reprint the material was granted.

District or school web sites may include links to school-related external websites.

Roles and Responsibilities

Any employee assigned as a District or school webmaster shall be responsible for the uploading of material to the web site(s) upon approval of the Superintendent or designee. He/she shall ensure consistency of the material with District standards, regularly check links for accuracy and appropriateness, keep the web server free of outdated or unused files, and provide technical assistance as needed.

The Superintendent or designee may assign additional staff members to conduct an editorial review of all materials submitted for publication on District or school web sites and to make corrections as needed in spelling, grammar, or accuracy of content.

The Superintendent or designee shall provide staff development opportunities related to District content guidelines, design standards, and accessibility laws and standards, to District communications and technology staff, District and school webmasters, and/or other appropriate staff.

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

ADMINISTRATIVE REGULATION

AR 1113

COMMUNITY RELATIONS

DISTRICT AND SCHOOL WEB SITES

Security

The Superintendent or designee shall establish security procedures for the District's computer network to prevent unauthorized access and changes to District and school web sites. To the extent possible, the host computer(s) shall be in a lockable room with restricted access.

Regulation Adopted: 03/02/10
Regulation Revised: 04/08/14

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 1150

COMMUNITY RELATIONS

COMMENDATIONS AND AWARDS

The Board of Trustees believes that individuals and organizations deserve recognition when they provide contributions or longstanding service to the District. The Board of Trustees believes that commending such service promotes increased community understanding and participation.

The Superintendent or designee shall establish procedures by which Board members, employees, or members of the community may suggest persons or organizations for Board of Trustees' recognition. At the Board of Trustees' discretion, letters of recognition, Board of Trustees' resolutions, plaques, or awards may be presented.

The Board of Trustees encourages similar forms of recognition for achievement or services as part of school-level commendation programs.

Legal Reference:

EDUCATION CODE

35160 Authority of governing boards

35160.1 Broad authority of school districts

44015 Awards to employees and students

Policy Adopted: 05/03/94

Policy Revised: 03/02/10

Policy Revised: 04/23/13

Policy Reviewed: 04/08/14

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

ADMINISTRATIVE REGULATION

AR 1150

COMMUNITY RELATIONS

COMMENDATIONS AND AWARDS

Any Board member, employee, parent/guardian, student, or community member may submit the name of an individual or organization to the Superintendent or designee for consideration of recognition by the Board of Trustees. The Superintendent or designee will forward all approved nominations for recognition to the Board of Trustees.

Persons proposing the recognition of an individual or organization shall complete the Commendations and Awards Nomination Form E1150 and submit said form to the Office of the Superintendent. The nominator may also indicate a suggested type of recognition which may include, but is not limited to, the following:

1. Plaques or awards, to be presented at a Board of Trustees' meeting for providing the District or community with special, unusual or long-term assistance.
2. Board of Trustees' resolution, to be read at a Board of Trustees' meeting for distinguished service to children and youth.
3. Letter or Recognition, to be prepared by the Superintendent or designee on behalf of the Board of Trustees for significant achievement and/or service by groups such as the basketball team, choir, band, and parent/guardian/community organizations.
4. Receptions and other informal recognition activities.

Regulation Adopted: 02/04/97
Regulation Revised: 03/02/10
Regulation Revised: 04/23/13
Regulation Reviewed: 04/08/14

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

EXHIBIT

E 1150

COMMUNITY RELATIONS

COMMENDATIONS AND AWARDS

OCEAN VIEW SCHOOL DISTRICT
COMMENDATIONS AND AWARDS NOMINATION FORM

☐ INDIVIDUAL ☐ ORGANIZATION ☐ BUSINESS ☐ CIVIC GROUP

CRITERIA FOR RECOGNITION:

- Significant contribution or longstanding service to the District.
- Promotes the education and/or health and welfare of students.

Individual, Organization, Business or Civic Group to be recognized:

Name of Contact Person: _____ Telephone Number: _____

Address: _____
City Zip Code

Please emphasize above criteria in your nomination:

I am nominating _____

because _____

Nominator's Name _____ School/Dept. _____ Phone: _____

Return Form to the Office of the Superintendent

Exhibit Adopted: 04/23/13

Exhibit Reviewed: 04/08/14

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 1160

COMMUNITY RELATIONS

POLITICAL PROCESSES

The Board of Trustees has a responsibility to actively advocate fiscal and public policy that supports the District's schools and the children in the community. The Board shall be proactive in defining the District's advocacy agenda based on the District's vision and goals and the needs of the District and community. The Board's advocacy efforts shall be conducted in accordance with local requirements.

Ballot Measures/Candidates

No District funds, services, supplies, or equipment shall be used to urge the support or defeat of any ballot measure or candidate, including any candidate for election to the Board of Trustees.

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

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

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

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

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

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

BOARD POLICY

BP 1160

COMMUNITY RELATIONS

POLITICAL PROCESSES

Ballot Measures/Candidates (continued)

1. The Superintendent or designee may research, draft, and prepare a District bond measure or other initiative for the ballot, but shall not use District resources to influence voters or otherwise campaign for the measure.
2. Upon request, Board members and District administrators may appear at any time before a citizens' group to explain why the Board called for an election on a bond measure and to answer questions. If the presentation occurs during working hours, the employee representing the District shall not urge a citizens' group to vote for or against the bond measure.
3. The Board or any individual Board member may file a written argument for the ballot that is either for or against any school measure.

Legislation

The Board of Trustees' responsibility as an advocate for the District may include lobbying and outreach at the state, national, and local levels. The Board and Superintendent or designee shall work to establish and maintain ongoing relationships with elected officials, community leaders, and the media in order to communicate District positions and concerns.

The Board of Trustees and Superintendent shall develop an advocacy action plan to define expectations and responsibilities. This plan may include, but is not limited to, legislative priorities, strategies for outreach to the media and community, development of key messages and talking points, and adoption of positions on specific legislation, regulations, or budget proposals.

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

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

The Board of Trustees may direct the Superintendent or designee to draft legislative or regulatory proposals which serve the District's interest.

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 1160

COMMUNITY RELATIONS

POLITICAL PROCESSES

Legal Advocacy

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

Political Forums

Forums on political issues may be held in District facilities as long as the forum is made available to all sides of the issue on an equitable basis.

Legal Reference:

EDUCATION CODE

7050-7058 Political activities of school officers and employees, including:

7054 Use of district property

7054.1 Requested appearance

7056 Soliciting or receiving political funds

35160 Authority of governing boards

35172 Promotional activities

ELECTIONS CODE

9501 School district elections, arguments for or against a measure

GOVERNMENT CODE

8314 Unlawful use of state resources

53060.5 Attendance at legislative body; expenses

54953.5 Right to record proceedings

54953.6 Broadcasts of proceedings

81000-91015 Political Reform Act, including:

82031 Definition of independent expenditure

CODE OF REGULATIONS, TITLE 2

18600-18640 Lobbyists

18901 Campaign-related mailings sent at public expense

COURT DECISIONS

Vargas v. City of Salinas, (2009) 46 Cal. 4th 1

Santa Barbara County Coalition Against Automobile Subsidies v. Santa Barbara County Association of Governments, (2008) 167 Cal.App.4th 1229

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

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

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

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

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

ATTORNEY GENERAL OPINIONS

88 Ops. Cal. Atty. Gen 46 (2005)

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

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 1160

COMMUNITY RELATIONS

POLITICAL PROCESSES

Management Resources:

CSBA PUBLICATIONS

Legal Guidelines: Use of Public Resources for Ballot Measures and Candidates, Fact Sheet, February 2011

Legal Guidelines for Lobbying Activity, Fact Sheet, February 2011

INSTITUTE FOR LOCAL GOVERNMENT PUBLICATIONS

Legal Issues Associated with Use of Public Resources and Ballot Measure Activities, June 2010

WEB SITES

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

Fair Political Practices Commission: <http://www.fppc.ca.gov>

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

Policy Adopted: 05/03/94
Revision Adopted: 02/04/97
Policy Revised: 03/02/10
Policy Revised: 04/08/14

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 1210

COMMUNITY RELATIONS

SCHOOL COMMUNITY ASSOCIATIONS

The Board of Trustees looks upon school-community associations such as the parent-teacher organization as integral parts of the school community which can aid substantially in promoting a finer educational program.

The Board of Trustees encourages active support of and cooperation with school-community associations by District employees.

Business Services will provide assistance to parent-teacher organizations by providing tax and insurance information on a consistent basis.

Policy Adopted: 02/06/78
Policy Revised: 12/17/84
Policy Revised: 02/04/97
Policy Revised: 03/02/10
Policy Reviewed: 04/08/14

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 1220

COMMUNITY RELATIONS

CITIZEN ADVISORY COMMITTEES

The Board of Trustees recognizes that citizen advisory committees enable the Board of Trustees to better understand the interests and concerns of the community. The Board of Trustees shall establish citizen advisory committees when required by law, to strengthen the effectiveness of District and school operations, or to enhance student learning. The purpose of any such committees shall be clearly defined and aligned to the District's vision, mission, and goals. These committees also enable citizens and parents to better understand the attitudes and opinions held in the school.

Citizen advisory committees shall serve in an advisory capacity; they may make recommendations regarding Board policy, but their actions shall not be binding on the Board of Trustees. The Board of Trustees may dissolve any advisory committees not required by law when the committee has fulfilled its duties or at any time the Board of Trustees determines it necessary.

The membership of citizen advisory committees should reflect the diversity of the community and a diversity of viewpoints. With Board of Trustees' approval, the Superintendent or designee may appoint committee members.

The Superintendent or designee shall provide training and information, as necessary, to enable committee members to understand the basic administrative structure, program processes, and goals of the committee. If necessary, training will include information and requirements of the Ralph M. Brown Act (Government Code 5490 through 54963 and Education Code 35140 through 35149).

Within budget allocations, the Superintendent or designee may approve requests for committee travel and may reimburse committee members for expenses at the same rates and under the same conditions as those provided for District employees.

The Superintendent or designee may establish advisory committees which shall report to him/her in accordance with law, Board policy, and administrative regulation.

Legal Reference:

EDUCATION CODE

8070 Career technical education advisory committee
11503 Parent involvement program
15278-15282 Citizens' oversight committee
15359.3 School facilities improvement districts
17387-17391 Advisory committees for use of excess school facilities
35147 School site councils and advisory committees
41505-41508 Pupil Retention Block Grant
41570-41573 School and Library Improvement Block Grant
44032 Travel expense payment
52176 Advisory committees, limited-English proficient students program
52852 Site council, school-based program coordination
54425 Advisory committees, compensatory education

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 1220

COMMUNITY RELATIONS

CITIZEN ADVISORY COMMITTEES

Legal Reference (continued):

54444.1-54444.2 Parent advisory councils, services to migrant children
56190-56194 Community advisory committee, special education
62002.5 Continuing parent advisory committees
REPEALED EDUCATION CODE FOR CATEGORICAL PROGRAMS
52012 School site council
GOVERNMENT CODE
810.2 Tort claims act, definition employee
810.4 Tort claims act, definition employment
815.2 Injuries by employees within scope of employment
820.9 Members of local public boards not vicariously liable
6250-6270 California Public Records Act
54950-54963 Brown Act
UNITED STATES CODE, TITLE 42
1751 Note Local wellness policy
COURT DECISIONS
Frazer v. Dixon Unified School District, (1993) 18 Cal.App.4th 781

Management Resources:

CSBA PUBLICATIONS
Maximizing School Board Leadership: Community Leadership, 1996
WEB SITES
CSBA: <http://www.csba.org>
California Department of Education: <http://www.cde.ca.gov>

Policy Adopted: 08/04/75
Policy Revised: 05/03/94
Policy Revised: 02/04/97
Policy Revised: 03/07/06
Policy Revised: 03/02/10
Policy Reviewed: 04/08/14

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

ADMINISTRATIVE REGULATION

AR 1220

COMMUNITY RELATIONS

CITIZEN ADVISORY COMMITTEES

Committee Charge

When committees are appointed, committee members shall receive written information including, but not limited to:

1. The committee members' names and the procedure to be used in the selection of the committee chairperson and other committee officers.
2. The name(s) and contact information of staff member(s) assigned to support the work of the committee.
3. The specific charge(s) of the committee, including its topic(s) for study or well-defined area(s) of activity.
4. The specific period of time that the committee is expected to serve.
5. Legal requirements regarding meeting conduct and public notifications.
6. Resources available to help the committee complete its tasks.
7. Timelines for progress reports and/or final report.
8. Relevant Board of Trustees' policies and administrative regulations.

Members of advisory committees are not vicariously liable for injuries caused by the act or omission of the District.

Committees Subject to Brown Act Requirements

The following citizen advisory committees shall comply with Brown Act requirements pertaining to open meetings, notices, and public participation pursuant to Education Code 54950-54963:

1. Advisory committees established pursuant to Education Code 56190-56194 related to special education.
2. Committees established to assist in development of a student wellness policy pursuant to 42 USC 1751.

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

ADMINISTRATIVE REGULATION

AR 1220

COMMUNITY RELATIONS

CITIZEN ADVISORY COMMITTEES

Committees Subject to Brown Act Requirements (continued)

3. Committees established pursuant to Education Code 17387-17391 related to the use or disposition of excess real property.
4. Other committees created by formal Board of Trustees' action.

Committees Not Subject to Brown Act Requirements

The following councils and advisory committees are exempted from the Brown Act and must conform with procedural meeting requirements established in Education Code 35147;

1. School site councils established pursuant to Education Code 41507, 41572, 52012, or 52852 related to student retention, school or library improvement, or school-based program coordination;
2. Any advisory committee established related to American Indian education;
3. District or school advisory committees established pursuant to Education Code 52176 related to programs for students of limited English proficiency;
4. School advisory committees established pursuant to Education Code 54425 related to compensatory education;
5. School site councils established pursuant to Education Code 62002.5 related to economic impact aid and bilingual education;
6. School committees established pursuant to Education Code 11503 related to parent involvement;
7. School and District committees pursuant to Education Code 52205 related to Gifted and Talented Education.

Meetings of the above councils or committees shall be open to the public, and any member of the public shall have the opportunity to address the council or committee during the meeting on any item within its jurisdiction. Notice of the meeting shall be posted at the school site or other appropriate accessible location at least 72 hours before the meeting, specifying the date, time, and location of the meeting, and containing an agenda that describes each item of business to be discussed or acted upon.

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

ADMINISTRATIVE REGULATION

AR 1220

COMMUNITY RELATIONS

CITIZEN ADVISORY COMMITTEES

The above councils or committees shall not take action on any item not listed on the agenda unless all members present unanimously find that there is a need to take immediate action and that this need came to the council=s or committee=s attention after the agenda was posted. In addition to addressing items on the agenda, members of the council, committee, or public may ask questions or make brief statements that do not have a significant effect on District students or employees or that can be resolved solely by providing information.

Councils or committees violating the above procedural requirements must, at the demand of any person, reconsider the item at the next meeting, first allowing for public input on the item.

Any materials provided to a school site council shall be made available to any member of the public upon request pursuant to the California Public Records Act.

Committees created by the Superintendent or designee to advise the administration do not report to the Board of Trustees and are not subject to open meeting laws.

Regulation Adopted: 02/04/97
Regulation Revised: 03/07/06
Regulation Revised: 03/02/10
Regulation Reviewed: 04/08/14

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 1230

COMMUNITY RELATIONS

SCHOOL-CONNECTED ORGANIZATIONS

The Board of Trustees recognizes that parents/guardians and community members may wish to organize parent organizations and/or booster clubs for the purpose of supporting the District's educational and extracurricular programs. The Board appreciates the contributions made by such organizations toward the Board's vision for student learning and for providing all District students with high-quality educational opportunities.

Persons proposing to establish a school-connected organization shall submit a request to the Board for authorization to operate within the District or at a District school.

A school-connected organization, including a booster club, parent-teacher association or organization, or other organization that does not include an associated student body or other student organization, shall be established and maintained as a separate entity from the school or District. Each school-connected organization shall be subject to its own bylaws and operational procedures or to the rules or bylaws of its affiliated state or national organization, as applicable.

In addition, activities by school-connected organizations shall be conducted in accordance with law, Board policies, administrative regulations, and any rules of the sponsoring school.

The Superintendent or designee shall establish appropriate rules for the relationship between school-connected organizations and the District.

A school-connected organization shall obtain the written approval of the Superintendent or designee prior to soliciting funds upon the representation that the funds will be used wholly or in part for the benefit of a District school or the students of that school. (Education Code 51521)

A school-connected organization may consult with the principal to determine school needs and priorities.

Any participation in fundraising activities by students and their parents/guardians and/or any donation of funds or property shall be voluntary. (Education Code 49011)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex
35160 Authority of governing boards
38130-38138 Civic Center Act, use of school property for public purposes
48931 Authorization for sale of food by student organization
48932 Authorization for fund-raising activities by student organization
49011 Student fees
49431-49431.7 Nutritional standards
51520 Prohibited solicitation on school premises
51521 Fund-raising project

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 1230

COMMUNITY RELATIONS

SCHOOL-CONNECTED ORGANIZATIONS

Legal Reference: (continued)

BUSINESS AND PROFESSIONS CODE

17510-17510.95 Solicitations for charitable purposes

25608 Alcohol on school property; use in connection with instruction

GOVERNMENT CODE

12580-12599.7 Fundraisers for Charitable Purposes Act

PENAL CODE

319-329 Lottery, raffle

CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education programs

15500 Food sales in elementary schools

15501 Food sales in high schools and junior high schools

15575-15578 Requirements for foods and beverages outside the federal meals program

CODE OF REGULATIONS, TITLE II

300-312.1 Fundraising for charitable purposes

UNITED STATES CODE, TITLE 20

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

CODE OF FEDERAL REGULATIONS, TITLE 7

210.11 Competitive food services

220.12 Competitive food services

COURT DECISIONS

Serrano v. Priest, (1976) 18 Cal. 3d 728

Management Resources:

FISCAL CRISIS AND MANAGEMENT ASSISTANCE TEAM PUBLICATIONS

2015 ASB Accounting Manual, Fraud Prevention Guide and Desk Reference

WEB SITES

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

California Office of the Attorney General, charitable trust registry: <http://caag.state.ca.us/charities>

California State PTA: <http://www.capta.org>

Fiscal Crisis and Management Assistance Team (FCMAT); <http://www.fcmat.org>

Policy Adopted: 11/21/77
Policy Revised: 05/04/94
Policy Revised: 03/02/10
Policy Revised: 04/08/14
Policy Revised: 11/19/19

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

ADMINISTRATIVE REGULATION

AR 1230

COMMUNITY RELATIONS

SCHOOL-CONNECTED ORGANIZATIONS

A school-connected organization's request for authorization to operate within the District or at a District school shall contain, as appropriate:

1. The name and purpose of the organization.
2. The date of application.
3. Bylaws, rules and procedures under which the organization will operate, including procedures for maintaining the organization's finances, membership qualifications, if any, and an agreement that the group will not engage in unlawful discrimination.
4. The names, addresses, and phone numbers of all officers.
5. A list of specific objectives.
6. An agreement to grant the District the right to audit the group's financial records, either by District personnel or a certified public accountant, whenever any concern is raised regarding the use of the funds.
7. The name of the bank where the group's account will be located and the names of those authorized to withdraw funds.
8. The signature of the Principal of the supporting school.
9. Planned use for any money remaining at the end of the year if the organization is not continued or authorized to continue in the future.
10. An agreement to provide evidence of liability and/or directors and officers insurance when and in the manner required by law.

Requests for subsequent authorization shall be annually submitted to the Superintendent or designee, along with a financial statement showing all income and expenditures from fundraisers. If the Superintendent or designee proposes to deny the request for reauthorization, he/she shall present his/her recommendation to the Board of Trustees for approval.

When deemed necessary by the Board or the Superintendent or designee, the authorization for a school-connected organization to conduct activities in the district may be revoked at any time.

Each school-connected organization shall abide by the following rules:

1. The organization shall not act as an agent of the District or school.

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

ADMINISTRATIVE REGULATION

AR 1230

COMMUNITY RELATIONS

SCHOOL-CONNECTED ORGANIZATIONS

2. The organization shall not use the District's tax-exempt status and identification number. It shall be responsible for its own tax status, accounting, internal controls, financial reporting, retention of records, and other operations.
3. The organization shall use a separate name and logo. Any use of a name or logo affiliated with the District, a District school, or a school team shall require the prior consent of the Superintendent or designee.
4. Funds of the school-connected organization shall not be co-mingled with District funds, including associated student body funds.
5. The organization shall not hire or directly pay any District employee. If a school-connected organization wishes to pay for additional and/or extracurricular services, the person to provide the services shall be hired through the District's personnel department, provided the Board approves the position. At their discretion, employees may volunteer to perform activities for school-connected organizations during nonworking hours.

Regulation Adopted:	02/16/93
Regulation Revised:	03/02/10
Regulation Reviewed:	04/08/14
Regulations Revised:	11/19/19

BOARD POLICY

BP 1240

COMMUNITY RELATIONS

Volunteer Assistance

The Board of Trustees recognize that volunteers—assistance in schools can enrich the educational program, increase supervision of students, and contribute to school safety, while strengthening the schools' relationships with the community to share their time, knowledge, and abilities with students.

The Superintendent or designee may authorize the use of volunteers and shall establish procedures to protect the safety of students and adults in accordance with laws related to student supervision, tuberculosis assessment, fingerprinting, and criminal records checks. The Superintendent or designee shall develop and implement a plan for recruiting, screening, placing volunteers, and monitoring volunteers, including strategies for reaching underrepresented groups of parents/guardians and community members. He/she may also recruit community members to serve as mentors to students and/or make appropriate referrals to community organizations.

The Board of Trustees prohibits harassment of any volunteer on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status. (Government Code 12940)

As appropriate, the Superintendent or designee shall provide volunteers with information about school goals, programs, and practices and an orientation or other training related to their specific responsibilities. School personnel who supervise volunteers shall ensure that volunteers are assigned meaningful responsibilities that utilize their skills and expertise and maximize their contribution to the educational program.

Volunteer maintenance work shall be limited to those projects which do not replace the normal duties of classified staff. The Board of Trustees nevertheless encourages volunteers to work on short-term projects to the extent that they enhance the classroom or school and comply with employee negotiated agreements.

The Superintendent or designee shall establish procedures for determining whether volunteers possess the qualifications, if any, required by law and administrative regulation for the types of duties they will perform.

Volunteers shall act in accordance with District policies, regulations, and school rules. The Superintendent or designee shall be responsible for investigating and resolving complaints regarding volunteers.

The Board of Trustees encourages principals to develop a means for recognizing the contributions of each school's volunteers.

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 1240

COMMUNITY RELATIONS

Volunteer Assistance (continued)

The Superintendent or designee shall periodically report to the Board of Trustees regarding the District's volunteer assistance program.

Workers' Compensation Insurance

The Board of Trustees desires to provide a safe environment for volunteers and minimize the District's exposure to liability.

Upon the adoption of a resolution by the Board, volunteers shall be entitled to workers' compensation benefits for any injury sustained while engaged in the performance of service for the District. (Labor Code 3364.5)

Legal Reference:

EDUCATION CODE

8482-8484.6 After School Education and Safety program

8484.7-8484.9 21st Century Community Learning Center Program

35021 Volunteer aides

35021.1 Automated records check

35021.3 Registry of volunteers for before/after school programs

44010 Sex offense; definition

44814-44815 Supervision of students during lunch and other nutrition periods 45125

Fingerprinting requirements

45125.01 Interagency agreements for criminal record information

45340-45349 Instructional aides

45360-45367 Teacher aides

48981 Parental notifications

49024 Activity Supervisor Clearance Certificate

49406 Examination for tuberculosis GOVERNMENT

CODE

3543.5 Prohibited interference with employees' rights

12490 Prohibited discrimination and harassment HEALTH

AND SAFETY CODE

1596.871 Fingerprints of individuals in contact with child day care facility clients

LABOR CODE

1720.4 Public works; exclusion of volunteers from prevailing wage law 3352

Workers' compensation; definitions

3364.5 Persons performing voluntary services for school districts

PENAL CODE

290 Registration of sex offenders

290.4 Information re sex offenders

290.95 Disclosure by person required to register as sex offender

626.81 Sex offender; permission to volunteer at school

CODE OF REGULATIONS, TITLE 22

101170 Criminal record clearance

101216 Health screening, volunteers in child care centers

UNITED STATES CODE, TITLE 20

6319 Qualifications and duties of paraprofessionals, Title I programs

COURT DECISIONS

Whisman Elementary School District, 15 Public Employee Reporter for California, 22043

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 1240

COMMUNITY RELATIONS

Volunteer Assistance (continued)

Management Resources:

WEB SITES

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

California Department of Education, Parents/Family and Community: <http://www.cde.ca.gov/ls/pf> California

Department of Justice, Megan's Law <http://www.meganslaw.ca.gov>

California Parent Teacher Association: <http://www.capta.org>

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

Policy Adopted:	01/17/95
Policy Revised:	02/04/97
Policy Revised:	03/02/10
Policy Revised:	04/08/14
Policy Revised:	08/16/16

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

ADMINISTRATIVE REGULATION

AR 1240

COMMUNITY RELATIONS

Volunteer Assistance

Definitions

Volunteer is an unsalaried person authorized by the Board of Trustees to perform volunteer services for the school district. A volunteer shall serve in such capacity without compensation or employee benefits of any type, except for worker's compensation as provided for in Labor Code Section 3364.5. A volunteer is a parent, community member, or other adult who assists at a school site or program on a regular or semi-regular basis before, during, or after school hours. All volunteers will work under the direction and supervision of a school employee. All volunteers serve at the discretion of the Superintendent without any expressed or implied privileges beyond those found in this procedure and may be released from volunteering if so deemed by the Superintendent or designee.

Duties of Volunteers

The Superintendent or designee may assign volunteers to:

1. Assist certificated personnel in the performance of their duties, and in the performance of instructional tasks which, in the judgment of the certificated personnel to which the volunteer is assigned, may be performed by the volunteer. (Education Code 35021, 45343, 45344, 45349)
2. Serve as nonteaching support under the immediate supervision and direction of certificated personnel to perform non-instructional work which assists certificated personnel in the performance of teaching and administrative responsibilities. (Education Code 35021)
3. Supervise students during lunch, breakfast, or other nutritional periods. (Education Code 35021, 44814, 44815)
4. Perform other duties in support of District or school operations as approved by the Superintendent or designee.

Volunteers shall not be authorized to assign grades to students, and shall not be used to assist certificated staff in performing teaching or administrative responsibilities in place of regularly authorized classified employees who have been laid off. (Education Code 35021, 45344)

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

ADMINISTRATIVE REGULATION

AR 1240

COMMUNITY RELATIONS

Volunteer Assistance (continued)

Clearance Requirements for Volunteers

Tier I Volunteers

Tier I volunteers include the following: 1) All volunteers who are performing volunteer service on the school campus (before, during and after school in classroom and non-classroom environments) more than five hours a week; 2) All chaperones on field trips; 3) All individuals attending or chaperoning overnight school-sponsored trips; and 4) Volunteer coaches, assistant coaches, and co-curricular assistants.

Tier I volunteers are required to be fingerprinted and have a criminal record clearance. (Education Code 49024) Any conviction shall be reviewed by the Assistant Superintendent of Human Resources and approval to volunteer will be determined prior to the volunteer providing service. In addition, Tier I volunteers shall be informed that the site is conducting a Megan Law's clearance check. Volunteers will complete a Volunteer Application form and provide acknowledgement (sign-off) of the Volunteer Handbook. Tier I volunteers are to sign in at the front office and display, on their person, the site issued identification.

Tier II Volunteers

Tier II volunteers include the following: 1) All volunteers who are performing volunteer service on the school campus (before, during and after school in classroom and non-classroom environments) five or less hours per week; 2) Volunteers serving parent participation hours outlined by state preschool requirements.

Tier II volunteers shall be informed that the site is conducting a Megan Law's clearance check. Volunteers will complete a Volunteer Application form and provide acknowledgement (sign-off) of the Volunteer Handbook. Tier II volunteers are to sign in at the front office and display, on their person, the site issued identification.

Registered Sex Offenders

The Superintendent or designee shall require all volunteers to disclose whether they are a registered sex offender and/or to provide the District with sufficient information in order to allow verification of this status on the Department of Justice's Megan's Law web site (<http://www.meganslaw.ca.gov>).

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

ADMINISTRATIVE REGULATION

AR 1240

COMMUNITY RELATIONS

Volunteer Assistance (continued)

Registered Sex Offenders (continued)

No person who is required to register as a sex offender pursuant to Penal Code 290 shall be assigned as a volunteer in any capacity. (Education Code 35021, 45349; Penal Code 290.95)

Tuberculosis Assessment/Examination

Upon initial volunteer assignment, a volunteer shall have on file with the school a certificate showing that he/she has submitted to a tuberculosis risk assessment and, if tuberculosis risk factors were identified, was examined and found to be free of infectious tuberculosis. (Education Code 49406)

Regulation Adopted: 01/17/95
Regulation Revised: 02/04/97
Regulation Revised: 03/02/10
Regulation Revised: 04/08/14
Regulation Revised: 08/16/16

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 1250

COMMUNITY RELATIONS

VISITORS/OUTSIDERS

The Board of Trustees believes that it is important for parents/guardians and community members to take an active interest in the issues affecting district schools and students. Therefore, the Board encourages interested parents/guardians and community members to visit the schools and participate in the educational program.

To ensure the safety of students and staff and minimize interruption of the instructional program, the Superintendent or designee shall establish procedures which facilitate visits during regular school days. Visits during school hours should be arranged with the principal or designee. When a visit involves a conference with a teacher or the principal, an appointment should be scheduled during noninstructional time.

Any person who is not a student or staff member shall register immediately upon entering any school building or grounds when school is in session.

The principal or designee may provide a visible means of identification for all individuals who are not students or staff members while on school premises.

No electronic listening or recording device may be used by any person in a classroom without the teacher's and principal's permission. (Education Code 51512)

The Board of Trustees encourages all individuals to assist in maintaining a safe and secure school environment by behaving in an orderly manner while on school grounds and by utilizing the District's complaint processes if they have concerns with any District program or employee. In accordance with Penal Code 626.7, the principal or designee may request that any individual who is causing a disruption, including exhibiting volatile, hostile, aggressive, or offensive behavior, immediately leave school grounds.

Presence of Sex Offender on Campus

Any person who is required to register as a sex offender pursuant to Penal Code 290, who has lawful business to be on campus, including a parent/guardian of a District student, shall request written permission from the principal before entering the school campus or grounds. As necessary, the principal shall consult with local law enforcement authorities before allowing the presence of any such person at school or other school activity. The principal also shall report to the Superintendent or designee anytime he/she gives such written permission.

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 1250

COMMUNITY RELATIONS

VISITORS/OUTSIDERS (continued)

Legal Reference:

EDUCATION CODE

- 32210 Willful disturbance of public school or meeting
- 32211 Threatened disruption or interference with classes; misdemeanor
- 32212 Classroom interruptions
- 35160 Authority of governing boards
- 35292 Visits to schools (board members)
- 49091.10 Parental right to inspect instructional materials and observe school activities
- 51101 Parent Rights Act of 2002
- 51512 Prohibited use of electronic listening or recording device

Legal Reference: (continued)

EVIDENCE CODE

- 1070 Refusal to disclose news source

LABOR CODE

- 230.8 Discharge or discrimination for taking time off to participate in child's educational activities

PENAL CODE

- 290 Sex offenders
- 626-626.10 Schools
- 626.81 Misdemeanor for registered sex offender to come onto school grounds
- 627-627.10 Access to school premises, especially:
- 627.1 Definitions
- 627.2 Necessity of registration by outsider
- 627.7 Misdemeanors; punishment

COURT DECISIONS

- Reeves v. Rocklin Unified School District, (2003) 109 Cal.App.4th 652

ATTORNEY GENERAL OPINIONS

- 95 Ops.Cal.Atty.Gen. 509 (1996)

Policy Adopted: 02/06/78
Revision Adopted: 05/03/94
Revision Adopted: 02/04/97
Policy Revised: 03/02/10
Policy Revised: 04/08/14

ADMINISTRATIVE REGULATION

AR 1250

COMMUNITY RELATIONS

VISITORS/OUTSIDERS

The Superintendent or designee shall post at every entrance to each school and school grounds a notice setting forth visitor registration requirements, hours during which registration is required, the registration location, the route to take to that location, and the penalties for violation of registration requirements.

Unless otherwise directed by the principal or designee, a staff member shall accompany visitors while they are on school grounds.

Registration

In order to register, visitors shall, upon request, furnish the principal or designee with the following information.

1. His/her name and address
2. His/her purpose for entering school grounds
3. Proof of identity

Principal's Registration Authority

1. The principal or designee may refuse to register any visitor if he/she reasonably concludes that the visitor's presence or acts would disrupt the school, students, or employees; would result in damage to property; or would result in the distribution or use of a controlled substance. The principal or designee or school security officer may revoke a visitor's registration if he/she has a reasonable basis for concluding that the visitor's presence on school grounds would interfere or is interfering with the peaceful conduct of school activities or would disrupt or is disrupting the school, students or staff.
2. The principal or designee may request that a visitor who has failed to register, or whose registration privileges have been denied or revoked, promptly leave school grounds. When a visitor is directed to leave, the principal or designee shall inform the individual that if he/she reenters the school within seven days he/she will be guilty of a misdemeanor subject to a fine and/or imprisonment.

ADMINISTRATIVE REGULATION

AR 1250

COMMUNITY RELATIONS

VISITORS/OUTSIDERS

Appeal Procedure

Any person who is denied registration or whose registration is revoked may appeal to the Superintendent or principal by submitting, within five days after the person's departure from school, a written request for a hearing. This request must state why he/she believes the denial or revocation was improper and must provide an address to which the hearing notice may be sent. Upon receipt of the request for a hearing, the Superintendent or principal shall promptly mail a notice of the hearing to the person requesting it. A hearing before the Superintendent or principal shall be held within seven days after receipt of the request.

Visits to the Classroom

In order to ensure that classroom visits are not disruptive to the instructional program, the following procedures shall be observed:

1. Visitors wishing to observe a specific classroom shall contact the site administrator prior to the visit to establish a time that is convenient for the teacher, administrator, and visitor.
2. Visitors are to register in the school office prior to going to a classroom.
3. Parent-teacher conferences during instructional periods are not permitted.
4. The frequency of visits shall not exceed two per trimester nor shall they extend beyond one thirty (30) minute instructional period or one full instructional lesson, whichever is applicable.
5. Activities of visitors shall be limited to observation, except when arranged with and approved in advance by the teacher.
6. When requested by a teacher, the visitor shall be accompanied by the site administrator.

Nothing in these Administrative Regulations shall inhibit the use of volunteers in schools. Volunteerism is strongly encouraged.

Regulation Adopted: 03/07/95
Revision Adopted: 02/04/97
Revision Adopted: 09/02/97
Revision Adopted: 12/11/01
Regulation Revised: 03/02/10
Regulation Revised: 04/08/14

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 1260

COMMUNITY RELATIONS

EDUCATIONAL FOUNDATION

The Board of Trustees encourages the creation of an independent educational foundation to actively raise funds that will enhance educational opportunities for our students.

Legal Reference:

EDUCATION CODE

38130-38138 Civic Center Act, use of school property for public purposes

BUSINESS AND PROFESSIONS CODE

12580-12599.7 Fundraisers for Charitable Purposes Act

17510-17510.95 Solicitations for charitable purposes

25608 Alcohol on school property; use in connection with instruction

PENAL CODE

319-329 Lottery, raffle

CODE OF REGULATIONS, TITLE 11

300-312.1 Fundraising for charitable purposes

COURT DECISIONS

Serrano v. Priest, (1976) 18 Cal. 3d 728

Management Resources:

WEB SITES

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

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

California Office of the Attorney General, charitable trust registry: <http://caag.state.ca.us/charities>

Policy Adopted: 02/04/97

Policy Revised: 03/02/10

Policy Reviewed: 04/08/14

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 1312

COMMUNITY RELATIONS

COMPLAINTS CONCERNING THE SCHOOLS

The Board of Trustees believes that the quality of the educational program can improve when the District listens to complaints, considers differences of opinion, and resolves disagreements through an established, objective process.

The Board of Trustees encourages complainants to resolve problems early and informally whenever possible. If a problem remains unresolved, the individual should submit a formal complaint as early as possible in accordance with appropriate District procedures. District procedures shall be readily accessible to the public.

Individual Board members do not have authority to resolve complaints. If approached directly with a complaint, however, Board members should listen to the complaint and show their concern by referring the complainant to the Superintendent or designee so the problem may receive proper consideration. Complaints concerning Board members may be filed directly, in writing, with the Board of Trustees.

Legal Reference:

EDUCATION CODE

35146 Closed sessions

GOVERNMENT CODE

950-950.8 Actions against public employees

54957-54957.8 Closed sessions

CODE OF REGULATIONS, TITLE 5

3080 Application of section 4600-4671

4600-4671 – Uniform complaint procedures

Policy Adopted: 08/14/90
Revision Adopted: 05/03/94
Revision Adopted: 03/01/05
Policy Revised: 03/02/10
Police Reviewed: 04/08/14

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 1312.1

COMMUNITY RELATIONS

COMPLAINTS CONCERNING DISTRICT EMPLOYEES

The Board of Trustees accepts responsibility for providing a means by which the public can hold employees accountable for their actions. The Board of Trustees desires that complaints be resolved expeditiously without disrupting the educational process.

The Superintendent or designee shall develop regulations which permit the public to submit complaints against District employees in an appropriate way. These regulations shall protect the rights of involved parties. The Board of Trustees may serve as an appeals body if the complaint is not resolved.

The Board of Trustees prohibits retaliation against complainants. The Superintendent or designee at his/her discretion may keep a complainant's identity confidential, except to the extent necessary to investigate the complaint. The District will not investigate anonymous complaints unless it so desires.

Legal Reference:

EDUCATION CODE

33308.1 Guidelines on procedure for filing child abuse complaints

35146 Closed sessions

44031 Personnel file contents and inspection

44811 Disruption of public school activities

44932-44949 Resignation, dismissal and leaves of absence (rights of employee; procedures to follow)

48987 Child abuse guidelines

GOVERNMENT CODE

54957 Closed session; complaints re employees

54957.6 Closed session; salaries or fringe benefits

PENAL CODE

273 Cruelty or unjustifiable punishment of child

11164-11174.3 Child Abuse and Neglect Reporting Act

WELFARE AND INSTITUTIONS CODE

300 Minors subject to jurisdiction of juvenile court

Management Resources:

CDE LEGAL ADVISORIES

0910.93 Guidelines for parents to report suspected child abuse by school district employees or other persons against a pupil at school site (LO:4-93)

Policy Adopted: 08/14/90
Policy Revised: 05/03/94
Policy Revised: 02/04/97
Policy Revised: 03/01/05
Policy Revised: 03/02/10
Policy Reviewed: 04/08/14

ADMINISTRATIVE REGULATION

AR 1312.1

COMMUNITY RELATIONS

COMPLAINTS CONCERNING DISTRICT EMPLOYEES

The Superintendent or designee shall determine whether a complaint should be considered a complaint against the District and/or the individual, and whether it should be resolved by the District's process for complaints concerning personnel, other District procedures, or both.

To promote prompt and fair resolution of the complaint, the following procedures shall govern the resolution of complaints against District employees:

1. Every effort should be made to resolve a complaint at the earliest possible stage. Whenever possible, the complainant should communicate directly to the employee in order to resolve concerns.
2. If the complainant is unable or unwilling to resolve the complaint directly with the employee, he/she may submit an oral or written complaint to the employee's immediate supervisor or to the principal.
3. All complaints related to District personnel, other than administrators, shall be submitted in writing to the principal or immediate supervisor. If the complainant is unable to prepare the complaint in writing, administrative staff shall help him/her to do so. Complaints related to a principal or central office administrator shall be initially filed in writing with the Superintendent or designee. Complaints related to the Superintendent shall be initially filed in writing with the Board of Trustees.
4. When a written complaint is received, the employee shall be notified within seven days or in accordance with collective bargaining agreements.
5. A written complaint shall include:
 - a. The full name of each employee involved.
 - b. A brief, but specific, summary of the complaint and the facts surrounding it.
 - c. A specific description of any prior attempt to discuss the complaint with the employee and the failure to resolve the matter.
6. Staff responsible for investigating complaints shall attempt to resolve the complaint to the satisfaction of the parties involved within 30 calendar days.

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

ADMINISTRATIVE REGULATION

AR 1312.1

COMMUNITY RELATIONS

COMPLAINTS CONCERNING DISTRICT EMPLOYEES

7. Both the complainant and the employee against whom the complaint was made may appeal a decision by the principal or immediate supervisor to the Superintendent or designee, who shall attempt to resolve the complaint to the satisfaction of the person involved within 30 calendar days. Parties should consider and accept the Superintendent or designee's decision as final. However, the complainant, the employee, or the Superintendent or designee may ask to address the Board of Trustees regarding the complaint.
8. Before any Board of Trustees' consideration of a complaint, the Superintendent or designee shall submit to the Board of Trustees a written report concerning the complaint, including but not limited to:
 - a. The full name of each employee involved.
 - b. A brief but specific summary of the complaint and the facts surrounding it, sufficient to inform the Board of Trustees and the parties as to the precise nature of the complaint and to allow the parties to prepare a response.
 - c. A copy of the signed original complaint.
 - d. A summary of the action taken by the Superintendent or designee, together with his/her specific finding that the problem has not been resolved and the reasons.
9. The Board of Trustees may uphold the Superintendent's decision without hearing the complaint.
10. All parties to a complaint may be asked to attend a Board of Trustees meeting in order to clarify the issue and present all available evidence.
11. A Closed Session shall be held to hear the complaint in accordance with law.
12. The decision of the Board of Trustees shall be final.

Any complaint of child abuse or neglect alleged against a District employee shall be reported to the appropriate local agencies in accordance with law, Board policy, and administrative regulation.

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

ADMINISTRATIVE REGULATION

AR 1312.1

COMMUNITY RELATIONS

COMPLAINTS CONCERNING DISTRICT EMPLOYEES

Regulation Adopted: 05/03/94
Regulation Revised: 02/04/97
Regulation Revised: 03/01/05
Regulation Revised: 03/02/10
Regulation Reviewed: 04/08/14

BOARD POLICY

BP 1312.2

COMMUNITY RELATIONS

COMPLAINTS CONCERNING INSTRUCTIONAL MATERIALS

The Board of Trustees uses a comprehensive process to adopt District instructional materials that is based on selection criteria established by law and state guidelines. Complaints concerning the content or use of instructional materials, including textbooks, supplementary instructional materials, library materials, or other instructional materials and equipment, shall be properly and fairly considered using established complaint procedures.

Parents/guardians are encouraged to discuss any concerns regarding instructional materials with their child's teacher and/or the school principal. If the situation remains unresolved, a complaint may be filed using the process specified in the administrative regulation.

The District shall accept complaints concerning instructional materials only from staff, District residents, or the parents/guardians of children enrolled in a District school.

When deliberating upon challenged materials, the Superintendent and/or review committee shall consider the educational philosophy of the District, the professional opinions of teachers of the subject and of other competent authorities, reviews of the materials by reputable bodies, the teacher's stated objectives in using the materials, community standards, and the objections of the complainant.

Complainants are encouraged to accept the Superintendent's or review committee's decision. However, if the complainant finds that decision unsatisfactory, he/she may appeal the decision to the Board of Trustees.

The District's decision shall be based on educational suitability of the materials and the criteria established in Board policy and administrative regulation.

When any challenged instructional material is reviewed by the District, it shall not be subject to further reconsideration for 12 months, unless the Superintendent determines that reconsideration is warranted.

Complaints related to sufficiency of textbooks or instructional materials shall be resolved pursuant to the District's Williams uniform complaint procedure at AR 1312.4.

Legal Reference:

EDUCATION CODE

- 18111 Exclusion of books by governing board
- 35010 Control of district; prescription and enforcement of rules
- 35186 Williams Uniform Complaint Procedures
- 44805 Enforcement of course of studies; use of textbooks, rules and regulations
- 51501 Subject matter reflecting on race, color, etc.
- 60000-60005 Instructional materials, legislative intent
- 60040-60048 Instructional requirements and materials

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 1312.2

COMMUNITY RELATIONS

COMPLAINTS CONCERNING INSTRUCTIONAL MATERIALS

Legal Reference (continued)

EDUCATION CODE (continued)

60119 Public hearing on sufficiency of materials

60200-60206 Elementary school materials

60226 Requirements for publishers and manufacturers

60400-60411 High school textbooks

60510-60511 Donation of sale of obsolete instructional materials

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PROGRAM ADVISORIES

1002.90 Selection of Instructional Materials, CIL: 90/91-02

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Standards for Evaluation of Instructional Materials with Respect to Social Content, 1986 edition, revised 2001

WEB SITES

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

California Department of Education, Curriculum and Instruction: <http://www.cde.ca.gov/ci>

Policy Adopted: 05/03/94
Policy Revised: 03/02/10
Policy Reviewed: 04/08/14

ADMINISTRATIVE REGULATION

AR 1312.2

COMMUNITY RELATIONS

COMPLAINTS CONCERNING INSTRUCTIONAL MATERIALS

Step 1: Informal Complaint

If a staff member, District resident, or parent/guardian of a student enrolled in a District school has a complaint regarding the content or use of any specific instructional material, he/she shall informally discuss the material in question with the principal.

Step 2: Formal Complaint

If the complainant is not satisfied with the principal's initial response, he/she shall present a written complaint to the principal. Complaints regarding printed material shall name the author, title, and publisher and shall identify the objection by page and item numbers. In the case of nonprinted material, written information specifying the precise nature of the objection shall be given. Complainants shall sign all complaints and provide identifying information so that the District is able to make a proper reply. Anonymous complaints will not be accepted. (Sample Complaint Form - Exhibit E 1312.2)

Upon receiving a complaint, the principal shall acknowledge its receipt and answer any questions regarding procedure. The principal then shall notify the Superintendent or designee and the teacher(s) involved of the complaint.

During the investigation of the complaint, the challenged material may remain in use until a final decision has been reached. However, upon request of the parent/guardian who has filed the complaint, his/her child may be excused from using challenged materials until a resolution has been reached. The teacher shall assign the student an alternate material of equal merit.

Step 3: Superintendent Determination

The Superintendent or designee shall determine whether a review committee should be convened to review the complaint.

If the Superintendent or designee determines that a review committee is not necessary, he/she shall issue a decision regarding the complaint.

Step 4: Review Committee

If the Superintendent or designee determines that a review committee is necessary, he/she shall appoint a committee composed of administrators and staff members selected from relevant instructional and administrative areas. The Superintendent or designee may also appoint community members to serve on the committee.

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

ADMINISTRATIVE REGULATION

AR 1312.2

COMMUNITY RELATIONS

COMPLAINTS CONCERNING INSTRUCTIONAL MATERIALS

Step 4: Review Committee (continued)

The review committee shall review the criteria specified in Board policy and shall determine the extent to which the challenged material supports the curriculum, the educational appropriateness of the material, and its suitability for the age level of the student.

Within 30 days of being convened, the review committee shall summarize its findings in a written report to the Superintendent.

The Superintendent will notify the Board of Trustees and the complainant of his decision within ten days of receiving the committee's written report.

Step 5: Appeal to the Board of Trustees

If the complainant remains unsatisfied, he/she may appeal the Superintendent's decision to the Board of Trustees. The Board of Trustees' decision shall be final.

County or State Adopted Material

If the challenged material has been adopted by the County Board of Education, the Superintendent, or designee may forward the complaint, without action, to the office of the County Superintendent of Schools for reevaluation and decision.

If the questioned material has been adopted by the State of California, the Superintendent or designee may forward the complaint, without action, to the California Department of Education for reevaluation and decision.

Regulation Adopted: 05/03/94
Regulation Revised: 03/01/05
Regulation Revised: 03/02/10
Regulation Reviewed: 04/08/14

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

EXHIBIT

E 1312.2

COMMUNITY RELATIONS

COMPLAINTS CONCERNING INSTRUCTIONAL MATERIALS

REQUEST FOR RECONSIDERATION OF INSTRUCTIONAL MATERIALS

This form is for use only by District employees, District residents, or parents/guardians of children enrolled in Ocean View School District to challenge the content or use of an instructional material. For complaints regarding sufficiency of instructional materials, please use the Williams Uniform Complaint Procedure complaint form.

Date: _____

Name of person filing complaint: _____
Anonymous complaints will not be accepted.

Group represented (if any): _____

Phone: _____ Email address, if any: _____

Address: _____

Material Being Challenged:

Title: _____

Author: _____

Publisher: _____ Date of Edition _____

Name of school/classroom material was used: _____

1. Please specifically state the nature of your concern or objection and identify your objection by page, tape sequence, video frame, or words, as appropriate. You may use additional pages if necessary.
2. What do you feel might be the result if a student reads/views this material?

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

EXHIBIT

E 1312.2

COMMUNITY RELATIONS

COMPLAINTS CONCERNING INSTRUCTIONAL MATERIALS

3. For what age group would you recommend this material?
4. Did you read/view the entire selection?
5. If not, what percentage did you read/view, or what parts?
6. What would you like the school to do about this material?
 - ☐ Do not assign it to my child
 - ☐ Withdraw it from all students
 - ☐ Reconsider it

Signature of Complainant

For District Use:

Request received by: _____ Date: _____

Title: _____

Action taken: _____ Date: _____

Exhibit Adopted: 08/14/90
Exhibit Revised: 05/03/94
Exhibit Revised: 03/02/10
Exhibit Reviewed: 04/08/14

BOARD POLICY

BP 1312.3

COMMUNITY RELATIONS

UNIFORM COMPLAINT PROCEDURES

The Board of Trustees recognizes that the District has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs. The District shall investigate and seek to resolve any complaints alleging failure to comply with such laws and/or alleging unlawful discrimination, harassment, intimidation, or bullying in accordance with the uniform complaint procedures.

The District shall use the uniform complaint procedures to resolve any complaint alleging unlawful discrimination, harassment, intimidation, or bullying in District programs and activities based on actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, ethnic group identification, age, religion, marital 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, Penal Code 422.55, or Government Code 11135, or based on association with a person or group with one or more of these actual or perceived characteristics.

Uniform complaint procedures shall also be used to address any complaint alleging the District's failure to comply with the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities, the requirements for the development and adoption of a school safety plan, and state and/or federal laws in adult education programs, consolidated categorical aid programs, migrant education, career technical and technical education and training programs, child care and development programs, child nutrition programs, and special education programs.

The Board of Trustees prohibits any form of retaliation against any complainant in the complaint process. Participation in the complaint process shall not in any way affect the status, grades, or work assignments of the complainant.

The Board of Trustees encourages the early, informal resolution of complaints at the site level whenever possible.

The Board recognizes that a neutral mediator can often suggest a compromise that is agreeable to all parties in a dispute. In accordance with the uniform complaint procedures, whenever all parties to a complaint agree to try resolving the problem through mediation, the Superintendent or designee shall initiate that process. The Superintendent or designee shall ensure that the results are consistent with state and federal laws and regulations.

In investigating complaints, the confidentiality of the parties involved and the integrity of the process shall be protected. As appropriate for any complaint alleging discrimination, harassment, intimidation, or bullying, the Superintendent or designee may keep the identity of a complainant confidential to the extent that the investigation of the complaint is not obstructed.

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 1312.3

COMMUNITY RELATIONS

UNIFORM COMPLAINT PROCEDURES

The District's Williams uniform complaint procedures, AR 1312.4, shall be used to investigate and resolve any complaint related to the following:

1. Sufficiency of textbooks or instructional materials
2. Emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff
3. Teacher vacancies and misassignments

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination
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
37254 Intensive instruction and services for students who have not passed exit exam
41500-41513 Categorical education block grants
48985 Notices in language other than English
49010-49013 Student fees
49060-49079 Student records
49490-49590 Child nutrition programs
52160-52178 Bilingual education programs
52300-52490 Career technical education
52500-52616.24 Adult schools
52800-52870 School-based program coordination
54000-54028 Economic impact aid programs
54100-54145 Miller-Unruh Basic Reading Act
54400-54425 Compensatory education programs
54440-54445 Migrant education
54460-54529 Compensatory education programs
56000-56867 Special education programs
59000-59300 Special schools and centers
64000-64001 Consolidated application process

GOVERNMENT CODE

11135 Nondiscrimination in programs or activities funded by state
12900-12996 Fair Employment and Housing Act

PENAL CODE

422.55 Hate crime; definition
422.6 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 5

3080 Application of section
4600-4687 Uniform complaint procedures
4900-4965 Nondiscrimination in elementary and secondary education programs

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 1312.3

COMMUNITY RELATIONS

UNIFORM COMPLAINT PROCEDURES

Legal Reference: (continued)

UNITED STATES CODE, TITLE 20

6301-6577 Title I basic programs

6601-6777 Title II preparing and recruiting high quality teachers and principals

6801-6871 Title III language instruction for limited English proficient and immigrant students

7101-7184 Safe and Drug-Free Schools and Communities Act

7201-7283g Title V promoting informed parental choice and innovative programs

7301-7372 Title V rural and low-income school programs

Management Resources:

WEB SITES

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

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

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

Policy Adopted: 09/15/92
Policy Revised: 05/03/94
Policy Revised: 02/04/97
Policy Revised: 08/12/03
Policy Revised: 03/01/05
Policy Revised: 03/02/10
Policy Revised: 04/08/14

ADMINISTRATIVE REGULATION

AR 1312.3

COMMUNITY RELATIONS

UNIFORM COMPLAINT PROCEDURES

Except as the Board of Trustees may otherwise specifically provide in other Board policies, the uniform complaint procedures shall be used only to investigate and resolve complaints alleging violations of federal or state laws or regulations governing specific educational programs, the prohibition against requiring students to pay fees, deposits, or other charges for participating in educational activities, and unlawful discrimination, harassment, intimidation, or bullying, as specified in accompanying Board policy.

The District's uniform complaint procedures policy and administrative regulation shall be posted in all District schools and offices, including staff lounges and student government meeting rooms. If 15 percent or more of students enrolled in a particular District school speak a single primary language other than English, the District's policy, regulation, forms, and notices concerning uniform complaint procedures shall be translated into that language. (Education Code 234.1, 48985)

Compliance Officers

The following compliance officer(s) shall receive and investigate complaints and shall ensure district compliance with law:

Superintendent or Designee

Title or position

17200 Pinehurst Lane, Huntington Beach, CA 92647

Address

714-847-2551

Telephone number

The Superintendent or designee shall ensure that employees designated to investigate complaints are knowledgeable about the laws and programs for which they are responsible. Designated employees may have access to legal counsel as determined by the Superintendent or designee.

Notifications

The Superintendent or designee shall annually provide written notification of the District's uniform complaint procedures to students, employees, parents/guardians, the District advisory committee, school advisory committees, appropriate private school officials or representatives, and other interested parties. (Education Code 262.3, 49013; 5 CCR 4622)

ADMINISTRATIVE REGULATION

AR 1312.3

COMMUNITY RELATIONS

UNIFORM COMPLAINT PROCEDURES

Notifications (continued)

The notice shall:

1. Identify the person(s), position(s), or unit(s) responsible for receiving complaints
2. Advise the complainant of any civil law remedies that may be available to him/her under state or federal discrimination laws, if applicable
3. Advise the complainant of the appeal process, including, if applicable, the complainant's right to take a complaint directly to the California Department of Education (CDE) or to pursue remedies before civil courts or other public agencies
4. Include statements that:
 - a. The District has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs.
 - b. The complaint review shall be completed within 60 calendar days from the date of receipt of the complaint unless the complainant agrees in writing to an extension of the timeline.
 - c. A complaint alleging unlawful discrimination, harassment, intimidation, or bullying must be filed not later than six months from the date it occurred, or six months from the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation, or bullying.
 - d. The complainant has a right to appeal the District's decision to the CDE by filing a written appeal within 15 calendar days of receiving the District's decision.
 - e. The appeal to the CDE must include a copy of the complaint filed with the District and a copy of the District's decision.
 - f. Copies of the District's uniform complaint procedures are available free of charge.

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

ADMINISTRATIVE REGULATION

AR 1312.3

COMMUNITY RELATIONS

UNIFORM COMPLAINT PROCEDURES

Procedures

All complaints shall be investigated and resolved within 60 calendar days of the District's receipt of the complaint. (5 CCR 4631)

Compliance officers shall maintain a record of each complaint and subsequent related actions, including all information required for compliance with 5 CCR 4631 and 4633.

All parties involved in allegations shall be notified when a complaint is filed, when a complaint meeting or hearing is scheduled, and when a decision or ruling is made.

Step 1: Filing of Complaint

Any individual, public agency, or organization may file a written complaint of the District's alleged noncompliance with federal or state laws or regulations governing educational programs. (5 CCR 4630)

A complaint concerning unlawful discrimination, harassment, intimidation, or bullying may be filed only by a person who alleges that he/she personally suffered unlawful discrimination, harassment, intimidation, or bullying or by a person who believes that an individual or any specific class of individuals has been subjected to it. The complaint shall be initiated no later than six months from the date when the alleged discrimination, harassment, intimidation, or bullying occurred, or six months from the date when the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation, or bullying. However, upon written request by the complainant, the Superintendent or designee may extend the filing period for up to 90 calendar days. (5 CCR 4630)

A complaint alleging noncompliance with the law regarding the prohibition against requiring students to pay student fees, deposits, and charges may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance. (Education Code 49013)

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

If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, District staff shall assist him/her in the filing of the complaint. (5 CCR 4600)

ADMINISTRATIVE REGULATION

AR 1312.3

COMMUNITY RELATIONS

UNIFORM COMPLAINT PROCEDURES

Procedures (continued)

Step 2: Mediation

Within three business days of receiving the complaint, the compliance officer may informally discuss with all the parties the possibility of using mediation. If the parties agree to mediation, the compliance officer shall make all arrangements for this process.

Before initiating the mediation of a complaint alleging discrimination, harassment, intimidation, or bullying, the compliance officer shall ensure that all parties agree to make the mediator a party to related confidential information. If the mediation process does not resolve the problem within the parameters of law, the compliance officer shall proceed with his/her investigation of the complaint.

The use of mediation shall not extend the District's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time. (5 CCR 4631)

Step 3: Investigation of Complaint

Within 10 calendar days of receiving the complaint, the compliance officer shall provide the complainant and/or his/her representative an opportunity to present the complaint and any evidence, or information leading to evidence, to support the allegations in the complaint. The compliance officer also shall collect all documents and interview all witnesses with information pertinent to the complaint.

A complainant's refusal to provide the District's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in any other obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegation. (5 CCR 4631)

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

Step 4: Response

Within 30 calendar days of receiving the complaint, the compliance officer shall prepare and send to the complainant a written report of the District's investigation and decision, as described in Step 5 below. If the complainant is dissatisfied with the compliance officer's decision, he/she may, within five business days, file his/her complaint in writing with the Board of Trustees.

ADMINISTRATIVE REGULATION

AR 1312.3

COMMUNITY RELATIONS

UNIFORM COMPLAINT PROCEDURES

Step 4: Response (continued)

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

If the Board of Trustees hears the complaint, the compliance officer shall send the Board's decision to the complainant within 60 calendar days of the District's initial receipt of the complaint or within the time period that has been specified in a written agreement with the complainant. (5 CCR 4631)

Step 5: Final Written Decision

The District's decision shall be in writing and sent to the complainant. (5 CCR 4631)

The District's decision shall be written in English and, when required by Education Code 48985, in the complainant's primary language.

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

1. The findings of fact based on the evidence gathered
2. The conclusion(s) of law
3. Disposition of the complaint
4. Rationale for such disposition
5. Corrective actions, if any are warranted
6. Notice of the complainant's right to appeal the District's decision within 15 calendar days to the CDE and procedures to be followed for initiating such an appeal

In addition, any decision concerning a discrimination, harassment, intimidation, or bullying complaint based on state law shall include a notice that the complainant must wait until 60 calendar days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies. (Education Code 262.3)

If investigation of a complaint results in discipline to a student or an employee, the decision shall simply state that effective action was taken and that the student or employee was informed of District expectations. The report shall not give any further information as to the nature of the disciplinary action.

ADMINISTRATIVE REGULATION

AR 1312.3

COMMUNITY RELATIONS

UNIFORM COMPLAINT PROCEDURES

Step 5: Final Written Decision (continued)

If a complaint alleging noncompliance with the laws regarding student fees, deposits, and other charges is found to have merit, the District shall provide a remedy to all affected students and parents/guardians, which, where applicable, shall include reasonable efforts to ensure full reimbursement to them. (Education Code 49013)

Appeals to the California Department of Education

If dissatisfied with the District's decision, the complainant may appeal in writing to the CDE. (Education Code 49013; 5 CCR 4632)

The complainant shall file his/her appeal within 15 calendar days of receiving the District's decision and the appeal shall specify the basis for the appeal of the decision and whether the facts are incorrect and/or the law has been misapplied. The appeal shall be accompanied by a copy of the locally filed complaint and a copy of the District's decision. (5 CCR 4632)

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

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

The CDE may directly intervene in a complaint without waiting for action by the District when one of the conditions listed in 5 CCR 4650 exists, including when the District has not taken action within 60 calendar days of the date the complaint was filed with the District. (5 CCR 4650)

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

ADMINISTRATIVE REGULATION

AR 1312.3

COMMUNITY RELATIONS

UNIFORM COMPLAINT PROCEDURES

Civil Law Remedies

A complainant may pursue available civil law remedies outside of the District's complaint procedures. Complainants may seek assistance from mediation centers or public/private interest attorneys. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions and restraining orders.

For complaints alleging discrimination, harassment, intimidation, and bullying based on state law, a complainant shall wait until 60 calendar days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies, provided the District has appropriately and in a timely manner apprised the complainant of his/her right to file a complaint in accordance with 5 CCR 4622. The moratorium does not apply to injunctive relief and to discrimination complaints based on federal law. (Education Code 262.3)

Regulation Adopted: 02/04/97
Regulation Revised: 08/12/03
Regulation Revised: 03/01/05
Regulation Revised: 03/02/10
Regulation Revised: 04/08/14

ADMINISTRATIVE REGULATION

AR 1312.4

COMMUNITY RELATIONS

WILLIAMS UNIFORM COMPLAINT PROCEDURES

Types of Complaints

The District shall use the following procedures to investigate and resolve complaints when the complainant alleges that any of the following has occurred:

1. Textbooks and instructional materials
 - a. A student, including an English learner, does not have standards-aligned textbooks or instructional materials or state- or District-adopted textbooks or other required instructional materials to use in class.
 - b. A student does not have access to textbooks or instructional materials to use at home or after school. This does not require two sets of textbooks or instructional materials for each student.
 - c. Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.
 - d. A student was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.
2. Teacher vacancy or misassignment
 - a. A semester begins and a teacher vacancy exists.
 - b. A teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learner students in the class.
 - c. A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

Teacher vacancy means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester.

ADMINISTRATIVE REGULATION

AR 1312.4

COMMUNITY RELATIONS

WILLIAMS UNIFORM COMPLAINT PROCEDURES

Types of Complaints (continued)

Beginning of the year or semester means the first day classes necessary to serve all the students enrolled are established with a single designated certificated employee assigned for the duration of the class, but not later than 20 working days after the first day students attend classes for that semester.

Misassignment means the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or credential or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold.

3. Facilities

- a. A condition poses an emergency or urgent threat to the health or safety of students or staff.

Emergency or urgent threat means structures or systems that are in a condition that poses a threat to the health and safety of students or staff while at school, including but not limited to gas leaks; nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems; electrical power failure; major sewer stoppage; major pest or vermin infestation; broken windows or exterior doors or gates that will not lock and that pose a security risk; abatement of hazardous materials previously undiscovered that pose an immediate threat to students or staff; or structural damage creating a hazardous or uninhabitable condition; or any other condition deemed appropriate.

- b. A school restroom has not been cleaned, maintained, or kept open in accordance with Education Code 35292.5.

Cleaned or maintained school restroom means a school restroom has been cleaned or maintained regularly, is fully operational, or has been stocked at all times with toilet paper, soap, or paper towels or functional hand dryers.

Open restroom means the school has kept all restrooms open during school hours when students are not in classes and has kept a sufficient number of restrooms open during school hours when students are in classes. This does not apply when the temporary closing of the restroom is necessary for student safety or to make repairs.

ADMINISTRATIVE REGULATION

AR 1312.4

COMMUNITY RELATIONS

WILLIAMS UNIFORM COMPLAINT PROCEDURES

Filing of Complaint

A complaint alleging any condition(s) specified in items 1-3 in the section entitled, "Types of Complaints" above shall be filed with the principal or designee at the school in which the complaint arises. The principal or designee shall forward a complaint about problems beyond his/her authority to the Superintendent or designee in a timely manner, but not to exceed 10 working days.

Investigation and Response

The principal or designee shall make all reasonable efforts to investigate any problem within his/her authority. He/she shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received.

Complaints may be filed anonymously. If the complainant has indicated on the complaint form that he/she would like a response to his/her complaint, the principal or designee shall report the resolution of the complaint to him/her within 45 working days of the initial filing of the complaint. If a response is requested, the response shall be made to the mailing address of the complainant as indicated on the complaint form. At the same time, the principal or designee shall report the same information to the Superintendent or designee.

When Education Code 48985 is applicable and the complainant has requested a response, the response shall be written in English and in the primary language in which the complaint was filed.

If a complainant is not satisfied with the resolution of the complaint, he/she may describe the complaint to the Board of Trustees at a regularly scheduled meeting.

For any complaint concerning a facilities condition that poses an emergency or urgent threat to the health or safety of students or staff as described in item #3a in the section entitled, "Types of Complaints" above, a complainant who is not satisfied with the resolution proffered by the principal or Superintendent or designee may file an appeal to the Superintendent of Public Instruction within 15 days of receiving the District's response. The complainant shall comply with the appeal requirements specified in 5 CCR 4632.

All complaints and written responses shall be public records.

Reports

The Superintendent or designee shall report summarized data on the nature and resolution of all complaints to the Board of Trustees and the County Superintendent of Schools on a quarterly

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

ADMINISTRATIVE REGULATION

AR 1312.4

COMMUNITY RELATIONS

basis. The report shall include the number of complaints by general subject area with the number of resolved and unresolved complaints. These summaries shall be publicly reported on a quarterly basis at a regularly scheduled Board of Trustees' meeting.

Forms and Notices

The Superintendent or designee shall ensure a Williams complaint form is available at each school. However, complainants need not use the District's complaint form in order to file a complaint.

The Superintendent or designee shall ensure that the District's complaint form contains a space to indicate whether the complainant desires a response to his/her complaint and specifies the location for filing a complaint. A complainant may add as much text to explain the complaint as he/she wishes.

The Superintendent or designee shall ensure that a notice is posted in each classroom in each school containing the components specified in Education Code 35186.

Legal Reference:

EDUCATION CODE

1240 County superintendent of schools, duties
17592.72 Urgent or emergency repairs, School Facility Emergency Repair Account
33126 School Accountability Report Card
35186 Alternative uniform complaint procedure
35292.5 Restrooms, maintenance and cleanliness
37254 Supplemental instruction based on failure to pass exit exam by end of grade 12
48985 Notice to parents in language other than English
60119 Hearing on sufficiency of instructional materials
CODE OF REGULATIONS, TITLE 5
4600-4687 Uniform complaint procedures
4680-4687 Williams complaints

Management Resources:

WEB SITES

CSBA: <http://www.csba.org>
California County Superintendents Educational Services Association: <http://www.ccsesa.org>
California Department of Education, Williams case: <http://www.cde.ca.gov/eo/ce/wc/index.asp>
State Allocation Board, Office of Public School Construction: <http://www.opsc.dgs.ca.gov>

Regulation Adopted: 03/01/05

Regulation Revised: 03/02/10

Regulation Revised 04/08/14

OCEAN VIEW SCHOOL DISTRICT
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EXHIBIT

E(1) 1312.4

COMMUNITY RELATIONS

WILLIAMS UNIFORM COMPLAINT PROCEDURES

NOTICE TO PARENTS/GUARDIANS, STUDENTS, AND TEACHERS:
COMPLAINT RIGHTS

Parents/Guardians, Students, and Teachers:

Pursuant to Education Code 35186, you are hereby notified that:

1. There should be sufficient textbooks and instructional materials. For there to be sufficient textbooks and instructional materials, each student, including English learners, must have a textbook or instructional material, or both, to use in class and to take home.
2. School facilities must be clean, safe, and maintained in good repair.
3. There should be no teacher vacancies or misassignments. There should be a teacher assigned to each class and not a series of substitutes or other temporary teachers. The teacher should have the proper credential to teach the class, including the certification required to teach English learners, if present.

Teacher vacancy means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester.

Misassignment means the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or credential or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold.

4. A complaint form can be obtained at the school office or District office, or downloaded from the District website. You may also download a copy of the California Department of Education complaint form from the following website: <http://www.cde.ca.gov/re/cp/uc>

Exhibit Adopted: 03/01/05

Exhibit Revised: 03/02/10

Exhibit Revised 04/08/14

EXHIBIT

E(2) 1312.4

COMMUNITY RELATIONS

WILLIAMS UNIFORM COMPLAINT PROCEDURES

COMPLAINT FORM: WILLIAMS UNIFORM COMPLAINT PROCEDURE

Education Code 35186 creates a procedure for the filing of complaints concerning deficiencies related to instructional materials, conditions of facilities that are not maintained in a clean or safe manner or in good repair, teacher vacancy or misassignment. The complaint and response are public documents as provided by law. Complaints may be filed anonymously. However, if you wish to receive a response to your complaint, you must provide the contact information below.

Response requested? ☐ Yes ☐ No

Contact Information:

Name: _____

Address: _____

Phone Number: Day: _____ Evening: _____

Location of the problem that is the subject of this complaint:

School name/address: _____

Course title/grade level and teacher name: _____

Room number/name of room/location of facility: _____

Date problem was observed: _____

Only the following issues may be the subject of this complaint process. If you wish to complain about an issue not specified below, please use the appropriate District complaint procedure.

Specific issue(s) of the complaint: (Please check all that apply. A complaint may contain more than one allegation.)

1. Textbooks and instructional materials: (Education Code 35186)

☐ A student, including an English learner, does not have standards-aligned textbooks or instructional materials or state- or District-adopted textbooks or other required instructional materials to use in class.

☐ A student does not have access to textbooks or instructional materials to use at home or after school. This does not require two sets of textbooks or instructional materials for each student.

☐ Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.

EXHIBIT

E(2) 1312.4

COMMUNITY RELATIONS

WILLIAMS UNIFORM COMPLAINT PROCEDURES

1. Textbooks and instructional materials (continued)

___ A student was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.

2. Teacher vacancy or misassignment: (Education Code 35186)

___ A semester begins and a teacher vacancy exists. A teacher vacancy is a position to which a single designated certificated employee has not been assigned at the beginning of the school year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester.

___ A teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learners in the class.

___ A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

3. Facility conditions:

___ A condition exists that poses an emergency or urgent threat to the health or safety of students or staff including gas leaks; nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems; electrical power failure; major sewer line stoppage; major pest or vermin infestation; broken windows or exterior doors or gates that will not lock and that pose a security risk; abatement of hazardous materials previously undiscovered that pose an immediate threat to students or staff; structural damage creating a hazardous or uninhabitable condition; and any other condition deemed appropriate by the District.

___ A school restroom has not been cleaned or maintained regularly, is not fully operational, or has not been stocked at all times with toilet paper, soap, or paper towels or functional hand dryers

___ The school has not kept all restrooms open during school hours when students are not in classes and has not kept a sufficient number of restrooms open during school hours when students are in classes. This does not apply when temporary closing of the restroom is necessary for student safety or to make repairs.

EXHIBIT

E(2) 1312.4

COMMUNITY RELATIONS

WILLIAMS UNIFORM COMPLAINT PROCEDURES

Please describe the issue of your complaint in detail. You may attach additional pages and include as much text as necessary to fully describe the situation. For complaints regarding facilities conditions, please describe the emergency or urgent facilities condition and how that condition poses a threat to the health or safety of students or staff.

Please file this complaint at the following location:

(Principal or title of his/her designee)

(Address)

Please provide a signature below. If you wish to remain anonymous, a signature is not required. However, all complaints, even anonymous ones, should be dated.

(signature)

(date)

Exhibit Adopted: 03/01/05
Exhibit Revised: 03/02/10
Exhibit Revised: 04/08/14

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 1321

COMMUNITY RELATIONS

SOLICITATION OF FUNDS FROM AND BY STUDENTS

Solicitations on Behalf of Charitable Organizations

The Board of Trustees recognizes that student participation in fund-raising activities for schools and nonprofit, nonpartisan charitable organizations can help develop a sense of social responsibility in students, enhance the relationship between the school and community, and contribute to the improvement of the school program.

Whether solicitations are made on behalf of the school or on behalf of a charitable organization, students shall not be barred from an event or activity because they did not participate in fund-raising. Potential donors, including parents/guardians, and members of the community, should not be unduly pressured to contribute to the school system or charitable organizations. Staff is expected to emphasize the fact that donations are always voluntary.

The Superintendent or designee shall ensure that parents/guardians are informed of the purpose of fund-raisers.

Solicitations on Behalf of the School

With the prior written approval of the Superintendent or designee, official school-related organizations may organize fund-raising events involving students.

Solicitations on Behalf of Charities

When approved in advance by the Superintendent or designee, nonprofit, nonpartisan organizations that are properly chartered or licensed by state or federal law may solicit students on school grounds during school hours and within one hour before school has opened and one hour after school has closed.

Legal Reference:

EDUCATION CODE

51520 Prohibited solicitations on school premises

51521 Unlawful solicitations of contribution or purchase of personal property for benefit of public school or student body; exception

BUSINESS AND PROFESSIONS CODE

17510-17510.7 Charitable solicitations

PENAL CODE

319-329 Raffles

REVENUE AND TAX CODE

6361 Sales tax exemption for certain sales

CODE OF REGULATIONS, TITLE 8

11706 Dangerous activities and occupations

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 1321

COMMUNITY RELATIONS

SOLICITATION OF FUNDS FROM AND BY STUDENTS

Management Resources:

CSBA PUBLICATIONS

Healthy Food Policy Resource Guide, 2003

ATTORNEY GENERAL PUBLICATIONS

Guide to Charitable Solicitations, 1999

Attorney General's Guide for Charities, 1988

WEB SITES

Office of the Attorney General: <http://caag.state.ca.us>

Policy Adopted: 05/03/94
Policy Revised: 10/21/03
Policy Revised: 03/02/10
Policy Reviewed: 04/08/14

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

ADMINISTRATIVE REGULATION

AR 1321

COMMUNITY RELATIONS

SOLICITATION OF FUNDS FROM AND BY STUDENTS

The Superintendent or designee shall approve all fund-raising activities at least 15 days before the activity. If the event involves a contract with a commercial vendor, the Superintendent or designee shall review the contract.

In order to minimize interruptions to the educational program, staff shall limit fund-raising activities to appropriate time periods designated by the principal.

No student shall be required to raise a specified amount of money in order to participate in an activity sponsored by a school-related organization.

Students engaged in fund-raising activities on behalf of the school or for school-related projects are expected to be courteous and respectful towards all individuals and businesses.

Door-to-Door Sales

Students under 16 years old may engage in door-to-door sales of newspaper or magazine subscriptions, candy, cookies, flowers or other merchandise only under the following conditions:

1. The students shall work in pairs, as a team, on the same or opposite side of the street, or with a parent or guardian.
2. The students shall be supervised by an adult, with one adult for every crew of 10 or fewer students.
3. The students shall be within the sight or sound of their adult supervisor at least once every 15 minutes.
4. The students shall be returned to their respective homes or meeting places after each day's work.
5. The students shall not engage in door-to-door sales after dark.
6. The students shall not work outside of their immediate neighborhood.

Regulation Adopted: 02/04/97
Regulation Revised: 10/21/03
Regulation Revised: 03/02/10
Regulation Reviewed: 04/08/14

BOARD POLICY

BP 1325

COMMUNITY RELATIONS

ADVERTISING AND PROMOTION

The Board of Trustees establishes this policy to ensure effective and consistent implementation of its directions related to advertisements and promotions by non-school groups in school-sponsored publications, web sites, and social media and on school facilities. Student speech shall be regulated in accordance with BP/AR 5145.2 – Freedom of Speech/Expression.

The Board of Trustees desires to promote positive relationships between District schools and the community in order to enhance community support and involvement in the schools.

The Superintendent or designee may approve:

1. Distribution of noncommercial materials that publicize services, special events, public meetings, or other gatherings of interest to students or parents/guardians
2. Distribution of promotional materials of a commercial nature to students or parents/guardians
3. Paid advertisements on school property, including, but not limited to, advertisements on billboards and scoreboards
4. Paid advertisements in school-sponsored publications, yearbooks, announcements, and other school communications, including web sites
5. Products and materials donated by commercial enterprises for educational use, including those that bear the name and/or logo of the donor, as long as they do not unduly promote the donor or any commercial activity or product

Prior to the distribution, posting, or publishing of any non-school group's promotional materials or advertisement, the Superintendent, principal, or designee shall review the materials or advertisement based on the criteria listed below. He/She may not disapprove materials or advertisement in an arbitrary or capricious manner or in a way that discriminates against a particular viewpoint on a subject that is otherwise allowed by Board policy.

All materials to be distributed shall bear the name and contact information of the sponsoring entity.

As necessary, the Superintendent, principal, or designee shall require a disclaimer on any non-school group's promotional material to be distributed, posted, or published, stating that the distribution, posting, or publishing of the materials does not imply District endorsement of the group's activities, products, or services. District- and school-sponsored publications shall include a disclaimer stating that the District or school does not endorse any advertised products or services.

BOARD POLICY

BP 1325

COMMUNITY RELATIONS

ADVERTISING AND PROMOTION

Criteria for Approval

The Superintendent, principal, or designee shall not accept for distribution any materials or advertisements that:

1. Are lewd, obscene, libelous, or slanderous.
2. Incite students to commit unlawful acts, violate school rules, or disrupt the orderly operation of the schools.
3. Promote any particular political interest, candidate, party, or ballot measure, unless the candidates or advocates from all sides are provided the opportunity to present their views to the students during school hours or during events scheduled pursuant to the Civic Center Act.
4. Proselytize or position the District on any side of a controversial issue.
5. Discriminate against, attack, or denigrate any group on account of any unlawful consideration.
6. Promote the use or sale of materials or services that are illegal or inconsistent with school objectives, including, but not limited to, materials or advertisements for tobacco, intoxicants, non-nutritious foods and beverages, and movies or products unsuitable for children.
7. Solicit funds or services for an organization, with the exception of solicitations authorized in Board policy.
8. Distribute unsolicited merchandise for which an ensuing payment is requested.

The Superintendent or designee also may consider the educational value of the materials or advertisements, the age or maturity of students in the intended audience, and whether the materials or advertisements support the basic educational mission of the District, directly benefit the students, or are of intrinsic value to the students or their parents/guardians.

Schools may establish additional criteria pertaining to the content of advertisements in school publications and yearbooks, as deemed appropriate by the Superintendent or designee in accordance with law and Board policy.

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 1325

COMMUNITY RELATIONS

ADVERTISING AND PROMOTION

Legal Reference:

CALIFORNIA CONSTITUTION

Article 1, Section 2 Free speech rights

EDUCATION CODE

7050-7058 Political activities of school officers and employees

35160 Authority of governing boards

35160.1 Broad authority of school districts

35172 Promotional activities

40040-40047 Civic Center Act

BUSINESS AND PROFESSIONS CODE

25664 Advertisements encouraging minors to drink

U.S. CONSTITUTION

Amendment 1, Freedom of speech and expression

COURT CASES:

Hills v. Scottsdale Unified School District 48, (2003) 329 F.3d 1044

DeLoreto v. Downey Unified School District, (1999) 196 F.3d 958

Yeo v. Town of Lexington, (1997) U.S. First Circuit Court of Appeals, No. 96-1623

Hemry v. School Board of Colorado Springs, (D.Col. 1991) 760 F. Supp. 856

Bright v. Los Angeles Unified School District (1976) 134 Cal. Rptr. 639, 556 P.2d 1090 18 Cal. 3d 450

Lehman v. Shaker Heights (1974) 418 U.S. 298

Management Resources:

CSBA PUBLICATIONS

School-Based Marketing of Foods and Beverages: Policy Implications for School Boards, Policy Brief, March 2006

WEB SITES

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

Policy Adopted: 05/03/94

Policy Revised: 09/03/02

Policy Revised: 03/02/10

Policy Revised: 04/08/14

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 1325.1

COMMUNITY RELATIONS

COMMERCIALS

The Board of Trustees shall allow no commercials to be broadcast during the school day. If allowed, commercials would become a part of our students' compulsory education and appear to merit the same attention and trust as is accorded to educational materials. The Board of Trustees believes it is intrusive and not in the best interests of our students to use school time for the promotion of commercial products.

Schools are established and maintained with funds allocated specifically for education, and our students' class time therefore shall be dedicated entirely to education. The Board of Trustees believes that no student should be required to view commercials in order to attend school and obtain an education. Advertisements may be studied, however, as part of the consumer education curriculum.

At their discretion, teachers may use commercial-free instructional television programs and other instructional materials that do not require advertising to be viewed.

Legal Reference:

EDUCATION CODE

35160 Authority of Governing Boards

35160.1 Board authority of school districts

41339 Duty to certify apportionments

41341 Adjustive apportionments for school districts

41342 Authority to make adjustive apportionments or adjustive deductions

Policy Adopted: 02/04/97
Policy Revised: 03/02/10
Policy Reviewed: 04/08/14

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP1330

COMMUNITY RELATIONS

USE OF SCHOOL FACILITIES

The Board of Trustees believes that school facilities and grounds are a vital community resource which should be used to foster community involvement and development. Therefore, the Board authorizes the use of school facilities by District residents and community groups for purposes specified in the Civic Center Act, to the extent that such use does not interfere with school activities or other school-related uses.

The Superintendent or designee shall give priority to school-related activities in the use of school facilities and grounds. Other uses authorized under the Civic Center Act shall be on a first-come, first-served basis.

For the effective management and control of school facilities and grounds, the Superintendent or designee shall maintain procedures and regulations that:

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

Subject to prior approval by the Board, the Superintendent or designee may grant the use of school facilities or grounds on those days on which District schools are closed. (Education Code 37220)

There shall be no advertising on school facilities and grounds except as allowed by District policy specified in BP 1325 - Advertising and Promotion.

As necessary to ensure efficient use of school facilities, the Superintendent or designee may, with the Board of Trustees' approval, enter into an agreement for the joint use of any school facilities or grounds. The Board shall approve any such agreement only if it determines that it is in the best interest of the District and the community.

Fees

The Board shall adopt a comprehensive schedule of fees to be charged for community use of school facilities and grounds, including, but not limited to, the multipurpose room(s), playing or athletic field(s), track and field venue(s), tennis court(s), and outdoor basketball court(s). The schedule of fees shall be prepared in accordance with 5 CCR 14037-14041. (5 CCR 14041)

BOARD POLICY

BP1330

COMMUNITY RELATIONS

USE OF SCHOOL FACILITIES

Fees (continued)

The Board of Trustees authorizes the use of school facilities or grounds without charge by nonprofit organizations, clubs, or associations organized to promote school activities. As specified in Education Code 38134(a), these groups include, but are not limited to, Girl Scouts, Boy Scouts, Camp Fire USA, YMCA, parent-teacher associations, and school-community advisory councils. Other groups that request the use of school facilities under the Civic Center Act, including nonprofit groups not organized to promote school activities and for-profit groups, shall be charged an amount not exceeding direct costs determined in accordance with 5 CCR 14037-14041. (Education Code 38134)

The Board shall grant the use of school facilities or grounds without charge to school-related organizations whose activities are directly related to or for the benefit of District schools. All other groups requesting the use of school facilities under the Civic Center Act shall be charged an amount not exceeding direct costs determined in accordance with 5 CCR 14037-14041.

Additionally, when any use of school facilities or grounds is for religious services, the District shall charge an amount at least equal to the District's direct costs. (Education Code 38134)

In determining direct costs to be charged for community use of each, or each type of, school facility or grounds, the Superintendent or designee shall calculate, in accordance with 5 CCR 14038, the community's proportionate share of the following costs: (Education Code 38134; 5 CCR 14038-14041)

1. Capital direct costs calculated in accordance with 5 CCR 14039, including the estimated costs of maintenance, repair, restoration, and refurbishment of non-classroom space school facilities or grounds.

However, capital direct costs shall not be charged to organizations retained by the District or school to provide instruction or instructional activities to students during school hours or for classroom-based programs that operate after school hours, including, but not limited to, after-school tutoring, and child care programs. (5 CCR 14037)

2. Operational direct costs calculated in accordance with 5 CCR 14040, including estimated costs of supplies, utilities, janitorial services, other services of District employees and/or contracted workers, and salaries and benefits paid to District employees directly associated with the administration of the Civic Center Act to operate and maintain school facilities and grounds

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP1330

COMMUNITY RELATIONS

USE OF SCHOOL FACILITIES

Fees (continued)

Direct cost fees shall not be discounted to any group or organization except when the discount is specifically authorized in the adopted fee schedule. Exceptions can be made only for those organizations that can empirically demonstrate significant and sustained long-term capital facility investments, improvements, and/or contributions to programs in OVSD by providing appropriate documentation. This exception will be evaluated on a case-by-case basis, and the decision will be made by the Superintendent or designee. (5 CCR 14041)

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

Expending Funds Collected as Capital Direct Costs

Any funds collected as capital direct costs shall be deposited into a special fund to be used only for capital maintenance, repair, restoration, and refurbishment of school facilities and grounds. (5 CCR 14042)

Legal Reference:

EDUCATION CODE

10900-10914.5 Community recreation programs
32282 School safety plan
37220 School holidays
38130-38138 Civic Center Act, use of school property for public purposes

BUSINESS AND PROFESSIONS CODE

25608 Alcoholic beverage on school premises

GOVERNMENT CODE

54950-54963 The Ralph M. Brown Act

MILITARY AND VETERANS CODE

1800 Definitions

CODE OF REGULATIONS, TITLE 5

14037-14042 Proportionate direct costs for use of school facilities and grounds

UNITED STATES CODE, TITLE 20

7905 Equal access to public school facilities

COURT DECISIONS

Good News Club v. Milford Central School, (2001) 533 U.S. 384 98
Lamb's Chapel v. Center Moriches Union Free School District, (1993) 508 U.S. 384
Cole v. Richardson, (1972) 405 U.S. 676
Connell v. Higgenbotham, (1971) 403 U.S. 207
ACLU v. Board of Education of Los Angeles, (1961) 55 Cal. 2d 167
Ellis v. Board of Education, (1945) 27 Cal.2d 322

ATTORNEY GENERAL OPINIONS

82 Ops.Cal.Atty.Gen. 90 (1999)
79 Ops.Cal.Atty.Gen. 248 (1996)

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP1330

COMMUNITY RELATIONS

USE OF SCHOOL FACILITIES

Management Resources:

CSBA PUBLICATIONS

Maximizing Opportunities for Physical Activity Through Joint Use of Facilities, Policy Brief, February 2010

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

WEB SITES

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

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

Policy Adopted: 02/06/78
Policy Revised: 08/02/94
Policy Revised: 07/13/10
Policy Revised: 04/08/14
Policy Revised: 09/20/16

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

ADMINISTRATIVE REGULATION

AR 1330

COMMUNITY RELATIONS

USE OF SCHOOL FACILITIES

Application for Use of Facilities

Any person applying for the use of any school facilities or grounds on behalf of any society, group, or organization shall present written authorization from the group or organization to make the application.

Civic Center Use

Subject to District policies and regulations, school facilities and grounds shall be available to citizens and community groups as a civic center for the following purposes: (Education Code 32282, 38131)

1. Public, literary, scientific, recreational, educational, or public agency meetings.
2. The discussion of matters of general or public interest.
3. The conduct of religious services for temporary periods, on a one-time or renewable basis, by any church or religious group.
4. Child care programs to provide supervision and activities for children of preschool and elementary school age.
5. The administration of examinations for the selection of personnel or the instruction or precinct Board members by public agencies.
6. Supervised recreational activities including, but not limited to, sports league activities for youths that are arranged for and supervised by entities, including religious organizations or churches, and in which youth may participate regardless of religious belief or denomination.
7. A community youth center.
8. Mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare.
9. A ceremony, patriotic celebration, or related educational assembly conducted by a veterans' association. (Military and Veterans Code 1800)
10. Other purposes deemed appropriate by the Board of Trustees.

ADMINISTRATIVE REGULATION

AR 1330

COMMUNITY RELATIONS

USE OF SCHOOL FACILITIES

Restrictions

School facilities or grounds shall not be used for any of the following activities:

1. Any use by an individual or group for the commission of any crime or any act prohibited by law.
2. Any use which is inconsistent with the use of school facilities for school purposes or which interferes with the regular conduct of school or school work.
3. Any use which involves the possession, consumption, or sale of alcoholic beverages or any restricted substances, including tobacco.

Eligible Organizations

Use of school facilities shall include parent-teacher organizations, Camp Fire, Boy Scout troops, Girl Scout troops, YMCA, school-community advisory councils, homeowners' groups, senior citizens' organizations, religious organizations or churches that arrange for and supervise sports league activities for youth among these groups. Clubs and associations formed for recreational, educational, political, economic, artistic or moral activities as provided in California Education Code 40041.

Priority of Users

All school-related activities shall be given priority in the use of facilities and grounds under the Civic Center Act. Thereafter, applications for use of school facilities shall be given preference in the following order:

1. In school uses (clubs, class events, etc.)
2. School support groups and youth groups
3. Contracted uses
4. Public agencies and public affairs groups
5. Community recreational and cultural groups
6. Community and special interest groups
7. Private, nonschool connected classes and educational events
8. Profit-making or commercial events, out-of-town groups, etc.

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

ADMINISTRATIVE REGULATION

AR 1330

COMMUNITY RELATIONS

USE OF SCHOOL FACILITIES

Application for Use of Facilities

All requests for use of school facilities shall first be made through the office of the administrator in charge of the facility for which the application is being made or through the Assistant Superintendent of Administrative Services when appropriate. Requests should be received not less than fifteen (15) days prior to the date of requested use. Applications for requested use are available at the local schools or the District Administrative Services Office. The application must be properly completed and signed by the applicant representative and all appropriate fees paid, prior to use.

The Superintendent or his/her designated representative shall determine if applicant is eligible to use facilities on a free, youth discount, direct cost, or air rental basis.

If the use of facilities is altered or cancelled, the site administrator and the District office must be notified by the responsible user at least two (2) working days in advance to avoid financial obligation.

All contracts for use of school facilities expire on June 30 of each school year and must be renegotiated as of July 1 for subsequent use.

Whenever violations of contract or of rules occur, the principal is directed to complete and forward to the District administrator in charge of School Use Facilities a "Report of Unusual Occurrences."

Permission for the use of buildings, grounds, or school equipment for personal, individual or commercial use will normally not be granted.

Facilities Available

The facilities which may be made available to community groups are multi-purpose rooms, kitchens, classrooms, grounds, and certain equipment.

District owned audio-visual equipment may be used on the school premises', providing the equipment is operated by an employee of the District or by a person approved and checked out by the principal of the school. Application for use of such equipment must be made at the time of the original application for building use.

OCEAN VIEW SCHOOL DISTRICT
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AR 1330

COMMUNITY RELATIONS

USE OF SCHOOL FACILITIES

Fees

The Board of Trustees shall grant the use of school facilities or grounds without charge to school-related organizations whose activities are directly related to or for the benefit of district schools. All other groups requesting the use of school facilities under the Civic Center Act shall be charged an amount not to exceed direct costs. However, if the use of school facilities or grounds is for religious services, the group shall be charged an amount that equals or exceeds direct costs determined in accordance with Education Code 38134.

In determining direct costs to be charged for community use of school facilities or grounds, including, but not limited to, playing or athletic fields, track and field venues, tennis courts, and outdoor basketball courts, the Superintendent or designee shall include a proportionate share of the costs of the following: (Education Code 38134)

1. Supplies, utilities, janitorial services, other services of District employees, and salaries of District employees directly associated with operation and maintenance of the school facilities or grounds involved
2. Maintenance, repair, restoration, and refurbishment of the school facilities or grounds

However, for classroom-based programs that operate after school hours, including, but not limited to, after-school, tutoring, and child care programs, direct costs to be charged shall not include the cost of maintenance, repair, restoration, or refurbishment of the school facilities or grounds. (Education Code 38134)

Free Use

Free use shall apply to those organizations that qualify under the provisions of the Civic Center Act and which are organized for general character building and welfare purposes and directly serve the students of Ocean View School District. All use qualifying under these provisions shall be non-exclusive, open to the public, and free of charge. Qualifying organizations that charge membership dues or solicit contributions solely for the support of the organization, advancement of its culture, character building or welfare work are considered free use organizations. If special facilities or services are required above the normal provisions set for by the Civic Center Act, the actual cost of such special facilities or services will be charged (Education Code 40040 et. seq.)

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

ADMINISTRATIVE REGULATION

AR 1330

COMMUNITY RELATIONS

USE OF SCHOOL FACILITIES

Free Use (continued)

Organizations entitled to "Free Use" will, where appropriate, be charged an amount not to exceed:

1. The cost of opening and closing the facilities, if no school employee would otherwise be available to perform that function as part of his/her normal duties.
2. The cost of school employee's presence during the organization's use of facilities if it is determined that supervision is needed, and if that employee would not otherwise be present as part of his/her normal duties.
3. The cost of custodial services, if the services are necessary and would not have otherwise been performed as part of the custodian's normal duties.
4. The cost of utilities directly attributable to the organization's use of the facilities. (Education Code Sections 40041, 40043(a), and 40043(b)).

Direct Cost Use:

Direct cost use shall apply to those organizations that conduct Civic Center Activity, but charge admission fees or dues or solicit contributions and the net receipts are not expended for the welfare of students of the District or for other charitable purposes. The District's charge for such use shall include the cost of supplies, utilities, custodial services, services of any other District employees and salaries paid to District employees necessitated by the organization's use of the facilities and grounds of the District. (Education Code Sections 40043(c) and 40043(f)).

Fair Rental Value

Fair rental value shall apply to those organizations or individuals requesting to use school facilities/leased property where admission fees are charged or contributions solicited and the net receipts are not expended for the welfare of the students of the District, or for other charitable purposes. Fair rental value shall also apply to those groups and organizations who service students who live beyond the Ocean View School District boundaries. Fair rental value use shall also apply to those organizations or individuals requesting to use/lease facilities for the purpose of advertising or selling a product or services, such income benefiting a particular person or concern. (Education Code Sections 40043(c) and 40043(g)).

ADMINISTRATIVE REGULATION

AR 1330

COMMUNITY RELATIONS

USE OF SCHOOL FACILITIES

Contributions in Lieu of Fees

From time to time, a group using school facilities may wish to provide services, supplies, equipment, or materials in lieu of all or a portion of the use fee. Such projects must be provided by volunteers and must be approved by the Principal and the Assistant Superintendent, Administrative Services, as applicable. Projects may include, but are not limited to, the following:

- a. Alterations, additions or repairs to buildings or grounds
- b. Installation of athletic apparatus and equipment
- c. Installation of irrigation systems and field renovation
- d. Installation of marquees and signs
- e. Planting, pruning or removal of trees or shrubs
- f. Donation of bleachers, benches and batting cages
- g. Donation of supplies and materials to improve facilities
- h. Donation for maintenance, repair, restoration, and refurbishment of fields

Requests to provide services, equipment, etc. in lieu of use fees should be submitted in writing (showing the cost or value of the services, equipment, etc.) and attached to a Use of Facility application. Groups whose requests are approved will be required to sign a Memorandum of Understanding concerning the services, etc. to be provided.

The Assistant Superintendent, Administrative Services, will ensure that the projects comply with applicable codes, laws and employee agreements. The District will provide on-site assistance and supervision where appropriate. The Fiscal Services Department will review the value of the service compared to fees to be waived (if applicable) to determine if the proposal is fiscally beneficial to the school and District.

Damage and Liability

Groups or persons using school facilities or grounds under the provisions of this policy shall be liable for any property damage caused by the activity. The District shall charge the amount necessary to repair the damages and may deny the group further use of the facilities. (Education Code 28134)

Any group using school facilities or grounds shall be liable for any injuries resulting from the negligence of that group during such usage. The group shall bear the cost of insuring against this risk and defending itself against claims arising from the risk.

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

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AR 1330

COMMUNITY RELATIONS

USE OF SCHOOL FACILITIES

Damage and Liability (continued)

Groups or organizations shall provide the District with evidence of insurance with application. All groups shall be required to include the District as additional insured on their policies. The Superintendent or designee may require a hold harmless agreement when warranted by the type of activity or the specific facility being used.

In case of inclement weather, the District reserves the right to cancel any activities on school property to limit damage to property and maintain safety.

Regulation Adopted: 02/06/78
Regulation Revised: 11/07/95
Regulation Revised: 07/13/10
Regulation Revised: 04/08/14

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 1340

COMMUNITY RELATIONS

ACCESS TO DISTRICT RECORDS

Any person shall have reasonable access, during normal business hours, to the public records of the schools and District. Such records shall be examined in the presence of the staff member regularly responsible for their maintenance.

The District may charge for copies of public records or other materials requested by individuals or groups. The charge, based on actual costs of duplication, shall be determined by the Superintendent or designee.

Public access shall not be given to records listed as exempt from public disclosure in the California Public Records Act or other statutes.

Legal Reference:

EDUCATION CODE

35145 Public meetings

35170 Authority to secure copyrights

35250 Duty to keep certain records and reports

42103 Publication of proposed budget; hearing

44031 Personnel file contents and inspections

44839 Medical certificates; periodic medical examination (re access to medical certificate in personnel files)

49060-49079 Pupil records

52015(g) Ongoing evaluation and modification of school improvement plans

52015.5 Availability of information required by Education Code 52015(g)

52850 Applicability of article (School-based coordinated program plan availability)

54722 Application of article (Motivation and maintenance program plan availability)

CODE OF REGULATIONS, TITLE 5

430-438 Individual pupil records

4061 Availability of evaluation information

GOVERNMENT CODE

3547 Proposals relating to representation

6250-6268 California Public Records Act

53262 Employment contracts

54957.2 Minute book record of closed sessions

54957.5 Agendas and other writings distributed for discussion or consideration

81008 Public records; inspection and reproduction

71 *Ops. Cal. Atty. Gen.* 235, (1988)

Policy Adopted: 09/07/94

Policy Revised: 03/02/10

Policy Reviewed: 04/08/14

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

ADMINISTRATIVE REGULATION

AR 1340

COMMUNITY RELATIONS

ACCESS TO DISTRICT RECORDS

Definitions

Public records include any writing containing information relating to the conduct of the District's business prepared, owned, used, or retained by the District regardless of physical form or characteristics. (Government Code 6252)

Writing means any handwriting, typewriting, printing, photostating, photographing, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored.

Member of the public means any person, except a member, agent, officer, or employee of the District or a federal, state, or other local agency acting within the scope of his/her membership, agency, office, or employment.

Public Records

Public records to which members of the public shall have access include, but are not limited to:

1. Proposed and approved District budgets and annual audits (Education Code 41020, 42103)
2. Statistical compilations
3. Reports and memoranda
4. Notices and bulletins
5. Minutes of public meetings (Education Code 35145)
6. Meeting agendas (Government Code 54957.5)
7. Official communications between the District and other governmental agencies
8. School-based program plans (Education Code 52850)
9. Information and data relevant to the evaluation and modification of District plans

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

ADMINISTRATIVE REGULATION

AR 1340

COMMUNITY RELATIONS

ACCESS TO DISTRICT RECORDS

Public Records (continued)

10. Initial proposals of exclusive employee representatives and of the District (Government Code 3547)
11. Claims filed against the District and records pertaining to pending litigation
12. Statements of economic interests required by the Conflict of Interest Code
13. Employment contracts and settlement agreements
14. Instructional materials including, but not limited to, textbooks

The Board of Trustees shall have the ability to access public records permitted by law in the administration of their duties or open to inspection by members of the public.

The Superintendent or designee shall ensure that any public record containing personal information is redacted to ensure that such information, including, but not limited to, an employee's home address or social security number, is not disclosed to the public.

Confidential Records

Records to which the members of the public shall not have access include, but are not limited to:

1. Preliminary drafts, notes, interagency or intradistrict memoranda which are not retained by the District in the ordinary course of business, provided that the public interest in withholding these records clearly outweighs the public interest in disclosure
2. Records specifically prepared for litigation to which the District is a party or to respond to claims made against the District pursuant to the Tort Claims Act, until the litigation or claim has been finally adjudicated or otherwise settled, or beyond, if the records are protected by some other provision of law
3. Personnel records, medical records, student records, or similar materials, the disclosure of which would constitute an unwarranted invasion of personal privacy

The home addresses and home telephone numbers of employees may be disclosed only as follows:

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AR 1340

COMMUNITY RELATIONS

ACCESS TO DISTRICT RECORDS

Confidential Records (continued)

- a. To an agent or a family member of the employee
 - b. To an officer or employee of a state agency or another school district or county office of education when necessary for the performance of official duties
 - c. To an employee organization pursuant to regulations and decisions of the Public Employment Relations Board, unless the employee performs law enforcement-related functions or requests in writing that the information not be disclosed
 - d. To an agent or employee of a health benefit plan providing health services or administering claims for health services to District employees and their enrolled dependents, for the purpose of providing the health services or administering claims for employees and their enrolled dependents
4. Test questions, scoring keys, and other examination data except as provided by law
 5. Without affecting the law of eminent domain, the contents of real estate appraisals or engineering or feasibility estimates and evaluations made for or by the District relative to the acquisition of property, or to prospective public supply and construction contracts, until all of the property has been acquired or all of the contract agreement obtained
 6. Information required from any taxpayer in connection with the collection of local taxes that is received in confidence and the disclosure of the information to other persons would result in unfair competitive disadvantage to the person supplying the information
 7. Library circulation and patron use records kept of a borrower or patron including, but not limited to, his/her name, address, telephone number, email address, borrowing information, or use of library information resources
 8. Records for which the disclosure is exempted or prohibited pursuant to state or federal law, including, but not limited to, provisions of the Evidence Code relating to privilege
 9. Documents prepared by or for the District to assess its vulnerability to terrorist attack or other criminal acts intended to disrupt District operations and that are for distribution or consideration in closed session
 10. Recall petitions, petitions for special elections to fill Board vacancies, or petitions for the reorganization of the school District

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Huntington Beach, California

ADMINISTRATIVE REGULATION

AR 1340

COMMUNITY RELATIONS

ACCESS TO DISTRICT RECORDS

Confidential Records (continued)

11. Minutes of Board meetings held in closed session
12. Computer software developed by the District
13. Information security records, the disclosure of which would reveal vulnerabilities to, or increase potential for an attack on, the District's information technology system
14. Records that contain individually identifiable health information, including records that may be exempt pursuant to physician-patient privilege, the Confidentiality of medical Information Act, and the Health Insurance Portability and Accountability Act
15. Any other records listed as exempt from public disclosure in the California Public Records Act or other statutes
16. Records for which the District can demonstrate that, based on the particular facts of the case, the public interest served by not disclosing the record, clearly outweighs the public interest served by disclosure of the record

Inspection of Records and Requests for Copies

Every person may request a copy or inspection of any District record that is open to the public and not exempt from disclosure.

Within 10 days of receiving any request to inspect or copy a District record, the Superintendent or designee shall determine whether the request seeks release of a disclosable public record in the District's possession. The Superintendent or designee shall promptly inform the person making the request of his/her determination and the reasons for the decision.

In unusual circumstances, the Superintendent or designee may extend the 10-day limit for up to 14 days by providing written notice to the requester and setting forth the reasons for the extension and the date on which a determination is expected to be made. Unusual circumstances include the following, but only to the extent reasonably necessary to properly process the request:

1. The need to search for and collect the requested records from field facilities or other establishments that are separate from the office processing the request

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

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AR 1340

COMMUNITY RELATIONS

ACCESS TO DISTRICT RECORDS

Inspection of Records and Requests for Copies (continued)

2. The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records which are demanded in a single request
3. The need for consultation, which shall be conducted with all practicable speed, with another agency (e.g., a state agency or city) having a substantial interest in the determination of the request or among two or more components of the District (e.g., two different school sites) with substantial interest in the request
4. In the case of electronic records, the need to compile data, write programming language or a computer program, or construct a computer report to extract data

If the Superintendent or designee determines that the request seeks disclosable public records, the determination shall state the estimated date and time when the records will be made available.

Public records are open to inspection at all times during District office hours. Any reasonably segregable portion of a record shall be made available for inspection by any person requesting the record after deletion of the portions that are exempted by law.

Upon request for a copy that reasonably describes an identifiable record, an exact copy shall be promptly provided unless it is impracticable to do so.

The Superintendent or designee shall charge an amount for copies that reflects the direct costs of duplication. Written requests to waive the fee shall be submitted to the Superintendent or designee.

If any person requests a public record be provided in an electronic format, the District shall make that record available in any electronic format in which it holds the information. The District shall provide a copy of the electronic record in the format requested as long as the requested format is one that has been used by the District to create copies for its own use or for use by other agencies.

The cost of duplicating an electronic record shall be limited to the direct cost of producing a copy of the record in electronic format. However, the requester shall bear the cost of producing the copy of the electronic record, including the cost to construct the record and the cost of programming and computer services necessary to produce the copy, under the following circumstances:

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AR 1340

COMMUNITY RELATIONS

ACCESS TO DISTRICT RECORDS

Inspection of Records and Requests for Copies (continued)

1. The electronic record is one that is produced only at otherwise regularly scheduled intervals
2. The request would require data compilation, extraction, or programming to produce the record

Assistance in Identifying Requested Records

If the Superintendent or designee denies a request for disclosable records, he/she shall assist the requester in making a focused and effective request that reasonably describes an identifiable record. To the extent reasonable under the circumstances, the Superintendent or designee shall do all of the following:

1. Assist in identifying records and information responsive to the request or the purpose of the request, if specified

If, after making a reasonable effort to elicit additional clarifying information from the requester to help identify the record, the Superintendent or designee is still unable to identify the information, this requirement shall be deemed satisfied.

2. Describe the information technology and physical location in which the records exist
3. Provide suggestions for overcoming any practical basis for denying access to the records or information sought

Provisions of the Public Records Act shall not be construed so as to delay access for purposes of inspecting records open to the public. Any notification denying a request for public records shall state the name and title of each person responsible for the denial.

Regulation Adopted: 09/07/94
Regulation Revised: 09/03/02
Regulation Revised: 03/02/10
Regulation Revised: 04/08/14

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 1400

COMMUNITY RELATIONS

RELATIONS BETWEEN OTHER GOVERNMENTAL AGENCIES AND THE SCHOOLS

The Board of Trustees recognizes that agencies at all levels of government share its concern and responsibility for the welfare, health, and safety of youth. The Board of Trustees and District staff shall take every opportunity to work cooperatively with these agencies for the benefit of our students. The Superintendent or designee shall initiate and maintain good working relationships with representatives of these agencies in order to help our schools and students make use of the resources which governmental agencies can provide.

The District may enter into agreements with other agencies which involve the exchange of funds or reciprocal services. Such agreements shall be approved by the Board of Trustees and executed in writing.

Legal Reference:

EDUCATION CODE

10900-10916 Cooperative community recreation programs
12400 Authority to receive and expend federal funds
12405 Authority to participate in federal programs
17750 Joint use of library facilities
17751 Joint use of park and recreational facilities
32000-32004 Uniform fire signals
35160 Authority of governing boards
35160.1 Broad authority of school districts
48902 Notification of law enforcement agencies re student violations
48909 District attorney may give notice re student drug use, sale or possession
49305 Cooperation of police and California Highway Patrol (re Safety Patrols)
49402 Contracts with city, county or local health departments
49403 Cooperation in control of communicable disease and immunization
51202 Instruction in personal and public health and safety (re: fire prevention)

ELECTIONS CODE

1504 Polling places: schools

WELFARE AND INSTITUTIONS CODE

828 Disclosure of information re minors by law enforcement agency
828.1 School district police department; disclosure of juvenile criminal records

Policy Adopted: 05/17/94
Policy Revised: 03/02/10
Policy Reviewed: 04/08/14

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 1431

COMMUNITY RELATIONS

WAIVERS

The Board of Trustees recognizes that strict compliance with the law may sometimes hinder the District's ability to provide its students with an effective, well-rounded educational program. When it is in the interest of District students, the Board may request that the State Board of Education (SBE) waive any provisions of state or federal law or regulation which it has authority to waive pursuant to Education Code 33050.

Any waiver request to be submitted to the SBE shall first be approved by the Board of Trustees. The Superintendent or designee shall ensure that each proposed waiver request includes all information necessary for the Board to analyze the need for the waiver and make an informed decision.

Prior to presenting the proposed request for Board of Trustees' approval, the Superintendent or designee shall consult with and obtain the approval of any advisory committee or site council when required by law.

In addition, the Superintendent or designee shall involve the exclusive representative of District employees in the development of the waiver request, and shall include in the request the exclusive representative's position regarding the waiver.

To receive public testimony on each waiver request proposal, the Board of Trustees shall hold a properly noticed public hearing during a Board meeting.

The notice, which shall state the time, date, location, and subject of the public hearing, may be printed in a newspaper of general circulation or posted at each school and three public places in the District.

When the District has requested and received the same general waiver from the SBE for two consecutive years, the Board of Trustees is not required to reapply annually if the information contained on the request remains current. However, the District shall apply annually for the renewal of any waiver regarding teacher credentialing.

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 1431

COMMUNITY RELATIONS

WAIVERS

Legal Reference:

EDUCATION CODE

305-311 Structured English immersion program; parental exception waivers
5000-5033 Governing board elections
8750-8754 Grants for conservation education
10400-10407 Cooperative improvement programs
17047.5 Facilities used by special education students
17291 Portable school buildings
33050-33053 General waiver authority
37202 Equity length of time
41000-41360 School finance
41381 Minimum school day
41600-41854 Computation of allowances
41920-42842 Budget requirements; local taxation by school districts
44520-44534 New Careers Program
44666-44669 School-Based Management and Advanced Career Opportunities
44681-44689 Administrator Training and Evaluation
45108.7 Maximum number of senior management positions
48660-48666 Community day schools
48800 Attendance at community college
49550-49560 Meals for needy students
51224.5 Algebra instruction
51745.6 Charter school independent study ratio
52160-52178 Bilingual-Bicultural Education Act of 1976
52340-52346 Career Guidance Centers
52522 Plans for adult education
52850-52863 School-Based Program Coordination
54100-54145 Miller-Unruh Basic Reading Program
54407 Waiver for compensatory education programs
58900-58928 Restructuring demonstration programs
60119 Public hearing on sufficiency of instructional materials
60851 High school exit examination, waiver for student with disabilities
CODE OF REGULATIONS, TITLE 5
1032 Academic Performance Index
3100 Resource specialist caseload waivers
3945 Cooperative programs
9531 Instructional materials funding
11960 Charter school attendance
11963.4 Charter school percentage funding
13017 Waivers, compensatory education New Careers in Education Program
13044 Waivers, compensatory education Professional Development and Program Improvement Programs
UNITED STATES CODE, TITLE 20
1400-1482 Individuals with Disabilities in Education Act
7115 Safe and Drug Free Schools, authorized activities

Management Resources:

WEB SITES

California Department of Education, Waiver Office: <http://www.cde.ca.gov/re/lr/wr>
Commission on Teacher Credentialing: <http://www.ctc.ca.gov>

Policy Adopted: 09/07/94
Policy Revised: 03/07/06
Policy Revised: 03/02/10
Policy Revised: 04/08/14

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 1700

COMMUNITY RELATIONS

RELATIONS BETWEEN PRIVATE INDUSTRY AND THE SCHOOLS

The Board of Trustees encourages representatives of private industry to participate with the schools in preparing our students for challenges they will meet in the future. Working together as partners, business and the schools should seek to educate citizens who can contribute to the productive workforce on which our economy depends.

The Superintendent or designee shall invite local employers to serve on advisory committees, help design regular, vocational and technical programs, and provide needs assessments, programs evaluations, and/or staff development for school managers and teachers. Business may also provide classroom assistance, individual tutoring, incentive and recognition programs, work experience opportunities, apprenticeship programs, and employment opportunities. The Board of Trustees recognizes that staff members need adequate time to plan these activities in cooperation with the business volunteers.

The Board of Trustees also encourages private industries to contribute funds and equipment to further the District's educational programs. To prepare for an increasingly technological job market, students especially need access to equipment that meets current business standards.

The Board of Trustees urges employers to further support the schools by recognizing their employees' needs as parents, accommodating their needs for child care, and supporting their involvement with their children's schools.

The Superintendent or designee shall ensure that staff, students, and parents/guardians have the opportunity to periodically assess the support which local businesses provide our schools. The Superintendent or designee shall regularly report these evaluations to the Board of Trustees and recommend those individuals and/or businesses whose contributions merit Board of Trustees' commendation.

Legal Reference:

EDUCATION CODE

35160 Authority of governing boards

35160.1 Broad authority of school districts

52376 High school vocational courses; requirements

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